

Michael J. Teague  
Secretary of Energy & Environment



Mary Fallin  
Governor

STATE OF OKLAHOMA  
OFFICE OF THE  
SECRETARY OF ENERGY & ENVIRONMENT

February 28, 2014

Ron Curry, Regional Administrator (6RA)  
U.S. Environmental Protection Agency - Region VI  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

Subject: Oklahoma's Certification of SIP Elements for the 2010 Primary NO<sub>2</sub> NAAQS under Clean Air Act Sections 110(a)(1) and (2)

Dear Administrator Curry:

In a letter dated September 24, 2013 Governor Mary Fallin appointed me as her designee for the purpose of submitting documents to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into the State Implementation Plan (SIP) for the State of Oklahoma. The Oklahoma Department of Environmental Quality (DEQ) is given the primary responsibility and authority to prepare and implement the state's air quality management plan under Oklahoma Statutes.

Sections 110(a)(1) and (2) of the federal Clean Air Act require that each state review and revise as necessary its SIP following promulgation of new or revised National Ambient Air Quality Standards (NAAQS) [See U.S.C. § 7410(a)(1) and (2)]. On January 22, 2010, the EPA administrator signed the Primary National Ambient Air Quality Standards for Nitrogen Dioxide [75 FR 6474, February 9, 2010]. EPA subsequently issued the "Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)" dated September 2013. Under this guidance, states may certify that their existing SIPs meet the "infrastructure" elements of § 110(a)(2), rather than submitting a revised SIP for the Primary NO<sub>2</sub> NAAQS.

Oklahoma's SIP is codified in 40 CFR Part 52, Subpart LL. On behalf of the State of Oklahoma, I hereby certify that, as indicated in the enclosed table titled "Oklahoma's State Implementation Plan (SIP) Submittal 'Infrastructure' Checklist," Oklahoma's SIP meets the infrastructure obligations for the 2010 Primary NO<sub>2</sub> standard. To date, the only program changes required to meet the revised 2010 NO<sub>2</sub> NAAQS have been the modification of the ambient air quality monitoring network to include a near road NO<sub>2</sub> monitor [CAA § 110(a)(2)(B)] and a revision to Appendix E of OAC 252:100, to add the new primary 1-hour NO<sub>2</sub> standard [CAA § 110(a)(2)(H)].

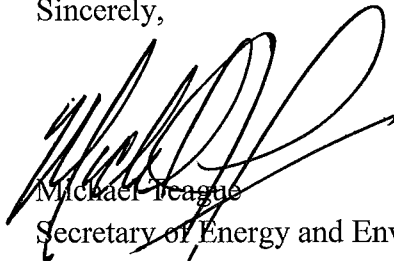
State public participation procedures for such SIP submittals were submitted to EPA for review under 40 CFR § 51.102. In a letter dated August 23, 2012, EPA concurred that Oklahoma's procedures are consistent with the requirements of 40 CFR § 51.102 and associated guidance. Public notice for this submittal was posted on DEQ's web site on January 15, 2014, to allow the opportunity to provide comments and to request a public hearing preliminarily scheduled for

February 19, 2014 at DEQ's offices. No hearing requests were received during the comment period (1/15/14 – 2/14/14). Therefore, a notice of hearing cancellation was posted before 10:00 a.m. on February 18, 2014. Attached is documentation of this public notice and submittal process. No comments were received during the comment period; therefore, no Response to Comments document was prepared. It is our understanding that the final results of EPA's review of this submittal will be determined through rulemaking and will be published in the *Federal Register*.

Note that this letter and its supporting documentation do not address § 110(a)(2)(I), which pertains to the nonattainment planning requirements of Title I, Part D of the Clean Air Act and is not governed by the three-year SIP submission deadline under § 110(a)(1), because Oklahoma currently has no NO<sub>2</sub> nonattainment areas and no nonattainment plans are due.

If you have questions, please contact Mr. Eddie Terrill, Director, Air Quality Division, Department of Environmental Quality at (405) 702-4100.

Sincerely,



Michael Teague  
Secretary of Energy and Environment

Enclosures

cc: Scott Thompson, Executive Director, Department of Environmental Quality  
Eddie Terrill, Director, DEQ Air Quality Division  
cc: Guy Donaldson, Section Chief, Air Planning Section, EPA Region VI (6PD-L)  
Carrie Paige, Air Planning Section, EPA Region VI (6PD-L)