

OFFICE OF THE GOVERNOR
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR



JOHN BOHLINGER
LT. GOVERNOR

December ¹¹ 7, 2007

Robert E. Roberts
Regional Administrator
USEPA, Region VIII
1595 Wynkoop St.
Denver, Colorado 80202-1129

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Roberts
OPRA
(possible action - see RR question)

Dear Mr. Roberts:

USEPA RA'S OFFICE

As you know, the Environmental Protection Agency (EPA) revised the National Ambient Air Quality Standard (standard) for fine particulate pollution on October 17, 2006. The Clean Air Act (CAA), 42 USC §7407, directs governors to submit a list of geographic areas designated as nonattainment, attainment, or unclassifiable for compliance with respect to that new or revised standard. Such designations are due no later than one year following the promulgation of a new or revised standard, or December 18, 2007.

One of my most important responsibilities as Governor is the protection of public health. Residents of the "Big Sky" state deserve nothing less. EPA's paltry financial support undermines my state's ability to protect air quality. The commitment of additional state and county resources necessary to develop and implement new air pollution control programs in Montana is a formidable challenge. Federal financial support must keep pace with new federal requirements in order to achieve these laudable public health goals. Unfunded mandates and declining funding harms our ability to support county air programs.

Last summer, Montana was forced to choose among essential air pollution control programs, including the regional haze visibility protection program. I am now faced with the unpalatable task of again carefully weighing Montana's priorities in order to stretch our scarce resources. While I find EPA's sharply declining financial support and the forced prioritization of core program activities disappointing, I am fully committed to protecting the health and welfare of Montana citizens.

Therefore, pursuant to 42 USC §7407(d), I am submitting a list of areas in the State designated as nonattainment for the 24-hour PM-2.5 standard. The list of areas is described administratively for purposes of publication in 40 CFR Part 81.327. See Attachment I.

Montana designates Missoula County (part) as nonattainment for the 24-hour PM-2.5 standard. Montana worked in conjunction with Missoula County to develop the nonattainment area boundary according to EPA's guidance for defining nonattainment

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December 11, 2007
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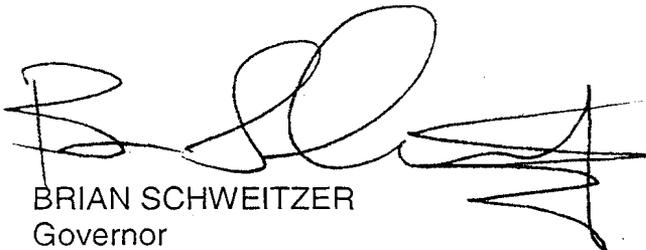
area boundaries (Nine-Factor Analysis). See Attachment II. Montana also designates Ravalli County as nonattainment for the 24-hour PM-2.5 standard. Montana developed the Ravalli County nonattainment area boundary according to the Nine-Factor Analysis. See Attachment III.

While ambient air quality monitoring data indicates Lincoln County is not in compliance with the 24-hour PM-2.5 standard, I am not designating it as a nonattainment area as part of this action. Lincoln County is currently designated as nonattainment for the 1997 annual PM-2.5 standard and is currently implementing stringent air pollution control measures. At this time, Montana believes there is insufficient information to designate. Montana requests that EPA grant a one-year extension to further evaluate the effectiveness of the control measures.

I am committed to working with our Congressional delegation on these new air quality designations and the manner in which EPA reviews and approves the nonattainment area boundaries. As a reminder, states are in the best position to determine the most appropriate means for developing air pollution control plans. Furthermore, I don't believe Congress ever intended states be left without adequate financial resources as they steadfastly perform actions identified as national priorities. I will also be working with our Congressional delegation to correct this problem that has been imposed on us by inappropriate federal funding priority decisions.

If you have any questions, please direct them to Robert Habeck, at (406) 444-7305.

Sincerely,



BRIAN SCHWEITZER
Governor

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