

US EPA ARCHIVE DOCUMENT

SEP 23 2004

OFFICE OF  
AIR AND RADIATION

Mr. David Baron  
Earthjustice  
1625 Massachusetts Avenue, N.W., Suite 702  
Washington, DC 20036

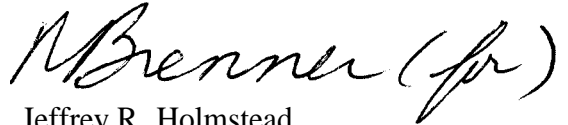
Dear Mr. Baron:

This letter is in response to your June 29, 2004 Petition for Reconsideration of the Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) - Phase 1. After reviewing your petition, I wanted to inform you that we plan to grant reconsideration on several of the issues that you raised in response to our final rule:

- 1) Issue I.A. regarding "Backsliding of NSR Requirements,"
- 2) Issue I.C. regarding "Findings of Failure to Attain, Bump Ups, and Section 185 Fees," and
- 3) Issue III.B. regarding "Limitation on Applicable Requirements."

We plan to address these issues through one or more notice and comment rulemaking actions and anticipate that we will complete rulemaking on all of the issues within 9 months. If you have any further questions, please contact Lydia Wegman at (919) 541-5505.

Sincerely,



Jeffrey R. Holmstead  
Assistant Administrator