



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

**Charlotte Amalie, V.I. 00802
340-774-0001**

December 23, 2011

Judith A. Enck
Regional Administrator
U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866

**RE: 1-Hour Sulfur Dioxide (SO₂) National Ambient Air Quality Standard
("NAAQS") Designation Recommendation for St. Croix USVI**

Dear Administrator Enck:

By letter dated May 20, 2011, the Government of the Virgin Islands ("Government") proposed that the islands of St. Thomas, St. John and Water Island be designated as attainment, and the island of St. Croix be designated as non-attainment, for the revised Sulfur Dioxide NAAQS, as published in 75 FR 35520 on June 22, 2010 ("NAAQS Rule"). This proposal was made in accordance with the requirement for the United States Virgin Islands to make a proposed designation by June 3, 2011. As also required by the NAAQS Rule, this proposed designation for St. Croix was based on monitoring data from the existing SO₂ network for the years 2008–2010 available to Virgin Islands Department of Planning and Natural Resources ("PNR"). Since that time, a more in-depth technical review has been conducted by PNR regarding the designation of St. Croix as non-attainment. The balance of this letter summarizes PNR's technical review. Based on this review, we believe it is likely that the Virgin Islands will propose to designate St. Croix as in attainment with the SO₂ NAAQS. The recommended attainment designations of St. Thomas, St. John and Water Island are not expected to change.

The May 20, 2011 recommendation was based on 2008-2010 available monitoring data in the EPA Air Quality System database. However, because final designations are not required until June 3, 2012, the NAAQS Rule allows the United States Virgin Islands to use data in the AQS for the period 2009-2011 in proposing a designation:

“Consequently, we discussed our expectations to base initial designations on air quality data from the years 2008–2010 or 2009–2011, from SO₂ monitors operating at current locations, which we expected to continue through 2011.”

75 FR at 35569

SO₂ NAAQS monitoring data for the 2008-2010 period and the 2009-November 30, 2011 period are summarized in the following table:

St. Croix Ambient Monitoring Sulfur Dioxide (SO₂) NAAQS Analysis

Calendar Year	Alcoa 1 (ppb)	Alcoa 2 (ppb)	Clifton Hill (ppb)	Barren Spot (ppb)	Estate Ruby (ppb)
2008	99.4	67.6	24.8	8.1	7.5
2009	80.3	19.3	21.8	10.5	9.8
2010	58.8	50.7	27.2	9.8	8.8
2011	77.7	43.4	38.9	11.0	9.6
Average 08-10	79.5	46	25	9	9
Average 09-11*	72	38	29	10	9

* January 1, 2009 through November 30, 2011

For the 2008-2010 AQS data, only one of the five monitors VIDPNR presently included in the AQS shows an exceedance and that amount is only slightly above the 1 hour SO₂ standard (79.5 ppb vs. 75 ppb standard). However, the most recent data (for the period from Jan 1, 2009-November 30, 2011) yields a design value of 72 ppb. EPA guidance considers the 99th percentile as the 4th highest value for each of the 3 years. If the 4th highest value for 2011 does not change between now and the end of 2011, the 3 year design value over the period 2009 to 2011 would be 72 ppb and St. Croix will be in attainment for the SO₂ NAAQS. The full 2011 calendar year and total 3-year data should be available by mid-January. We will notify EPA of our final recommendation for attainment status for St. Croix shortly thereafter, and will further provide our final recommendation in February 2012 in response to the EPA's proposed modifications to the initial recommended designations by the Virgin Islands.

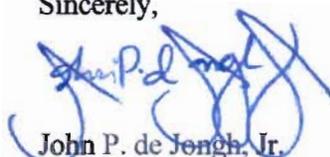
PNR has noted that the monitor (Alcoa 1), whose readings resulted in our May 20, 2011 proposed non-attainment designation for St. Croix, is located in a secured industrial area that is inaccessible to the public (see map on page 3). Under 40 CFR §50.1(e) ambient air “means that portion of the atmosphere, external to buildings, to which the general public has access.” We would appreciate EPA's opinion as to whether data from Alcoa 1 should be excluded from attainment designations.

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PNR also expects that the Consent Decree between the United States, the United States Virgin Islands and HOVENSA LLC will result in significant SO₂ reductions on St. Croix. We appreciate the support of EPA in negotiating this Consent Decree, which will result in approximately 3,460 tons of SO₂ reductions. These reductions, some of which have already occurred, will help maintain the SO₂ NAAQS.

We appreciate EPA's efforts to protect and improve air quality in the Virgin Islands, and look forward to continuing our long term partnerships in this area.

Sincerely,

A handwritten signature in blue ink, appearing to read "John P. de Jongh, Jr.", is written over a circular stamp or seal.

John P. de Jongh, Jr.
Governor

Attachment

Map of St. Croix Ambient SO₂ Monitoring Stations

