

January 25, 2011

Dr. Bryan Shaw, Ph.D.  
Chairman  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Dear Chairman Shaw:

In its regularly called Commissioners Court meeting of January 18, 2011, Travis County requested the Texas Commission on Environmental Quality (TCEQ) amend its recommendation to Governor Perry regarding areas in Texas to be designated as nonattainment under the 2008 ozone National Ambient Air Quality Standard (NAAQS). Travis County's request is that it be removed from the recommended nonattainment list.

Williamson County wishes to express its support for Travis County in this request.

Williamson County and many of the political subdivisions of the county work closely with Travis County in efforts through the Clean Air Force of Central Texas, the Clean Air Coalition and specific efforts through an 8 Hour Ozone Flex Program for the Austin-Round Rock Metropolitan Area (MSA). As a result of these ongoing efforts – the 8 Hour Ozone Flex Program remains in effect through the end of 2013 – this area's ozone concentrations have been steadily decreasing and there is little risk of exceeding the 2008 ozone standard. It is our understanding that the United States Environmental Protection Agency (EPA) must act by March 11, 2011 to establish nonattainment areas based on the 2008 standard. The area's 2009 and 2010 ozone design values (0.075 parts per million (ppm) and 0.074 ppm, respectively) both met the 0.075 ppm standard.

The efforts in Williamson and surrounding counties have resulted in steady declines in ozone measurements in the MSA. These declines have occurred simultaneously with substantial growth, with Williamson County being one of the fastest growing counties in the country according to the 2010 Census. Over the last decade ozone measurements in this area have decreased from a high design value of 0.089 ppm in 2000 to 0.074 ppm in 2010.

It is neither necessary nor constructive for Travis County to remain on the list of areas to be designated nonattainment under the 2008 ozone standard. The uncertainties of EPA's pending reconsideration of the 2008 standard and its March 12, 2011, deadline for issuing final designations for the 2008 ozone standard makes designation of Travis County unwarranted.

In late 2008 Williamson County successfully petitioned the TCEQ to be left off a designation list to the Governor for nonattainment under the 2008 standard. Additional precedent for submitting revised recommendations may be found in a similar, specific instance. On October 13, 2010, Governor Perry submitted a proposed modification of recommended boundaries for a lead nonattainment area in Collin County. The USEPA subsequently issued final designations incorporating the Governor's revised recommendation for Collin County.

Williamson County believes that Travis County's situation warrants a revised recommendation in consideration of the most recent ozone ambient monitoring data and continued implementation of the 8-Hour Ozone Flex Program. Williamson County requests that the TCEQ make such a recommendation to the Governor.

Thank you for your prompt consideration of this matter. If you have any questions, please contact me at (512) 943-1550 or contact the County's Director, Environmental Programs, Gary Boyd, at (512) 260-4226.

Sincerely,

  
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DAN A. GATTIS  
County Judge

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LISA BIRKMAN  
Commissioner, Precinct One

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CYNTHIA LONG  
Commissioner, Precinct Two

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VALERIE COVEY  
Commissioner, Precinct Three

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RON MORRISON  
Commissioner, Precinct Four