



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

July 18, 2024

Cristina Fernández, Division Director
Air and Radiation Division (3AD00)
U.S. Environmental Protection Agency, Region-3
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2029

Dear Ms. Fernández:

Pursuant to Section 181(b)(3) of the Clean Air Act (CAA), Maryland is requesting a voluntary reclassification from “moderate” to “serious” ozone nonattainment for the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE Nonattainment Area (“Philadelphia Nonattainment Area”), which includes Cecil County, Maryland. In 2015, EPA promulgated a more stringent ozone National Ambient Air Quality Standard (NAAQS) of 70 ppb. In 2018, EPA designated the Philadelphia metropolitan area as a “marginal” nonattainment area for the standard. In 2022, the nonattainment area failed to attain the standard and was consequently bumped up to “moderate.” The ruling established a new attainment date of August 3, 2024, but the attainment status of the area is evaluated based on the 2021-2023 ozone season design value.

While Cecil County, Maryland has managed to attain and maintain the NAAQS over the last four years as demonstrated by the Fair Hill monitor’s consistently low design values, other areas in the multi-state nonattainment area continue to struggle with violations at their monitors. During the summer of 2023, large-scale wildfires burned in Canada which greatly influenced ozone values along the East Coast. Several states, including those in the Philadelphia Nonattainment Area, submitted Exceptional Events Requests to exclude regulatorily significant data impacted by smoke. Unfortunately, EPA has not acted on those submittals, which would allow the Philadelphia Nonattainment Area to demonstrate its eligibility for a 1-year extension under Section 181(a)(5) of the CAA if concurred with. Therefore, the entire Philadelphia Nonattainment Area faces a pending bump-up to “serious” nonattainment. As a result, Maryland is requesting that the area be preemptively bumped up to “serious” nonattainment for the 2015 ozone NAAQS.

Notwithstanding this voluntary bump up request, Maryland requests that EPA make a decision regarding exceptional event concurrence for states in the Philadelphia Nonattainment Area that submitted Exceptional Event Request packages to EPA in accordance with the timeline¹ established in EPA’s guidance on exceptional events for wildfires.² Maryland maintains that these exceptional

¹ “The EPA intends to make a decision regarding event concurrence as expeditiously as necessary if required by a near-term regulatory action, but no later than 12 months following submittal of a complete package.”

² Guidance on the Preparation of Exceptional Events Demonstrations for Wildfire Events that May Influence Ozone Concentrations, EPA-457/B-16-001 (September 2016), p.6. <https://www.epa.gov/system/files/documents/2023->

events remain regulatorily significant for 2024 and 2025 design values that contain 2023 data which provides more accurate insight into what routes states are eligible to pursue for their nonattainment areas.

Please do not hesitate to contact me if there are any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Hoagland', written in a cursive style.

Christopher R. Hoagland, Director
Air and Radiation Administration