DRAFT
REGION 6 EXECUTIVE SUMMARY

TOPIC: Texas Petitions on Sulfur Dioxide (SO_2) Nonattainment Areas
DATE: 2/5/18 CONTACT: Ruben Casso 5-6763

BACKGROUND:

- On December 13, 2016, EPA published a final rule in the Federal Register that identified or "designated" three 3 areas in Northeast Texas that do not meet the standard as "nonattainment". These areas include portions of: Freestone and Anderson Counties; Rusk and Panola Counties; and Titus County, Texas. There was not enough information to make a determination regarding attainment for a fourth county, Milam County, Texas. EPA designated this area "unclassifiable".

- These designations were based primarily on air dispersion modeling provided by the Sierra Club, of SO_2 emissions from power plants owned by Luminant. Luminant provided modeling during the comment period, however, this modeling included non-default modeling options.

- Texas and Vistra Energy Corporation (Luminant's parent company) filed a petition for review challenging the designations. EPA responded to the petition i Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

- On December 11, 2017, Texas submitted an additional petition for reconsideration regarding SO_2 designations for the four areas in Northeast, TX with additional information on Luminant power plant shut downs in January and February 2018. The petition specifically requested EPA redesignate Freestone and Anderson counties; Rusk and Panola Counties and Titus county from nonattainment to attainment or unclassifiable/attainment for SO_2. In the petition, TCEQ notes the shutdowns, the resources that would be needed for a redesignation request and maintenance SIP if EPA does not redesignate these areas now (attainment demonstration SIPs are due July 12, 2018), maintenance obligations, and that monitors have been deployed at Big Brown and Martin Lake.

CURRENT STATUS:

- The following table summarizes the relevant facilities, their operating status and the SO_2 designation/area.

Area	SO_2 Designation	Relevant Facility	Facility Operating Status
Titus County (p)	Nonattainment	Monticello	Shut Down 1/4/18.
Freestone (p) and Anderson (p) Counties	Nonattainment	Big Brown	Scheduled to shut down on 2/12/18.
Rusk (p) and Panola (p) Counties	Nonattainment	Martin Lake	Expected to continue operation.
Milam County	Unclassifiable	Sandow	Shut down 1/11/18.

- EPA is currently evaluating our legal and administrative options to respond to the petitions from Texas and potential paths to redesignate these areas.