



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH TRIANGLE PARK, NC 27711

MAR - 6 2009

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

Mr. Wilfred K. Nagamine  
President  
Western States Air Resources Council  
1218 3<sup>rd</sup> Avenue  
Seattle, Washington 98101


Dear Mr. Nagamine:

Thank you for your letter dated February 11, 2009, regarding the WildEarth Guardians' petition submitted to former EPA Administrator Steven Johnson on December 23, 2008. In your letter, you request that the U.S. Environmental Protection Agency (EPA) first consult with the Western States Air Resources Council (WESTAR) if we intend to act on the petition. The petition requested that EPA call for revisions of state implementation plans for 16 western states due to their failure to attain and maintain the 2008 revised ozone National Ambient Air Quality Standards (NAAQS) and to mitigate the interstate transport of ozone air pollution in accordance with section 110 of the Clean Air Act (CAA). The petition also requested that EPA establish an interstate transport region encompassing all or portions of the 16 western states in accordance with section 176A of the CAA.

I assure you that the EPA will consult with official representatives from affected states prior to taking any action under section 176A of the CAA. As you know, both EPA and the states are in the early stages of implementing the 2008 revised ozone NAAQS, starting first with identifying areas that do not attain the NAAQS. One of the next steps is to understand what role interstate ozone transport may play in contributing to the failure of some areas to attain the NAAQS. Information and analyses from all interested stakeholders is critical to advancing the knowledge base on ozone transport. We are aware that states in the Western Regional Air Partnership are currently collaborating on technical analyses to evaluate ozone air quality in the west. We encourage your input regarding potential ozone nonattainment areas in the western states and more specifically, the mitigation of ozone transport, whether by acting under section 176A of the CAA or some other means.

We appreciate your concerns about air quality issues in the western states. We look forward to working with WESTAR and its member states throughout the ozone NAAQS implementation process.

Sincerely,

A handwritten signature in cursive script that reads "Stephen D. Page". The signature is written in dark ink and is positioned above the printed name.

Stephen D. Page  
Director

Office of Air Quality Planning  
and Standards