

NOTICE OF PUBLIC COMMENT AND HEARING

The West Virginia Department of Environmental Protection (DEP) is offering an opportunity for public comment, and will hold a public hearing, on the *Proposed Redesignation Requests And Maintenance Plans For The Charleston, WV Nonattainment Area, With Respect To The 1997 And 2006 PM_{2.5} National Ambient Air Quality Standards (NAAQS)*. The proposal concerns two separate but related actions regarding the Charleston nonattainment area, comprising Kanawha and Putnam Counties.

First, DEP is requesting that the U.S. Environmental Protection Agency (EPA) redesignate the area to attainment pursuant to the provisions of the Clean Air Act, section 107 with respect to the 1997 PM_{2.5} NAAQS and concurrently approve, as a revision to the State Implementation Plan (SIP), the related maintenance plan which demonstrates that the area will continue to meet the 1997 PM_{2.5} air quality standards for at least ten more years. DEP is expressly soliciting comment on whether the currently proposed maintenance plan adequately meets the requirements of the Clean Air Act, section 175A, as well as any relevant comments regarding the incorporation of the finalized maintenance plan into the West Virginia SIP. The area was designated as nonattainment for the 1997 PM_{2.5} annual NAAQS in the January 5, 2005 Federal Register [70 FR 944], effective April 5, 2005. On October 11, 2011, in accordance with Section 179(c)(1) of the CAA, EPA determined that the Charleston PM_{2.5} nonattainment area had attained the 1997 PM_{2.5} NAAQS, [76 FR 62640].

Second, DEP is requesting that the EPA redesignate the area to attainment pursuant to the provisions of the Clean Air Act, section 107 with respect to the 2006 PM_{2.5} NAAQS and concurrently approve, as a revision to the State Implementation Plan (SIP), the related maintenance plan which demonstrates that the area will continue to meet the 2006 PM_{2.5} air quality standards for at least ten more years. DEP is explicitly soliciting comment on whether the currently proposed maintenance plan adequately meets the requirements of the Clean Air Act, section 175A, as well as any relevant comments regarding the incorporation of the finalized maintenance plan into the West Virginia SIP. The area was designated as nonattainment with the 2006 PM_{2.5} 24-hour NAAQS in the November 13, 2009 Federal Register [74 FR 58688], effective December 14, 2009. On November 18, 2011, in accordance with Section 179(c)(1) of the CAA, EPA determined that the Charleston PM_{2.5} nonattainment area had attained the 2006 24-hour PM_{2.5} NAAQS [76 FR 71450].

In both cases, DEP demonstrates that the measured air quality improvement has been achieved through federally enforceable emission reduction measures. Further, DEP shows that with expected growth and federally enforceable controls, the area will continue to achieve attainment of the NAAQS for at least ten years.

DEP is expressly requesting that if EPA finds any substantive deficiency with respect to one of West Virginia's requests for redesignation and/or the associated maintenance plan but not the other (e.g. EPA determines the 1997 request/maintenance plan is adequate but the 2006 request is not, or vice versa), then the State requests that EPA regard the redesignation requests as

severable and continue processing the one found adequate.

Written and oral comments will be accepted during the public hearing and will be made part of the formal record. The public hearing shall be held beginning at 6:00 p.m. on Tuesday, November 27, 2012 at DEP headquarters: 601 57th Street, SE, Charleston, WV 25304. Written comments will also be accepted for inclusion in the formal record by mail, facsimile (304-926-0479), e-mail (Tammy.L.Mowrer@wv.gov) or other delivery to the Division of Air Quality if received by the close of business on November 27, 2012. Send written comments to be included in the formal record to John A. Benedict, Director, Division of Air Quality at the address above. Please identify the document to which the comments apply, the commenter's name, address and telephone number.

Copies of the proposed SIP revision and documentation may be viewed on weekdays between 8:30 a.m. and 4:30 p.m. at the Division of Air Quality, 601 57th Street, SE, Charleston, WV 25304. The relevant documents may also be accessed via the following web address: <http://www.dep.wv.gov/daq/General/Pages/PublicNoticeandComment.aspx>