



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

OFFICE OF THE
REGIONAL ADMINISTRATOR

FEB 06 2013

Honorable Sam Brownback
Governor of Kansas
Office of the Governor
Kansas State Capitol
300 SW 10th Street, Ste. 241S
Topeka, KS 66612

Dear Governor Brownback:

Thank you for your recommendations June 13, 2011 on air quality designations for the state of Kansas for the 2010 revision to the primary National Ambient Air Quality Standard for sulfur dioxide (SO₂). Reducing levels of sulfur dioxide pollution is an important part of the U. S. Environmental Protection Agency's commitment to a clean, healthy environment. Exposure to SO₂ can cause a range of adverse health effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms. This letter is to notify you of the EPA's preliminary intentions regarding your recommended designations.

On June 3, 2010, the EPA strengthened the health-based or "primary" standard for SO₂ by establishing a standard for 1-hour average SO₂ concentrations at a level of 75 parts per billion. The Clean Air Act requires the EPA to complete the initial designations process within two years of promulgating a new or revised standard. If the Administrator has insufficient information to make these designations, the EPA has the authority to extend the designation process by up to one year. On July 27, 2012, the EPA announced that it had insufficient information to complete the designations for the 1-hour SO₂ standard within two years and extended the designations deadline to June 3, 2013.

At this time the EPA is proceeding with designating as nonattainment most areas in locations where existing monitoring data from 2009-2011 indicate violations of the 1-hour SO₂ standard. The EPA intends to address the designations for all other areas in separate future actions. With input from a diverse group of stakeholders, EPA has developed a comprehensive implementation strategy for these future actions that focuses resources on identifying and addressing unhealthy levels of SO₂. The strategy is available at: <http://www.epa.gov/airquality/sulfurdioxide/implement.html>. The EPA will continue to work closely with you and our other partners at the state, tribal and local levels to ensure health-protective, commonsense implementation of the 1-hour SO₂ standard.

The EPA's review of the most recent monitored air quality data from 2009-2011 shows no violations of the 2010 SO₂ standard in any areas in Kansas. Consequently, the EPA is not yet prepared to propose designation action in Kansas and is therefore currently deferring action to designate areas in Kansas. The EPA expects to be able to proceed with designation action in Kansas once additional data are gathered pursuant to our comprehensive implementation strategy. In a separate future action or actions the EPA will notify you of our intended designations for these areas, and seek public comment on these actions, no later than 120 days prior to promulgating any final designations.

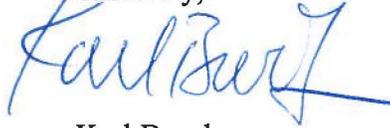


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We look forward to a continued dialogue with you and your staff as we work together to implement the 2010 primary SO₂ standard. For additional information regarding initial designations on the SO₂ standard, please visit our website at www.epa.gov/so2designations.

If we can be of further assistance, please feel free to contact me at (913) 551-7006 or have your staff contact Sarah Hatch, State Governmental Liaison, at (913) 551-7199.

Sincerely,



Karl Brooks

Cc: John Mitchell, Secretary
Kansas Department of Health and Environment

Rick Brunetti, Director
Bureau of Air and Radiation, Kansas Department of Health and Environment

Gina McCarthy, Assistant Administrator for Air and Radiation
Stephen D. Page, Director, Office of Air Quality Planning and Standard