

June 12, 2003

Ms. Judith M. Katz, Director
Air Protection Division
U.S. EPA Region III
1650 Arch Street (3AP00)
Philadelphia, PA 19103

**RE: The Early Action Compact for the Eastern
Panhandle Region of West Virginia – Submittal
of Potential Control Strategies**

Dear Ms. Katz:

On behalf of Berkeley County, Jefferson County and the City of Martinsburg, I am herein submitting the listing of potential local emissions control strategies under consideration pursuant to the Early Action Compact (EAC) for the Eastern Panhandle Region of West Virginia. These potential strategies have been prepared in accordance with the April 4, 2003 memorandum clarifying submittal requirements signed by Lydia N. Wegman, Director of the Air Quality Strategies and Standards Division of USEPA. This submittal is intended to fulfill the requirements of the June 16th, 2003 milestone as outlined in the EAC signed by you on 12/24/02. By copy of this letter, we request that the West Virginia Department of Environmental Protection – Division of Air Quality submit their concurrence and any other pertinent information for your review.

The enclosed listing of control strategies has been developed with the assistance of a diverse group of area stakeholders, as well as the public. The Eastern Panhandle Clean Air Task Force has been formed and includes representatives from both counties. Task Force Members include representatives from local governments, development authorities, manufacturing, labor, transportation, healthcare, and education as well as the environmental community. A summary of public and stakeholder involvement activities that have taken place so far is included in Attachment B.

The Berkeley County Development Authority has taken the lead in organizing EAC efforts, with the assistance of Wilbur Smith Associates, a transportation and air quality consulting firm. We are working closely with the West Virginia Department of Environmental Protection – Division of Air Quality staff and coordinating with neighboring EAC areas: Winchester – Frederick County, VA and Washington County, MD. Due to the fact that contiguous jurisdictions in Virginia, West Virginia, and Maryland have submitted Early Action Compacts, the three states are coordinating the technical analysis needed to support these early action efforts. This coordination includes the selection of a common ozone episode for air quality modeling purposes (July 1999) and sharing of data and resources to complete the modeling exercise. Since the West Virginia ozone monitor was not operating in 1999, the monitors in Frederick County,

Virginia and Washington County, Maryland will be used as surrogates for modeling and attainment demonstration purposes during this technical analysis.

The Eastern Panhandle Clean Air Task Force has identified a number of realistic preliminary strategies and initiatives to reduce emissions in the EAC area and to contribute to attainment of the 8-hour ozone standard by 2007. We have carefully considered each of the following components recommended by US EPA:

Local control measures that can be reasonably implemented in each area, including resource and political constraints;

Realistic implementation dates for control measures;

The range of potential emissions reductions that will result from each control measure based on reasonably available information. (Evaluation of the effectiveness of control measures has been based on the relative emissions reduction experience of other areas and will be modeled for Berkeley – Jefferson Counties for the final submission.)

The geographic area to which control measures could be applied. (All measures are currently under consideration in both counties, but the final geographic areas may change as more information becomes available.)

We will continue to discuss and refine the list of potential local control strategies through regular meetings of the Clean Air Task Force and through continuing engagement of the public. Additional information documenting the stakeholder and public involvement process and assessment of continuing progress in refining emissions reduction strategies will be submitted in the June 30, 2003 Progress Report.

If you have any questions, please contact Mr. Robert Crawford, Executive Director of the Berkeley County Development Authority at (304) 267-4144 or Ms. Carla Berroyer of Wilbur Smith Associates at (501) 922 4554.

Sincerely,

Jane Tabb, President
Jefferson County Commission

cc: Mr. John A. Benedict, Director
WV DEP – Division of Air Quality

Attachments

Attachment A

WV Department of Environmental Protection Division of Air Quality RACM/RACT Regulation Description

Section 182(b)(2) of the Clean Air Act Amendments of 1990 (CAAA) required states with "moderate" 1-hour ozone nonattainment areas to adopt rules requiring Reasonable Available Control Technology (RACT) standards for stationary sources that emit volatile organic compounds (VOCs). The counties of Kanawha, Putnam, Cabell, Wayne, and Wood were formerly designated as "moderate" ozone nonattainment areas based on monitored exceedances of the ozone standards. The WV DEP-Division of Air Quality (WVDEP-DAQ) adopted rule 45CSR21 to control VOC emissions in those counties which are now maintenance areas under the 1-hour standards.

The rule applies to small/medium sources in specific categories for which USEPA has issued Control Technique Guidelines (CTGs) as well as requiring case-by-case Reasonably Achievable Control Measures (RACM) for major sources. It establishes technology-based emission controls; VOC content limits for coatings/solvents; operating practices; record-keeping and reporting requirements for regulated facilities.

