UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

June 28, 2011

The Honorable Beverly Perdue
Governor, State of North Carolina
State Capitol
20301 Mail Service Center
Raleigh, North Carolina 27699-0301

Dear Governor Perdue:

Thank you for your recommendations submitted to the U.S. Environmental Protection Agency on December 16, 2010 (recommendation letter), on air quality designations for the revised primary National Ambient Air Quality Standard (NAAQS) for nitrogen dioxide (NO_2) throughout the State of North Carolina. This letter is to notify you of EPA's response to North Carolina's designation recommendations, and to inform you of our approach for completing the designations for the revised NO_2 NAAQS.

On January 22, 2010, the EPA strengthened the health-based NAAQS for NO_2 by setting a new 1-hour NO_2 standard at the level of 100 parts per billion (ppb). This new standard will protect against adverse health effects associated with short-term exposure to NO_2, including respiratory effects that can result in admission to a hospital. The EPA also retained with no change, the annual average NO_2 standard of 53 ppb. This suite of standards will protect public health by limiting people's exposures to short-term peak concentrations of NO_2 and by limiting community-wide NO_2 concentrations to levels below those that have been linked to respiratory-related emergency department visits and hospital admissions in the United States. To determine compliance with the new standard, the EPA established new ambient air monitoring and reporting requirements for NO_2. In urban areas, monitors are required near major roads as well as in other locations where maximum concentrations are expected. Additional monitors will be required in some large urban areas to measure the highest concentrations of NO_2 that occur more broadly across communities.

In the preamble to the 2010 NO_2 NAAQS and in the EPA's October 2010 letter to you requesting designation recommendations, the Agency stated that it expected to designate most areas of the country as "unclassifiable," indicating that there are insufficient data to determine whether or not an area is attaining the revised NO_2 NAAQS. This approach took into account that the new monitoring network requirements established with the revised NO_2 NAAQS will not be effective until January 2013 and that air quality data from these new monitors would not be available to inform these initial designations.

The Agency has reviewed your recommendations and others, and intends to designate all areas of the State of North Carolina, as well as the rest of the country, as "unclassifiable/attainment" rather than "unclassifiable." Based on air quality data from 2008-2010, all monitored areas in the country meet the 2010 NO_2 NAAQS. While the EPA acknowledges that the existing NO_2 monitoring network does not provide adequate evidence to determine whether or not the new NAAQS is met in all areas, there currently is no evidence of violations anywhere in the country. The "unclassifiable/attainment"

designation better reflects the current air quality conditions. The EPA intends to redesignate areas, as appropriate, after sufficient air quality data from the new monitoring network are available.

The EPA intends to designate the State of North Carolina as unclassifiable/attainment using the boundaries North Carolina recommended to the EPA or revised boundaries you may provide in response to this letter. In past designations for NO_2, for the majority of states, the area of the state where the air quality could not be classified, or was better than the national standards, was given a statewide, or rest-of-state designation. However, the EPA recommends that your state carefully consider the implications for the Prevention of Significant Deterioration permitting program of having the entire state designated as a single area rather than smaller areas (e.g., counties, groups of counties, etc.). To ensure that the size of designated areas is consistent with your state's objectives for managing air quality deterioration and economic growth, we recommend that your permitting staff be consulted on the area boundary issues.

If your state has additional information that you want the EPA to consider with respect to the EPA's designation, please submit it to us by August 29, 2011. We are also making the EPA's preliminary designation decisions and supporting documentation available to the general public for review. We are accepting public comments on our preliminary decisions for 30 days after a notice announcing the public comment period is published in the *Federal Register*. We will review any information we receive from the State of North Carolina and the general public by this date, and we plan to promulgate the final designations by October 31, 2011.

We look forward to a continued dialogue with you and your staff as we work together to implement the 2010 NO_2 NAAQS. Should you have any questions, please do not hesitate to call me, or have your staff contact Beverly Banister of my staff at 404-562-9077.

Sincerely,

Gwendolyn Keyes Fleming
Regional Administrator

cc: Mr. Dee Freeman
Secretary, North Carolina Department of Environment and Natural Resources

Ms. Sheila Holman
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