



Cecil Co. *cc Diane, Debbie K (SIP)*
Randy, Jon. P.
MARYLAND DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway • Baltimore Maryland 21224
(410) 631-3000 • 1-800-633-6101 • <http://www.mde.state.md.us>

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

FEB 2 2000

Bradley M. Campbell
Regional Administrator
EPA Region III
1650 Arch Street
Philadelphia PA 19103

Dear Mr. Campbell:

The purpose of this letter is to provide a reaffirmation of previous commitments made by the State of Maryland in the State Implementation Plan (SIP) revision submittals dated December 24, 1997 and April 28, 1998. This letter is being provided as called for in the Notice of Proposed Rulemaking (NPR) on the One-Hour Ozone Attainment Demonstration for the Philadelphia-Wilmington-Trenton Area which was published in the Federal Register on December 16, 1999 (64 FR 70412). The Philadelphia area is comprised of two counties in Delaware, one county in Maryland (namely, Cecil County), seven counties in New Jersey, and five counties in Pennsylvania.

On December 3, 1999, the State of Maryland submitted its draft revised motor vehicle budgets for the Cecil County area. Those budgets are currently proceeding through the State and local processes, including public hearing, necessary for their adoption. The State of Maryland will submit the revised budgets in time for EPA to complete its adequacy process by May 31, 2000.

In the December 24, 1997 and April 28, 1998, SIP revision submittals referenced above, the State of Maryland made an enforceable commitment to adopt additional control measures as needed to attain the one-hour ozone national ambient air quality standard (NAAQS). These SIP revisions were the subject of public comment periods and public hearings as required under section 110 of the Clean Air Act. This letter serves to reaffirm that commitment and to recognize that it applies to the need for additional emission reductions as required in the attainment demonstration test as called for in the December 16, 1999 NPR published by EPA for the Cecil County area.

These additional measures will be adopted and submitted to EPA by no later than October 31, 2001. Moreover, for additional emission reduction measures developed through a regional process with fellow Ozone Transport Commission (OTC) states, the State of Maryland also recognizes that its commitment also constitutes a backstop commitment to adopt and submit by October 31, 2001, intrastate measures for the emission reductions in the event the OTC process does not recommend measures that produce the needed emission reductions.

The State of Maryland also recognizes that in fulfilling its commitment to adopt and submit the additional measures necessary to support the attainment test, it would also have to submit as part of the SIP revision, due by October 31, 2001, revised motor vehicle budgets if the additional measures affect the motor vehicle emissions inventory.

In our April 29, 1998 SIP revision submittal, we submitted a list of potential control measures that could provide additional emission reductions needed to attain the standard. The list does not include any measures that limit highway construction. Please note that in submitting the list, the State of Maryland did not commit to adopt any specific measures.

Pursuant to its commitment to adopt additional measures necessary to attain the one-hour ozone standard, the State of Maryland commits to perform a mid-course review as called for in EPA's December 16, 1999 NPR.

The State of Maryland commits to revise its SIP and motor vehicle emissions budget within one (1) year after MOBILE6 is issued. This revision is necessary because EPA included the effects of Tier 2 in its assessment of the attainment test for the Cecil County nonattainment area and in its determination of additional emission reductions necessary to support the attainment test. In any case, the State of Maryland will revise the motor vehicle emission budget to include Tier 2 before December 31, 2000.

As indicated above, the State of Maryland made an enforceable commitment to adopt additional control measures as needed to attain the one-hour ozone national ambient air quality standard (NAAQS) its April 28, 1998 SIP revision which was the subject of a public comment period and public hearing. However, that SIP revision did not specify the October 31, 2001 deadline for submittal of the additional measures. The State of Maryland will, therefore, again make an enforceable commitment as described herein, including the October 31, 2001 deadline, the subject of public notice and hearing and resubmit it to EPA by no later than January of 2001.

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Thank you for this opportunity to reaffirm Maryland's previous commitments made in the Phase I and Phase II Attainment Plans for the Cecil County nonattainment area. We look forward to continuing to work with the Environmental Protection Agency and other stakeholders on this important issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jane Nishida".

Jane Nishida, Secretary
Maryland Department of the Environment

JN:jd