UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

DEC - 3 2003

Honorable Donald L. Carcieri, Governor
State of Rhode Island and Providence Plantations
State House
Providence, RI 02903

Dear Governor Carcieri:

We have reviewed your July 9, 2003 letter submitting Rhode Island's recommendations on air quality designations for the 8-hour national health based standard for ground-level ozone, a major constituent of smog. Consistent with the Clean Air Act, Section 107(d)(1), this letter is to inform you that the United States Environmental Protection Agency (EPA) does not intend to make modifications to your recommended designations and boundaries. We will continue to work with your office as we move forward to make final designations by April 15, 2004.

The Clean Air Act defines a nonattainment area as any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant. EPA guidance indicates that Rhode Island should use the larger of the Consolidated Metropolitan Statistical Area (CMSA), Metropolitan Statistical Area (MSA), or the 1-hour ozone nonattainment area as the presumptive boundary for 8-hour ozone nonattainment areas. The guidance provides 11 factors that Rhode Island should consider in determining whether to modify the presumptive boundaries. We have reviewed your July 9, 2003 submission and believe it is consistent with our guidance.

EPA has been tracking preliminary 2003 ozone monitoring data and assessing its impact on areas' 2001-2003 design values (DVs). EPA will continue to closely review monitoring data for differences that may occur as a result of data handling procedures to determine if it might affect the State's recommended designations. It is important for Rhode Island to expedite submittal of 2003 monitoring data to EPA so that air quality designations and classifications for the 8-hour standard will accurately reflect the State's air quality. To advance this process, please submit your final 2003 monitoring data into the Air Quality System as quickly as possible, if it has not already been done. In addition, please submit the 8-hour and 1-hour design values and the average expected 1-hour exceedance rate to David Conroy of my staff by official letter by February 6, 2004.

Both the State's and EPA's work to identify areas in attainment or in nonattainment is an important step in our joint commitment to achieving clear air in our Region. We look forward to

working with Rhode Island as we proceed to finalize the designations for the 8-hour ozone standard. We appreciate your efforts and will review any future supporting information the State wishes to submit, keeping in mind that EPA will promulgate designations by April 15, 2004. Also, please note that EPA will be addressing designations of Indian country lands through a concurrent process with the Narragansett Tribe in Rhode Island.

If you have any questions, please do not hesitate to call me or have your staff call Mr. David Conroy of my staff at (617) 918-1661.

Very truly yours,

Bob

Robert W. Varney,
Regional Administrator

Governor -
Steve Majkut and Fred Vincent have been terrific in helping us with this designation process. All my best to you and your family during the holiday season.
- Bob

cc: Fred Vincent, Interim Director, RI DEM
Stephen Majkut, RI DEM

Enclosure

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The following table identifies the area within Rhode Island that EPA intends to designate as nonattainment. This is consistent with Rhode Island's recommendation of July 9, 2003. This nonattainment designation covers the entire State.

Area	**Rhode Island Recommended Nonattainment Counties in that Area**	**EPA Nonattainment Counties in that Area (Identical to Rhode Island recommendation)**
Rhode Island Area	Bristol County Kent County Newport County Providence County Washington County	Bristol County Kent County Newport County Providence County Washington County