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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAY 19 2004

Chief Irving Powless, Jr.
Onondaga Nation
Box 319B
Nedrow, NY 13120

Dear Chief Powless:

The United States Environmental Protection Agency (EPA) has announced its air quality designations for the 8-hour health-based standard for ground level ozone. Based on the latest information on air quality in your area, EPA considers the Onondaga Nation's lands to be unclassifiable for the 8-hour ozone health standard. However, by the end of 2004 EPA will evaluate the latest air quality data and decide whether or not the ozone levels violate health-related standards.

In an April 15, 2004 letter from EPA Administrator Michael O. Leavitt, EPA indicated that the Onondaga Nation tribal lands would be considered to be nonattainment with regard to the 8-hour ozone health-based standard. Administrator Leavitt has asked me to let you know that this was based on outdated information, and the correct designation is unclassifiable.

EPA will continue to consult with the Onondaga Nation on this matter and will inform you of our findings following the Summer 2004 ozone season. If you have any questions, please do not hesitate to contact me at 212-637-5000 or have your staff contact Walter Mugdan, Director of the Division of Environmental Planning and Protection at 212-637-3724.

Sincerely,

Jane M. Kenny,
Regional Administrator

cc: Joseph J. Heath, Esq.
716 East Washington St.
Suite 104
Syracuse, NY 13210-1502

Joyce King, Acting Director
Haudenosaunee Environmental Taskforce
P.O. Box 366
Rooseveltown, New York 13683

bcc: T. Helms, EPA-OAQPS
S. Reinders, EPA-OAQPS (copy of original signed letter)
W. Baker, DEPP
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