



west virginia department of environmental protection

Appendix O: Public Participation

West Virginia Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Promoting a healthy environment.

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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 a proposed revision to the State Implementation Plan (SIP) regarding the 2015 Ozone National Ambient Air Quality Standard (NAAQS) and West Virginia's obligations under Clean Air Act (CAA) Section 110(a)(2)(D)(i)(I).

Sections 110(a)(1) and (2) of the CAA require all states to adopt and submit to the U.S. Environmental Protection Agency (EPA) any necessary revisions to their SIP which provide for the implementation, maintenance, and enforcement of a new or revised NAAQS. Such revisions are commonly referred to as "infrastructure SIPs." The EPA revised the ozone NAAQS in October 2015 and completed the designation process to identify nonattainment areas in July 2018. The DEP subsequently held a public hearing on Tuesday, August 28, 2018 for the West Virginia infrastructure SIP, but did not address one of the required components, CAA Section 110(a)(2)(D)(i)(I), which is commonly referred to as the "Good Neighbor" provision.

This revision supplements DEP's infrastructure SIP and addresses the CAA Section 110(a)(2)(D)(i)(I) requirements to identify the measures that have been implemented by West Virginia to address the state's significant downwind impacts to nonattainment and maintenance areas.

Once finalized the *West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act §110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I)* will be submitted to U.S. EPA for approval and incorporation as a revision to the SIP. Written and oral comments will be accepted until the close of the public hearing and will be made part of the formal record. Please identify the document to which the comments apply, the commenter's name, address and telephone number.

Written comments will also be accepted for inclusion in the formal record by mail, facsimile (304-926-0479), e-mail (Sandra.K.Adkins@wv.gov) or other delivery to the Division of Air Quality if received by the close of business on Tuesday, October 9, 2018. Transmit written comments to William F. Durham, Director of the Division of Air Quality at the following address:

WV Department of Environmental Protection
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

The public hearing shall be held beginning at 6:00 p.m. on Tuesday, October 9, 2018 at the following location:

WV Department of Environmental Protection
Division of Air Quality
Conference Room (TBD)
601 57th Street, SE
Charleston, WV 25304

Copies of the proposed SIP revision and documentation may be viewed on weekdays between 8:00 a.m. and 4:00 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://dep.wv.gov/daq/publicnoticeandcomment/Pages/default.aspx>

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west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

Cristina Fernandez, Director
Air Protection Division
U.S. Environmental Protection Agency
Region 3
1650 Arch Street
Mail Code: 3AP00
Philadelphia, PA 19103-2029

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act
Section 110(a)(2)(D)(i)(I)*

Dear Director Fernandez:

The West Virginia Department of Environmental Protection (DEP) is herein providing for your review and comment the enclosed proposed revision to the State Implementation Plan (SIP):
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of
Compliance with the Good Neighbor Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I).*

Sections 110(a)(1) and (2) of the CAA require all states to adopt and submit to the U.S. Environmental Protection Agency (EPA) any necessary revisions to their SIP which provide for the implementation, maintenance, and enforcement of a new or revised NAAQS. Such revisions are commonly referred to as “infrastructure SIPs”. The EPA revised the ozone NAAQS in October 2015 and completed the designation process to identify nonattainment areas in July 2018. The West Virginia DEP will submit the majority of West Virginia’s infrastructure SIP in September 2018, which will not address one of the required components, CAA Section 110(a)(2)(D)(i)(I), which is commonly referred to as the “Good Neighbor” provision. The enclosed proposed revision supplements DEP’s September 2018 infrastructure SIP submittal and addresses the CAA section 110(a)(2)(D)(i)(I) requirements to identify the measures that have been implemented by West Virginia to address significant downwind state impacts to nonattainment and maintenance areas.

Promoting a healthy environment.

Once finalized the *West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act §110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I)* will be submitted to EPA for approval and incorporation as a revision to the SIP. Written and oral comments will be accepted until the close of the public hearing and will be made part of the formal record. A public hearing will be held Tuesday, October 9, 2018 at 6:00 p.m. at DEP Headquarters in Charleston, West Virginia.

A copy of the proposed SIP revision, supporting documentation and public notice are enclosed for your review, and may be viewed electronically on the Division of Air Quality website under the public notice and comment section: www.dep.wv.gov/daq/.

Send written comments to be included in the formal record to William F. Durham, 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. Written comments will also be accepted for inclusion in the formal record by mail, facsimile (304-926-0479), email (Sandra.K.Adkins@wv.gov), or other delivery to the Division of Air Quality if postmarked or transmitted by 5:00 p.m. on October 9, 2018.

