STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

BETSY L. CHILD
COMMISSIONER

PHIL BREDESEN
GOVERNOR

September 9, 2004

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SPEC ASST

Mr. J. I. Palmer, Jr.
Regional Administrator
U.S. EPA, Region IV
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303

Mr. Richard E. Greene
Regional Administrator
U. S. EPA, Region VI
1445 Ross Avenue
Suite 1200
Dallas, Texas 75202

Dear Mr. Palmer and Mr. Greene:

The purpose of this letter is to transmit additional information in support of the recent request by the States of Arkansas and Tennessee that EPA reclassify Crittenden County, Arkansas and Shelby County, Tennessee (Memphis) from a moderate to a marginal nonattainment area under the 8-hour Ozone National Ambient Air Quality Standard (Petition). This additional information is being provided as a result of ongoing discussions about the Petition with EPA staff.

As you may recall, the Petition made reference to a Tennessee Air Pollution Control Board meeting that was to occur on July 15 – the deadline for reclassification petitions. Tennessee pledged to file a supplement to the Petition giving a report on the outcome of the board meeting, and that was done on July 19, 2004. The board expanded Stage I gasoline vapor recovery into many areas of the state and enacted a statewide vehicle anti-tampering rule. These measures should assist in Tennessee's efforts to attain the new 8-hour ozone standard.

One measure that the board deferred at its July meeting was a state NO_x RACT rule for sources that have a 50 ton per year level of NO_x. The board felt that the rule had changed so much from responses to comments that it needed to be re-noticed with a 60-day comment period. The rule is currently in the public depositories and hearings are scheduled on October 18, 19 and 21, 2004. The board is scheduled to take action on this rule at its November 2004 meeting. All reasonable efforts will be made to implement this rule by the beginning of the 2006 ozone season, but must, by necessity, progress within legal and technical limitations.

As mentioned in the Petition, there are several sources in Shelby County that could be subject to this rule. This could result in substantial reductions of NO_x in the county. Sources of this size category in Tipton and Fayette Counties are natural gas compressor stations that operate at their peak only during cool weather when more gas is needed in the northern states. We are working on a rule with the industry to run only their newer, cleaner engines and turbines in the ozone season months. The industry is receptive to these rulemaking discussions and I feel confident that we will be able to create such a rule.

The Petition made reference to the Marion monitor study and control measures evaluation. All parties to the Petition have agreed to participate in these activities with the Arkansas Department of Environmental Quality taking the lead in the monitor study. Concurrent to the monitoring study, a control measures evaluation will occur and may result in the development of control measures prior to the conclusion of the study. During the course of this evaluation, any measure that is identified as being effective will be submitted to the board with a request for implementation as expeditiously as possible. Pending the final outcome of the monitor study concerning the possible identification of sources that cause the Crittenden County ozone monitor to exceed the 8-hour ozone standard, Tennessee will take action that is within our legal authority to correct the problem.

All reasonable activities within our power will be made to implement measures that are necessary to achieve attainment. Such action will be undertaken by the beginning of the 2006 ozone season. These activities must progress within the timeframes of the state rulemaking requirements and the reality of technical limitations sources may face in complying with the rule. Concurrent to the monitoring study, a control measures evaluation including quantification of emission reduction benefits will occur. Tennessee will take all reasonable actions that are within our legal authority to control emissions to reach acceptable emission rates and in so doing not contribute to or cause ozone exceedances at any monitor. All reasonable efforts will be made to implement those actions by the beginning of the 2006 ozone season, but must, by necessity, progress within legal and technical limitations.

I urge you to approve the Memphis reclassification Petition and believe that this additional information further strengthens our request. If you should have further questions, please contact our air pollution control division director, Barry R. Stephens or me.

Sincerely,

Betsy L. Child

BLC:QNS:cm

Enclosures

cc: Kay Prince – EPA Region IV
Yvonne Madlock – Memphis/Shelby County Health Department
Bob Rogers – Memphis/Shelby County Health Department
Becky Keogh - ADEQ