



STATE OF OKLAHOMA  
OFFICE OF THE  
SECRETARY OF ENERGY & ENVIRONMENT

June 16, 2016

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 2012 Primary PM<sub>2.5</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 Clean Air Act require that each state review and revise as necessary its SIP following promulgation of a new or revised National Ambient Air Quality Standard (NAAQS) [See U.S.C. § 7410(a)(1) and (2)]. On December 14, 2012, the U.S. Environmental Protection Agency (EPA) established a new primary NAAQS for fine particulate matter (PM<sub>2.5</sub>) [78 Fed. Reg. 3086, January 15, 2013]. EPA 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 ("EPA's 2013 I-SIP guidance"). Under this guidance, states may certify that their existing SIPs meet the "infrastructure" elements of § 110(a)(2), rather than submitting a SIP for revised NAAQS such as the 2012 PM<sub>2.5</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 2012 Primary PM<sub>2.5</sub> NAAQS. To date, the only Program change required to meet the revised PM<sub>2.5</sub> NAAQS was a revision to Appendix E of OAC 252:100, to change the level of the Primary PM<sub>2.5</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.

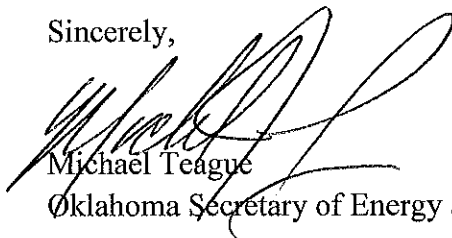
Public notice for this submittal was posted on the Department of Environmental Quality's (DEQ) web site on May 6, 2016, to allow the opportunity to provide comments and to request a public hearing, preliminarily scheduled for June 8, 2016 at the DEQ Headquarters. No hearing requests were received during the minimum 30-day comment period (5/6/16 – 6/6/16). Therefore, a notice of hearing cancellation was posted on the DEQ web site on June 6, 2016. Attached is documentation of this public notice and submittal process. 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 PM<sub>2.5</sub> 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), commonly referred to as the “good neighbor provision”, which prohibits interstate pollutant transport from an upwind state that would contribute significantly to nonattainment or interfere with maintenance of the NAAQS in a downwind state. However, the checklist does describe certain related aspects of DEQ’s infrastructure. We are aware that on March 17, 2016, EPA issued a memo from Stephen D. Page to the Regional Air Division Directors, Regions 1-10 entitled “Information on the Interstate Transport ‘Good Neighbor’ Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act § 110(a)(2)(D)(i)(I).” Oklahoma plans to address its good neighbor obligations for the 2012 PM<sub>2.5</sub> NAAQS in a separate SIP revision.

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

Sincerely,



Michael Teague  
Oklahoma Secretary of Energy and Environment

Enclosure: Oklahoma's State Implementation Plan (SIP) Submittal “Infrastructure” Checklist

cc: Scott Thompson, Executive Director, Department of Environmental Quality  
Eddie Terrill, Director, DEQ Air Quality Division  
Mary Stanton, Chief, Air Implementation Section, EPA Region VI (6MM-AB)