

US EPA ARCHIVE DOCUMENT

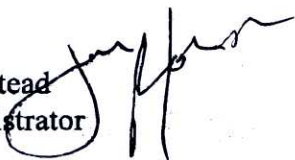


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 27 2003

OFFICE OF
AIR AND RADIATION

SUBJECT: Extension for States and Tribes to Submit Air Quality Designation
Recommendations for the 8-Hour Ozone National Ambient Air Quality Standards
(NAAQS)

FROM: Jeffrey R. Holmstead 
Assistant Administrator

TO: Regional Administrators I-X

On November 14, 2002, the Environmental Protection Agency (EPA) released a memorandum entitled "Schedule for 8-Hour Ozone Designations and its Effect on Early Action Compacts," in which we asked States and Tribes to provide updated recommendations for 8-hour ozone designations no later than April 15, 2003.¹ A number of States, as well as a few industry groups, requested that EPA modify this guidance to allow additional time for States and Tribes to engage interested stakeholders in the designation process and allow them to consider EPA's proposed 8-hour ozone implementation regulation, which we expect to issue in March 2003. Accordingly, EPA is extending the date from April 15, 2003 to July 15, 2003 for State governors and Tribal leaders or their designees to provide EPA with updated recommendations for the 8-hour ozone NAAQS.

The Governor, or his/her designee, is required to submit designation recommendations to the Regional Administrator of the appropriate Regional office. We request that States also provide a copy to the Regional Air Director. Tribal leaders are not required to submit recommendations but may choose to do so. As part of their recommendations, States and Tribes should submit the specific boundaries for their proposed nonattainment areas, supporting air quality data and any other documentation supporting their proposal, including an assessment of the factors identified in EPA's earlier guidance. Because EPA is extending the date for transmittal of the updated recommendations by 90 days, we ask that States and Tribes submit

¹If a State or Tribe submitted an earlier recommendation to EPA, this action may be updating or confirming the earlier recommendation. If a recommendation was not submitted to EPA, this is a new recommendation. Guidance on recommendations and boundaries is contained in memoranda titled "Boundary Guidance on Air Quality Designations for the 8-Hour Ozone National Ambient Air Quality Standards" dated March 28, 2000 and "Guidance on 8-Hour Ozone Designations for Indian Tribes" dated July 18, 2000.

recommendations both in electronic and hard copy to facilitate our timely review of the recommendations. We expect States and Tribes to ensure air quality data from Federal Reference Methods are quality-assured, certified and entered into EPA's Air Quality System. Please provide your States and Tribes with a copy of this memorandum and the names and electronic addresses to whom their recommendation should be sent.

As we have stated previously, we intend to base designations on the most recent available air quality data. We, therefore, anticipate relying heavily on data from the 2001-2003 ozone season when issuing the designations. To facilitate our use of the 2003 data, the regional offices should work with the States and Tribes to ensure submission of quality-assured, certified 2003 data to the Air Quality System no later than 30 days after the close of the 2003 ozone monitoring season.

We encourage States and Tribes with a 12-month ozone season to submit the first three quarters of data to the Air Quality System by November 1, 2003. If, in an individual case, a State or Tribe wishes to update its recommendation in light of the 2003 air quality data, please request that the state or Tribe notify the Regional office at the earliest possible date and submit the updated recommendation as soon as possible after the conclusion of the 2003 ozone monitoring season for the affected area. As with the original submission, we ask that the updated recommendation be submitted in both electronic form and hard copy and that the air quality data be submitted to the Air Quality System.

We understand that a State or Tribe may wish to update its recommendation after EPA issues its final 8-hour ozone implementation rule, which we anticipate issuing in December of this year. If States or Tribes wish to revise their recommendation after issuance of EPA's final rule, they should notify the appropriate staff at the Regional office as soon as possible. Because this opportunity for revising a recommendation cannot delay the designation process, we request that States and Tribes submit any revised recommendations in both electronic form and hard copy no later than February 1, 2004, to allow EPA sufficient time to consider the revision prior to issuing designations by April 15, 2004.

As you know, EPA has requested and received comments on a draft consent decree that, if finalized, establishes April 15, 2004, as the date by which the Administrator will promulgate designations for the 8-hour ozone NAAQS. The EPA anticipates that this decree will be finalized and that it will be required to designate areas no later than April 15, 2004. As provided under section 107(d)(1)(B)(ii) of the Clean Air Act, EPA will notify States and Tribes no later than 120 days prior to April 15, 2004, of any modifications EPA plans to make to a State or tribal recommendation. As noted above, EPA recognizes that States and Tribes may wish to further update their recommendations based on air quality monitoring data from the 2003 ozone season or after considering EPA's final 8-hour implementation rule. While EPA will consider any additional information or recommendations submitted by a State or Tribe in promulgating the final designations, EPA will not issue a second 120-day notice for any updated recommendations that it receives because of time constraints in issuing designations by April 15, 2004.

My staff is ready at any time to help you resolve questions or issues that arise as a result of your discussions on designation recommendations and implementation with your State and Tribal partners. If you have any questions, please contact me, Steve Page or Lydia Wegman; Steve can be reached at 202-564-9340 and Lydia can be reached at 919-541-5505.