If you or your staff have any questions or would like additional information, please contact Alanna Keller of my staff at (304) 926-0499 ext. 1068, or Alanna.J.Keller@wv.gov.

Sincerely,



William F. Durham, Director
Division of Air Quality

enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

The Honorable Dannel P. Malloy
Governor of Connecticut
Office of the Governor
State Capitol
201 Capitol Avenue
Hartford, CT 06106

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act
Section 110(a)(2)(D)(i)(I)*

Dear Governor Malloy:

The West Virginia Department of Environmental Protection (DEP) is herein providing for your review and comment the enclosed proposed revision to the State Implementation Plan (SIP):
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§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of
Compliance with the Good Neighbor Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I).*

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Promoting a healthy environment.

Your state is being notified because West Virginia has been identified as being linked to a downwind nonattainment or maintenance receptor in a 2015 Ozone NAAQS nonattainment area which a portion of your state is a part.

Once finalized the *West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act §110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I)* will be submitted to EPA for approval and incorporation as a revision to the SIP. Written and oral comments will be accepted until the close of the public hearing and will be made part of the formal record. A public hearing will be held Tuesday, October 9, 2018 at 6:00 p.m. at DEP Headquarters in Charleston, West Virginia.

A copy of the proposed SIP revision, supporting documentation and public notice are enclosed for your review, and may be viewed electronically on the Division of Air Quality website under the public notice and comment section: www.dep.wv.gov/daq/.

Send written comments to be included in the formal record to William F. Durham, 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. Written comments will also be accepted for inclusion in the formal record by mail, facsimile (304-926-0479), email (Sandra.K.Adkins@wv.gov), or other delivery to the Division of Air Quality if postmarked or transmitted by 5:00 p.m. on October 9, 2018.

If you or your staff have any questions or would like additional information, please contact Alanna Keller of my staff at (304) 926-0499 ext. 1068, or Alanna.J.Keller@wv.gov.

Sincerely,



William F. Durham, Director
Division of Air Quality

enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

The Honorable John Carney
Governor of Delaware
Legislative Hall
Dover, DE 19901

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act
Section 110(a)(2)(D)(i)(I)*

Dear Governor Carney:

The West Virginia Department of Environmental Protection (DEP) is herein providing for your review and comment the enclosed proposed revision to the State Implementation Plan (SIP):
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§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of
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Promoting a healthy environment.

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Once finalized the *West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act §110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I)* will be submitted to EPA for approval and incorporation as a revision to the SIP. Written and oral comments will be accepted until the close of the public hearing and will be made part of the formal record. A public hearing will be held Tuesday, October 9, 2018 at 6:00 p.m. at DEP Headquarters in Charleston, West Virginia.

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If you or your staff have any questions or would like additional information, please contact Alanna Keller of my staff at (304) 926-0499 ext. 1068, or Alanna.J.Keller@wv.gov.

Sincerely,

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William F. Durham, Director
Division of Air Quality

enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland
State House
100 State Circle
Annapolis, MD 21401-1925

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
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Section 110(a)(2)(D)(i)(I)*

Dear Governor Hogan:

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William F. Durham, Director
Division of Air Quality

enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

The Honorable Phil Murphy
Governor of New Jersey
The State House
P.O. Box 001
Trenton, NJ 08625

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
Demonstration of Compliance with the Good Neighbor Requirements of Clean Air Act
Section 110(a)(2)(D)(i)(I)*

Dear Governor Murphy:

The West Virginia Department of Environmental Protection (DEP) is herein providing for your review and comment the enclosed proposed revision to the State Implementation Plan (SIP):
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§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the Demonstration of
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Sincerely,



William F. Durham, Director
Division of Air Quality

enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

The Honorable Andrew M. Cuomo
Governor of New York
NYS State Capitol Building
Albany, NY 12224

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
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Section 110(a)(2)(D)(i)(I)*

Dear Governor Cuomo:

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Sincerely,



William F. Durham, Director
Division of Air Quality

enclosure



west virginia department of environmental protection

Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Austin Caperton, Cabinet Secretary
dep.wv.gov

September 6, 2018

The Honorable Tom Wolf
Governor of Pennsylvania
508 Main Capitol Building
Harrisburg, PA 17120

RE: Proposed Revision to the West Virginia State Implementation Plan (SIP)
*West Virginia Supplement to the State Implementation Plan Revision for Clean Air Act
§110(a)(2)(A) – (M) Requirements for 2015 8-Hour Ozone NAAQS with the
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Dear Governor Wolf:

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Sincerely,



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