Mr. Ben Grumbles

Secretary

Maryland Department of the Environment

1800 Washington Boulevard

Baltimore, Maryland 21230

Dear Secretary Grumbles,

This letter responds to the Maryland Department of the Environment (MDE) submittals dated May 31st, 2017, requesting that the Environmental Protection Agency (EPA) concur with MDE's requests to exclude data associated with exceptional event claims for 8-hour ozone data influenced by the Fort McMurray wildfire on May 25 and 26, 2016, and northwestern Canada wildfires on July 21 and 22, 2016. MDE determined that the Fort McMurray and northwestern Canada wildfires caused elevated ozone concentrations at 16 and 12 monitors, respectively, throughout Maryland.

In 2016, the EPA revised the Exceptional Events Rule (EER) found in sections 50.14 and 51.930 of 40 CFR parts 50 and 51 of the Clean Air Act. See "Treatment of Data Influenced by Exceptional Events," 81 FR 68216 (Oct. 3, 2016). After careful consideration of the information provided, the EPA concurs on 17 monitor days, defers action on 16 monitor days, and non-concurs on 10 monitor days, based on the weight of evidence that the agency has made in the demonstrations referred to in 40 CFR 50.14(a)(2) and (b)(1). The EPA's decisions are summarized in the attached table. In addition, the agency has met the schedule and procedural requirements in section 50.14(c) with respect to the same information. The basis for our concurrence is set forth in the enclosed technical support documents. My staff has entered, or shortly will enter, "concurrence flags" for these data into the EPA's Air Quality System data repository.

The 2016 rule revisions 40 CFR 50.14(a)(1)(i) limit the applicability of the EER to NAAQS exceedances or violations which have relevance to specific regulatory determinations by the EPA. The 8-hour ozone concentrations measured at the monitors marked with "Defer" in the attached table, do not currently have regulatory significance and EPA will defer action at this time. The EPA will retain MDE's demonstrations for future consideration should any of the data on which the EPA is deferring action at this time become significant for a future regulatory action.

The 8-hour ozone concentrations measured at the monitors marked with "Non-concur" in the attached table, do not have current or projected future regulatory significance. Exclusion of the requested 8-hour ozone data from these monitors does not result in one or more of the following:

- 2016 or 2017 design value attainment of NAAQS
- Change in 2016 4th highest 8-hour ozone concentration

Therefore, the EPA non-concurs with MDE's request for exclusion of data from these monitors.

The EPA's concurrence is a preliminary step in the regulatory process for actions that may rely on the dataset containing the event-influenced data and does not constitute final agency action. If the EPA

takes a regulatory action that is affected by exclusion of the ozone data for the May 25 and 26, 2016 and/or July 21 and 22, 2016 events, the EPA intends to publish notice of its proposed action in the Federal Register. The EPA's concurrence letter and accompanying technical support documents will be included in the record as part of the technical basis for that proposal. When the EPA issues that regulatory action, it will be a final agency action subject to judicial review.

If you have any questions or wish to discuss this matter further, please have your staff contact Alice Chow, Associate Director of the Office of Air Monitoring & Analysis, (215) 814-2144.

Sincerely,

Cosmo Servidio

Regional Administrator

Attachment:

EPA Decision	Site Name	AQS ID	8-hour Max. (ppb)	Exceedance Date
Concur	Edgewood	240251001	79	May 25, 2016
Concur	Fair Hill	240150003	83	May 25, 2016
Concur	Furley	245100054	75	May 25, 2016
Concur	Glen Burnie	240031003	75	May 25, 2016
Concur	Millington	240290002	85	May 25, 2016
Concur	PG Eq Cntr	240338003	74	May 25, 2016
Concur	Edgewood	240251001	80	May 26, 2016
Concur	Fair Hill	240150003	76	May 26, 2016
Concur	Furley	245100054	78	May 26, 2016
Concur	Glen Burnie	240031003	76	May 26, 2016
Concur	Millington	240290002	76	May 26, 2016
Concur	Edgewood	240251001	72	July 21, 2016
Concur	Furley	245100054	74	July 21, 2016
Concur	Glen Burnie	240031003	76	July 21, 2016
Concur	Edgewood	240251001	82	July 22, 2016
Concur	Fair Hill	240150003	87	July 22, 2016
Concur	PG Eq Cntr	240338003	76	July 22, 2016
Defer	Aldino	240259001	77	May 25, 2016
Defer	Essex	240051001	78	May 25, 2016
Defer	HU-Beltsville	240330030	74	May 25, 2016
Defer	South Carroll	240130001	72	May 25, 2016
Defer	Aldino	240259001	79	May 26, 2016
Defer	Calvert	240090011	75	May 26, 2016
Defer	Essex	240053001	81	May 26, 2016
Defer	HU-Beltsville	240330030	74	May 26, 2016
Defer	South Carroll	240130001	75	May 26, 2016
Defer	Aldino	240259001	77	July 21, 2016
Defer	Essex	240053001	75	July 21, 2016
Defer	Frederick	240210037	75	July 21, 2016
Defer	Hagerstown	240430009	74	July 21, 2016
Defer	HU-Beltsville	240330030	78	July 21, 2016
Defer	Aldino	240259001	72	July 22, 2016
Defer	Essex	240053001	72	July 22, 2016
Non-concur	Beltsville CASTNET	240339991	76	May 25, 2016
Non-concur	Horn Point	240190004	71	May 25, 2016
Non-concur	Padonia	240051007	74	May 25, 2016

Non-concur	Beltsville CASTNET	240339991	72	May 26, 2016
Non-concur	Blackwater NWR CASTNET	240199991	76	May 26, 2016
Non-concur	Horn Point	240190004	77	May 26, 2016
Non-concur	Padonia	240051007	84	May 26, 2016
Non-concur	S. Maryland	240170010	73	May 26, 2016
Non-concur	Beltsville CASTNET	240339991	78	July 21, 2016
Non-concur	Padonia	240051007	73	July 21, 2016