The WVDEP-DAQ strongly recommends that local emission control measures should include major source RACM and applicable CTG control measures in addition to voluntary measures. The source categories are listed below:

- Can Coating.
- Coil Coating.
- Paper Coating.
- Fabric Coating.
- Vinyl Coating.
- Coating of Metal Furniture.
- Coating of Large Appliances.
- Coating of Magnet Wire.
- Coating of Miscellaneous Metal Parts.
- Coating of Flat Wood Paneling.
- Bulk Gasoline Plants.
- Bulk Gasoline Terminals.
- Gasoline Dispensing Facility--Stage I Vapor Recovery.
- Leaks from Gasoline Tank Trucks.
- Solvent Metal Cleaning.
- Cutback and Emulsified Asphalt.
- Graphic Arts Systems.
- Petroleum Solvent Dry Cleaners.

Major Sources

- Petroleum Refinery Sources.

- Leaks from Petroleum Refinery Equipment.
- Petroleum Liquid Storage in External Floating Roof Tanks.
- Petroleum Liquid Storage in Fixed Roof Tanks.
- Leaks from Natural Gas/Gasoline Processing Equipment.
- Manufacture of Synthesized Pharmaceutical Products.
- Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.
- Manufacture of High-Density, Polyethylene, Polypropylene, and Polystyrene Resins.
- Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.
- Other Facilities (major sources) that Emit Volatile Organic Compound (VOC): case-by-case Reasonably Available Control Measures (RACM)

Attachment B

Summary of Public and Stakeholder Involvement

March 2003

Creation of Eastern Panhandle Air Quality Task Force

A diverse stakeholder group is formed to develop the Early Action Plan comprising interests from both counties, representing a broad spectrum of government, business, transportation, health, environment and manufacturing sectors

April 2003

Public Meeting – Martinsburg, WV, 4-8-03

An evening meeting was held to update citizens on the Early Action Compact.

Air Quality Task Force Meeting – Martinsburg, WV, 4-23-03

The Task Force received a detailed presentation on the air quality situation in the Eastern Panhandle area from WV DEP. The Consultant Team presented information describing EAC requirements and provided members with a master list of potential control strategies for their consideration.

May 2003

Air Quality Task Force Meeting – Martinsburg, WV, 5-7-03

The Task Force discussed a wide variety of potential emissions control strategies and began to focus on those strategies most likely to be implemented in the area. The need for early public involvement was discussed and plans for two public meetings were made. The Task Force gave the Consultant Team advice and direction for refinement of a list of potential control strategies for the June 16th milestone.

June 2003

Air Quality Task Force/Public Meeting – Martinsburg, WV, 6-3-03

A combined Task Force and Public Meeting was held in Martinsburg which included presentations by the WV DEP, displays and an open house style discussion of air quality in the area. The Consultant presented preliminary information on the June 16th submittal.

Air Quality Task Force/Public Meeting – Charles Town, WV, 6-4-03

A similar event was held this night in Charles Town with the same format and information provided .

Air Quality Task Force Executive Committee conf. call, 6-6-03

The Executive Committee of the Air Quality Task Force met by conference call to consider public comment and discuss the revised June 16th submittal of control strategies to USEPA.

**Early Action Compact Milestone - June 16, 2003
List of Emission Reduction Strategies Under Consideration**

Eastern Panhandle of West Virginia (Berkeley-Jefferson Counties)

Based on stakeholder consultation and taking into consideration available resources and political constraints, the following control measures under consideration can be reasonably implemented. It is anticipated these measures under consideration will assist Berkeley – Jefferson Counties in West Virginia in achieving and/or maintaining the 8-hour ozone standard by 2007.

Measure under Consideration	Description of Measure	Estimate of Emissions Reduction (if available)	Proposed date for Implementation	Local Government Implementation
WVDEP RACT (Reasonably Available Control Technology) and RACM (Reasonably Achievable Control Measures) *	Adoption of state requirements for control of volatile organic compounds (VOCs) in nonattainment areas		May 2005	Berkeley County Jefferson County Martinsburg
Coatings, bulk gasoline, cutback asphalt, solvents, and major source measures	See Attachment A for a summary description of WV RACT and RACM requirements.			
Fuels Measures				
Stage I Vapor Recovery (Also under RACT)	Extend to Eastern Panhandle area.		May 2005	Berkeley County Jefferson County Martinsburg
Fleet Program	Work with area fleet owners to convert to alternative fuels		May 2005	Berkeley County Jefferson County Martinsburg
Lower RVP Gasoline	Reduce Reid Vapor pressure (RVP) in gasoline from 9.0 to 7.8 to reduce volatility evaporation		May 2005	Berkeley County Jefferson County Martinsburg

