Frank Keating
Governor

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June 23, 2000

The Honorable Gregg A. Cooke
Regional Administrator
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Dear Mr. Cooke:

In accordance with 107(d)(1) of the Clean Air Act, I recommend that the entire state of Oklahoma be designated as "unclassifiable/attainment" for the National Ambient Air Quality Standard for ozone. As you know, the eight-hour standard established and implemented in 1997 by the U.S. Environmental Protection Agency ("EPA") has been deemed unenforceable by the U.S. Court of Appeals for the District of Columbia Circuit and is currently on appeal to the U.S. Supreme Court.

Because of this significant development, I am convinced that any definitive classification made at this time that relies on the EPA's eight-hour standard would be unwarranted and premature. Further, making any "nonattainment" designation based on a standard that clearly has a tenuous future, particularly in a state that has consistently attained the high goals of the former one-hour ozone standard, contravenes sound judgment.

I am also concerned that proceeding with this designation process by using Metropolitan Statistical Area boundaries for nonattainment classifications might not be appropriate for Oklahoma due to our unique demographic and emission characteristics. Given the long-term consequences of a nonattainment designation, and only after a final determination has been rendered by the U.S. Supreme Court, the State of Oklahoma and the EPA should work together to accomplish this important task within a timeframe that is more reasonable.

We look forward to working with EPA Region 6 in the coming year as we strive to improve our air quality in a manner that benefits all Oklahomans.

Sincerely,

Frank Keating
Governor of Oklahoma

FAK/jds

STATE CAPITOL BUILDING • OKLAHOMA CITY, OKLAHOMA 73105 • (405) 521-2342 • FAX (405) 521-3353