

January 28, 2015

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

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

Subject: Certification of SIP Elements for the 2008 Primary and Secondary Ozone NAAQS under Clean Air Act Sections 110(a)(1)-(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 Clean Air Act require that each state review and revise as necessary its SIP following promulgation of a revised National Ambient Air Quality Standards (NAAQS) [*See* U.S.C. § 7410(a)(1) and (2)]. On March 12, 2008, the EPA administrator signed the Primary National Ambient Air Quality Standards for Ozone (73 Fed. Reg. 16436, March 27, 2008). EPA subsequently issued the "Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)" in 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 revised NAAQS such as the 2008 Ozone 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 2008 Primary and Secondary Ozone NAAQS. To date, the only SIP change required to meet the revised 2008 Ozone NAAQS is a revision to Appendix E of OAC 252:100, to update the 8-hour Ozone 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 beginning on March 28, 2014, to allow the opportunity to provide comments and to request a public hearing preliminarily scheduled for April 30, 2014 at DEQ's offices. No hearing requests were received during the minimum 30-day comment period (3/28/14 – 4/28/14). Therefore, a notice of hearing cancellation was posted on April 29, 2014. Attached is documentation of this public notice and submittal process. Also attached are copies of comments received during the comment period and a Response to Comments document. 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. These requirements are not governed by the three-year SIP submission deadline under § 110(a)(1). In addition, Oklahoma currently has no Ozone nonattainment areas and no nonattainment plans are due. Note also that this submittal is not intended to assert that Oklahoma meets all requirements of § 110(a)(2)(D)(i)(I), which relate to interstate pollutant transport affecting attainment and maintenance of the NAAQS. It is our understanding that EPA expects to address § 110(a)(2)(D)(i)(I) separately through issuance of further guidance. However, the checklist does describe certain related aspects of DEQ's infrastructure.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Teague", written in a cursive style.

Michael Teague
Secretary of Energy and Environment

Enclosures

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