UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

DEC - 3 2003

4APT-APB

Mr. David B. Struhs, Secretary
Florida Department of Environmental Protection
Marjorie Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32339-3000

Dear Mr. Struhs:

Thank you for making recommendations on 8-hour ozone air quality designations. Your letter is an important step in providing the citizens of Florida with information on air pollution levels where they live and work. Levels of ground-level ozone have improved significantly since the Clean Air Act (CAA) was amended in 1990, at which time 135 areas were designated as not attaining the 1-hour ozone standard. Since that time nearly half those areas (67) have cleaned up their air to meet the 1-hour ozone standard and have been redesignated as attaining that standard. However, many areas have still not met the less stringent 1-hour ozone standard, and in 1997, the U. S. Environmental Protection Agency (EPA) promulgated a more stringent 8-hour ozone national ambient air quality standard. Thus, much work remains to be done. Under the CAA, EPA is required to promulgate designations for new or revised standards, such as the 8-hour ozone standard. Earlier this year, after several public interest groups filed a lawsuit claiming EPA had not met the statutory deadline for designating areas for the 8-hour ozone standard, we entered into a consent decree that requires us to promulgate designations by April 15, 2004.

The CAA 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. We have reviewed your letter, dated July 14, 2003, recommending that the entire State of Florida be designated as attainment for the 8-hour ozone standard, based on 2000-2002 data. This letter is to inform you that the EPA does not intend to make modifications to your recommendation. We will continue to work with your office as we move forward to make final designations.

EPA has been tracking preliminary 2003 ozone monitoring data and its impact on areas' 2001-2003 design values. EPA will continue to closely review monitoring data for differences that may occur throughout the remainder of the 2003 ozone season or as a result of data handling procedures to determine if it might affect the State's recommended designation. It is critical for Florida 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 design values to Beverly Banister, Director, Air Pesticides and Toxics Management Division by February 6, 2004, to advance the designation process.

We look forward to a continued dialogue with Florida as we work to finalize the designations for the 8-hour ozone standard. If you have any questions, please do not hesitate to contact Beverly Banister at (404) 562-9326 or Kay Prince, Chief, Air Planning Branch, at (404)-562-9026.

Sincerely,

J. I. Palmer, Jr.
Regional Administrator

cc: Michael G. Cooke, Florida DEP
Peter A. Hessling, Pinellas County DEM
Daniela Banu, Broward County DPEP
James L. Manning, Jacksonville
H. Patrick Wong, Miami Dade County
Jerry Campbell, Hillsborough County
James E. Stormer, Palm Beach County Public Health Department