UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 N. 5TH STREET
KANSAS CITY, KANSAS 66101

04 DEC 2003

OFFICE OF
THE REGIONAL ADMINISTRATOR

Honorable Mike Johanns
Governor of Nebraska
Box 94848
Lincoln, NE 68509-4848

Dear Governor Johanns:

Thank you for making recommendations on 8-hour ozone air quality designations. Pursuant to the Clean Air Act, the United States Environmental Protection Agency (EPA) is required to promulgate designations for new or revised standards, such as the 8-hour ozone standard. Earlier this year, we entered into a consent decree that requires us to promulgate designations by April 15, 2004.

We have reviewed your letter and 2000-2002 data for ozone from the Nebraska Department of Environmental Quality, dated June 10, 2003. This letter is to inform you that the EPA does not intend to make modifications to your recommendation of Statewide attainment.

We will continue to work with your office as we move forward to make final designations. Also, please note that the EPA will be addressing designations of Tribal lands through a concurrent process with the Tribes in Nebraska.

The EPA has been tracking preliminary 2003 ozone monitoring data and their impact on the areas' 2001-2003 design values. The EPA will continue to closely review monitoring data for differences that may have occurred 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 Nebraska to expedite submittal of 2003 data to the EPA in order to ensure the State's air quality is accurately reflected under the designation and classification process. 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 Art Spratlin of my staff, by official letter, by January 23, 2004, to advance the designation and classification process.

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We look forward to a continued dialog with Nebraska as we work to finalize the designations for the 8-hour ozone standard. If you have any questions, please do not hesitate to contact me.

Sincerely,

James B. Gulliford
Regional Administrator

cc: Mr. Mike Linder
Director, Nebraska Department of Environmental Quality
Ms. Shelley Kaderly
Administrator, Air Quality Division
Nebraska Department of Environmental Quality