Measure under Consideration	Description of Measure	Estimate of Emissions Reduction (if available)	Proposed date for Implementation	Local Government Implementation
Episodic Measures				
Ozone Action Days	Establish an Ozone Action Days Program for the area Appoint a Program Coordinator Discourages unnecessary trips, promotes transit usage, and other actions to reduce emissions on high ozone days. Coordinated Program with Washington County, MD		June 2004 June 2004	Implementation contingent on development of ozone forecasts for the area
Public Information and Education				
Public Awareness Program	Establish a program to educate the public regarding the health effects of air pollution and actions they can take to help reduce it.		June 2004	Berkeley County Jefferson County Martinsburg
School-based Public Awareness Program	Establish a program for use in local schools to educate children regarding air pollution as well as their parents		September 2004	Berkeley County Jefferson County Martinsburg
Employer-based Program	Establish a program for area employers to use with their employees to reduce vehicle trips and/or emissions on Ozone Action Days.		September 2005	Berkeley County Jefferson County Martinsburg
Ridesharing/Carpooling				
Establish a ridesharing program	Establish a rideshare matching program and promote ridesharing, particularly during ozone season		January 2005	Berkeley County Jefferson County Martinsburg
Park and Ride Lots	Study the need for additional park and ride lots for commuters.		To be determined	Berkeley County Jefferson County Martinsburg

Measure under Consideration	Description of Measure	Estimate of Emissions Reduction (if available)	Proposed date for Implementation	Local Government Implementation
Bicycle/Pedestrian Measures				
Education and Promotion Campaign	Establish a program to promote bicycling and walking as alternatives to short single occupant trips		June 2004	Berkeley County Jefferson County Martinsburg
Bicycle Accommodation	Adopt a policy of accommodating bicycle usage in street design and modernization Develop a regional bicycle plan Provide bicycle racks to promote usage Build additional bicycle paths and/or lanes		June 2004 January 2005 January 2005 To be determined	Berkeley County Jefferson County Martinsburg
Walkable Communities Program	Develop a program to improve pedestrian facilities and incorporate pedestrian friendly design..		September 2004	Martinsburg WV
Employer-based Programs				
Employer Program Brochure	Develop and distribute brochures encouraging employer practices aimed at reducing emissions and automobile trips.		September 2004	Berkeley County Jefferson County
Peak Hour Congestion Reduction	Work with area employers to promote use of flex time, compressed work week, and staggered work hours. Encourage and/or provide incentives to employers to allow telecommuting		June 2004 June 2005	Berkeley County Jefferson County Martinsburg
Ozone Action Days	Develop an employer-based program of strategies for Ozone Action Days		June 2004	Berkeley County Jefferson County Martinsburg

Measure under Consideration	Description of Measure	Estimate of Emissions Reduction (if available)	Proposed date for Implementation	Local Government Implementation
Auto Trip Reduction	Encourage employers to offer incentives for utilizing carpooling and/or transit for the work commute. Encourage adoption of the Parking Cash-out program to encourage transit usage		To be determined To be determined	Martinsburg Berkeley County Jefferson County
Heavy Vehicle Measures				
Engine Idling Restrictions	Adopt truck and school bus engine idling restrictions		January 2005	Berkeley County Jefferson County
Speed Limit Enforcement	Increase speed limit enforcement on Ozone Action Days		June 2004	Berkeley County Jefferson County
School Bus Retrofit	Secure funding to for retrofit of school bus engines		Contingent on funding availability	Berkeley County Jefferson County
Voluntary partnership with ground freight industry	Initiate a partnership to encourage voluntary emissions reductions with industry.		Coordinate with Winchester – Frederick County VA, Washington County MD	Berkeley County Jefferson County Martinsburg
Truck Stop Electrification	Initiate incentives for truck stops to provide electrical hook ups for trucks to discourage unnecessary idling.		June 2005	Berkeley County Jefferson County Martinsburg
Area Source Measures				
Ozone Action Days Program for Area Sources	Discourage gasoline powered lawn mowing, leaf blowing etc. on Ozone Action Days. Encourage refueling after 6 p.m.		June 2004	Berkeley County Jefferson County Martinsburg
Open burning restrictions	Increase compliance with open burning restrictions on land clearing activities		June 2004	Berkeley County Jefferson County Martinsburg

Measure under Consideration	Description of Measure	Estimate of Emissions Reduction (if available)	Proposed date for Implementation	Local Government Implementation
Land Use Measures and Energy Efficiency				
Mixed Use Development	Re-evaluate comprehensive land use plans too encourage mixed use and compact development that is conducive to walking, biking and transit use.		January 2005	Berkeley County Jefferson County Martinsburg
Green space preservation	Develop a plan to preserve green space within the counties and/or cities.		January 2006	Berkeley County Jefferson County Martinsburg
Green Building Initiative	Encourage and promote “green building” practices		June 2004	Berkeley County Jefferson County Martinsburg
Energy Efficiency	Work with state agencies to promote practices aimed at increasing energy efficiency		To be determined	Berkeley County Jefferson County Martinsburg