*Brad Henry*
*Governor*

July 15, 2003

Mr. Richard E. Greene, 6RA
Regional Administrator
US EPA Region VI
1445 Ross Avenue
Dallas, Texas 75202-2733

Dear Mr. Greene:

In accordance with provisions of the Clean Air Act and based on quality assured data collected in 2000 – 2002, it is my recommendation that the entire state of Oklahoma with the exception of the Tulsa Transportation Management Area (TTMA) be designated as "attainment" for the 8-hour ambient air quality standard for ozone.

It is my understanding that EPA will not make its final designations until April 2004, and that these designations will be based on data from the years 2001, 2002, and 2003. The measurements collected thus far indicate that the TTMA will likely be able to demonstrate compliance with the 8-hour standard. However, the 2003 ozone season is still in progress and more data will need to be collected. Given that all the information necessary to make the final determination is not yet available, it is my present recommendation that the area encompassed by the TTMA be designated as "unclassifiable." If the monitoring data collected during the remainder of this year's ozone season so indicate, I will change this recommendation to "attainment" or "nonattainment" prior to any final designation by EPA.

As mentioned above, the Tulsa area has already entered into an Early Action Compact, which allows for the deferral of an area's effective date of nonattainment if early implementation milestones are met. The TTMA is the area that will be eligible for this deferral as described in the compact signed and agreed upon by representatives of EPA, the Oklahoma Department of Environmental Quality (ODEQ), and the Indian Nation Council of Governments (INCOG). We believe it just makes good sense that the area, whose effective designation is to be deferred, coincides with the area to be designated.

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We recognize that in determining the appropriate boundary for the Tulsa area, EPA will rely on the eleven factors included in the memorandum entitled "Boundary Guidance on Air Quality Designation for the 8-Hour Ozone Ambient Air Quality Standards" dated March 28, 2000. The ODEQ is currently working in cooperation with the INCOG to address these eleven points. Modeling work is underway to support this effort and follow up correspondence related to this work will be sent by the end of August.

We look forward to working with your agency during the next few months in formulating the final area designations.

Sincerely,

Brad Henry
Governor