UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
11201 RENNER BOULEVARD
LENEXA, KS 66219

AUG 19 2014

OFFICE OF
THE REGIONAL ADMINISTRATOR

The Honorable Dave Heineman
Governor of Nebraska
P.O. Box 94848
Lincoln, Nebraska 68509-4848

Dear Governor Heineman:

Thank you for your recommendation dated November 6, 2013, of air quality designations for the 2012 revised primary annual fine particle National Ambient Air Quality Standard throughout Nebraska. I appreciate the information Nebraska shared with the U.S. Environmental Protection Agency as we move forward to improve $PM_{2.5}$ air quality. This letter is to notify you of the EPA's preliminary response to Nebraska's recommendation and to inform you of our approach for completing the initial area designations for the 2012 revised primary annual $PM_{2.5}$ standard.

On December 14, 2012, the EPA promulgated a revised primary annual $PM_{2.5}$ NAAQS (78 FR 3086, January 15, 2013). In that action, the EPA revised the primary annual $PM_{2.5}$ standard, strengthening it from 15.0 micrograms per cubic meter ($\mu g/m^3$) to 12.0 $\mu g/m^3$; retained the existing 24-hour $PM_{2.5}$ standard at 35 $\mu g/m^3$; retained the existing 24-hour PM_{10} (coarse particle) standard at 150 $\mu g/m^3$; and retained the current suite of secondary PM standards. The EPA revised the primary annual $PM_{2.5}$ standard based on an integrated assessment of an extensive body of new scientific evidence, which substantially strengthens our body of knowledge regarding $PM_{2.5}$-related health effects. The revised primary annual $PM_{2.5}$ standard will provide increased protection for children, older adults, persons with pre-existing heart and lung disease, and other at-risk populations against an array of $PM_{2.5}$-related adverse health effects, including premature mortality, increased hospital admissions and emergency department visits, and development and exacerbation of chronic respiratory disease.

History shows us that better health and cleaner air go hand-in-hand with economic growth. Working closely with the states and tribes, the EPA is implementing the standards using a commonsense approach that improves air quality and minimizes the burden on state, local, and tribal governments. As part of this routine process, the EPA is working with the states and tribes to identify areas in the country that meet the standards and those that need to take steps to reduce $PM_{2.5}$ air pollution. Within one year of promulgating a new or revised air quality standard, the Clean Air Act requires the Governor of each state to submit to the EPA a list of all areas in the state, with a designation recommendation for each area. As a first step in implementing the 2012 annual $PM_{2.5}$ standard, Governors were to submit their designation recommendations, including appropriate area boundaries, by December 13, 2013.

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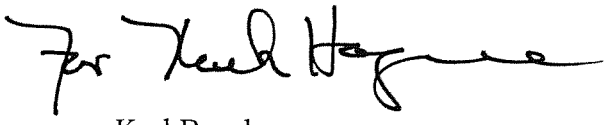
As required by the Clean Air Act, the EPA then promulgates designations for all areas across the country. The EPA designates an area as "nonattainment" if it is violating the 2012 annual $PM_{2.5}$ NAAQS or if it is contributing to a violation of the NAAQS in a nearby area. Consistent with designations for previous $PM_{2.5}$ standards, the EPA intends to use a designation category of "unclassifiable/attainment" for areas that are monitoring attainment or do not have monitors, but for which the EPA has reason to believe are likely attainment and are not contributing to nearby violations. Additionally, the EPA intends to designate as "unclassifiable" those areas where the EPA cannot determine based on available information whether the area is meeting the NAAQS or where EPA has not determined that the area contributes to a nearby violation. At this time, the EPA is proceeding with intended initial area designations using quality-assured, certified air quality monitoring data from 2011 to 2013.

We have considered the annual $PM_{2.5}$ designation recommendations submitted by Nebraska on November 6, 2013, and have reviewed the relevant technical information, including 2011–2013 air quality data. These data do not indicate any violation of the 2012 annual $PM_{2.5}$ NAAQS in Nebraska or contribution to any nearby area. Accordingly, the EPA intends to designate the entire state of Nebraska as unclassifiable/attainment.

The EPA will make its preliminary designation decisions and supporting documentation available to the general public for review and comment. We will be announcing a 30-day public comment period shortly in the *Federal Register*. After considering the additional information we receive, the EPA plans to promulgate final annual $PM_{2.5}$ designations in December of 2014.

The EPA is committed to working with the states and tribes to share the responsibility of reducing $PM_{2.5}$ air pollution. Current and upcoming federal standards and safeguards – including pollution reduction rules for power plants, vehicles, and fuels – will ensure steady progress to reduce $PM_{2.5}$-forming pollution and will protect public health in communities across the country. We look forward to a continued dialogue with you and your staff as we work together to implement the 2012 annual $PM_{2.5}$ standard. Should you have any questions, please do not hesitate to contact me, or have your staff contact Becky Weber of my staff at 913-551-7487 or weber.rebecca@epa.gov.

Sincerely,



Karl Brooks

cc: Brian Dunnigan, Director, Department of Natural Resources
Clifford Wolfe Jr, Chairman, Omaha Tribe of Nebraska
John Blackhawk, Chairman, Winnebago Tribe of Nebraska
Joseph Painter, Director, Winnebago Tribe Environmental Protection Department
Roger Trudell, Chairman, Santee Sioux Nation
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Rebecca White, Chairperson, Ponca Tribe of Nebraska
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