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To Whom It May Concern:

The Virginia Department of Transportation appreciates the opportunity to provide comments on the proposed Implementation Strategies for the eight-hour National Ambient Air Quality Standards. The following are our comments on the topics discussed at the March public meeting as well as concerns regarding other issues related to the implementation of the new standard:

**Transition from the 1-hour Ozone NAAQS to the 8-hour Ozone NAAQS:**

- Strongly support revoking the 1-hour standard designation once the 8-hour standard nonattainment designation is made provided at least a one-year grace period is included. Simultaneously implementing both designations will result in a significant and unnecessary cost to the Commonwealth of Virginia. The Commonwealth of Virginia expends approximately $1.5 million a year in administrative costs and about $30M a year in control measures (CMAQ, mitigation measures) to assure compliance with the 1-hour standard. The administrative cost will more than double with the designation of the new 8-hour attainment/nonattainment areas. The comprehensive planning requirements of the new standard will result in a significant work increase as well as an increase in planning and regulatory costs. The EPA must plan for a significant increase in resources consistent with ultimate implementation schedule. If the 8-hour standard will improve air quality more than the 1-hour standard, then we see no reason to continue to maintain both standards. The 1-hour standard should be revoked at the time the 8-hour ozone attainment/nonattainment designation. We support the EPA's Option 1.

**Classification of Nonattainment Areas for the 8-hour Standard:**

ξ Support classifying the 8-hour non-attainment areas based on 8-hour ozone design values in Subpart 2 by revising Subpart 2 Table 1 to include the 8-hour standards. Two separate standards should not co-exist. The 8-hour standard should replace the 1-hour standard. We support the EPA's Option 2.

**Integration of Air Quality Designations & Classifications for 8-hr ozone & PM2.5:**

ξ Support staggering the implementation of the new particulate matter and ozone standards. Our time and attention will be best spent focusing on one issue at a time. Promulgating the new PM2.5 standard in December 2005 will provide the Department an opportunity to address issues associated with the new ozone areas first.

**Incentives for areas that take early action:**

ξ Recommend allowing credit in future analysis as an incentive for early actions to reduce ozone under the 8-hour standard.

**Flexibility in Mandatory Measures in Subpart 2:**

ξ Support identifying a legal justification to allow areas covered under Subpart 2 to substitute measures that will provide equivalent ozone reductions.

**Attainment Dates for the 8-hour Standard:**

ξ Supports either Approach A (Subpart 2 attainment dates) or Approach B (hybrid) for determining the 8-hour attainment dates. The EPA should provide sufficient time for marginal or submarginal areas to determine compliance with the standard (at least 3 years of monitoring data), after the implementation of the regional $NO_X$ emission reduction program ($NO_X$ SIP Call), and/or other transport measures. The EPA should also provide sufficient time for areas of higher classification to attain while using the regional planning process to evaluate and implement additional strategies (if needed) to address any remaining transport issues.

**Addressing Transport in the 8-Hour Ozone Implementation Program:**

ξ Recommend against expanding the existing or proposed non-attainment areas to cover transport areas. Such an expansion would be hard to administer and would hold areas accountable for SIP requirements until the worst scenarios are addressed. Instead would like to support the continuation of the regional planning process and implementation of national and regional control programs to evaluate and address ozone transport.

**Reasonable Further Progress Requirement:**

ξ Issue 1: Strongly support allowing NOx substitution. The EPA's Option 2 provides more flexibility in Virginia to use a mix of NOx and VOC reductions to meet the 15% requirement.

- ξ Issue 2: Prefer to use the base year that is closest to the year of the designations (Option 1).
- ξ Issue 3: Support using the same baseline year that was used to calculate the rate of progress target for the period in question (Option 2).
- ξ Issue 4: Support using Subpart 1 to meet the reasonable further progress requirements for the 8-hour standard. EPA should rely as much as possible on the flexibility allowed under Subpart 1 to allow states to design and implement their own plans to meet attainment or emission reduction requirements under the new standard.

**Transportation Planning Issues:**

- ξ Recommend that marginal or submarginal nonattainment areas should be exempt from transportation conformity requirements or these requirements should be greatly reduced. In addition, EPA should revise its conformity rule to better coordinate and integrate the SIP and transportation planning processes and evaluation horizons.
- ξ Strongly a support revoking the 1-hour standard designation once the 8-hour standard nonattainment designation is made provide at least a one-year grace period is provided.

Thank you for this opportunity to comment on these very important issues concerning the implementation of the new ozone standard. Please contact me at (804) 786-2703, if you have any questions concerning these comments.

Sincerely,

Jeffrey C. Southard