STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

Mike Huckabee
Governor

March 11, 2004

Michael O. Leavitt, Administrator
1101A
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Leavitt:

I want to express my deep concern regarding the proposed designation of eight hour ozone boundaries that the Environmental Protection Agency has scheduled on April 15, 2004. I am aware you are considering excluding certain counties that lie within the boundaries of the Memphis, TN/AR/MS Metropolitan Statistical Area when establishing the boundaries of the area that will be subjected to a designation of non-attainment.

In the event that Crittenden County, Arkansas receives a non-attainment designation, that decision would have an adverse economic impact on the area. I am concerned that Crittenden County impacts ozone levels to a lesser degree than DeSoto County, yet is held to a higher standard. The sole reason that the air quality monitor located in Crittenden County registers high ozone concentrations in the summer months is that it is located downwind of the ozone-forming pollutants that are either emitted in the MSA or transported from other, more distant, sources. In fact, analysis of the data has shown, regardless of whether they are urban or rural, all counties of the MSA contribute to the episodes monitored in Crittenden County, Arkansas.

Furthermore, these same studies have also led us to believe that the ozone concentrations recorded at the monitoring site in Arkansas may be unduly influenced by nearby emission sources. The concentration at these locations may represent a localized "hot spot" that would not truly represent typical concentration in the general vicinity or, more significantly, the population of the entire MSA. Therefore, the data from this monitor should not be used for designation purposes until these issues can be resolved. Arkansas Department of Environmental Quality and its regional partners in Tennessee and Mississippi are committed to conducting further studies in this area and will be asking the EPA to support these efforts.

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Since regional ozone transport is the source of our concerns, we are committed to its permanent reduction. To date, state and federal efforts to reduce emission of ozone precursor pollutants by reducing the frequency, duration and intensity of the ozone episodes that occur throughout the nation have shown improvement. Arkansas will continue to pursue effective ozone control strategies that can be implemented despite the inability to exercise control of sources of pollutants in other states.

Finally, I request the designation for Crittenden County, Arkansas remain attainment/unclassifiable until such time as these issues can be resolved. Fundamental fairness dictates that Crittenden County not be strapped with a burden that should be borne by the entire region. Arkansas will continue to support the regional effort to maintain and improve air quality.

Sincerely yours,

Mike Huckabee

Mike Huckabee

MH:dc:sb