



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

OFFICE OF THE
REGIONAL ADMINISTRATOR

The Honorable Pete Ricketts
Governor of Nebraska
P.O. Box 94848
Lincoln, Nebraska 68509-4848

Dear Governor Ricketts:

The purpose of this letter is to notify you of the U.S. Environmental Protection Agency's intended designations for the remaining undesignated area in Nebraska for the 2010 1-hour Sulfur Dioxide Primary National Ambient Air Quality Standard. In accordance with section 107(d)(1)(B)(ii) of the Clean Air Act, the EPA is providing you with 120 days' notice before promulgating final designations for an area in Nebraska. The designations for this National Ambient Air Quality Standard are an important part of the EPA's commitment to a clean, healthy environment. The EPA's intended designations are a response to, and in consideration of, the recommendations and designations-related information your state submitted in letters dated June 1, 2011; September 18, 2015; January 12, 2017; and May 6, 2020.

In previous final actions, the EPA issued designations for the 2010 Sulfur Dioxide National Ambient Air Quality Standard for most areas of the country.¹ To meet the requirements of a March 2, 2015, schedule ordered by the U.S. District Court for the Northern District of California, by December 31, 2020, the EPA will sign for publication in the *Federal Register*, a notice promulgating designations for all remaining areas of the country.² We are referring to this final set of designations for the 2010 Sulfur Dioxide National Ambient Air Quality Standard as "Round 4" designations. After the EPA completes these Round 4 designations, there will be no remaining undesignated areas for the 2010 Sulfur Dioxide National Ambient Air Quality Standard in the United States.

After carefully considering Nebraska's recommendation and all available information, particularly but not limited to, the most recent (2017-2019) air monitoring data, the EPA intends to designate the following area in Nebraska as shown in the table below. The enclosure to this letter provides the technical information that supports the EPA's intended designation decisions for this area in Nebraska.³ Our intended action is consistent with your recommendation.

¹ Most areas of the U.S. were previously designated in actions published on August 5, 2013 (78 FR 47191), July 12, 2016 (81 FR 45039), December 13, 2016 (81 FR 89870), December 21, 2017 (83 FR 1098) and March 28, 2018 (83 FR 14597). The EPA is not reopening these previous designation actions in this current Round 4 of designations under the 2010 SO₂ NAAQS, except where specifically discussed.

² *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

³ Enclosure 1 includes *Chapter #1: Background and History* and *Chapter #2: Designations for Areas without Violating Monitors* of the Technical Support Document



Area	Included Counties	EPA's Intended Designation
Douglas County	Douglas County	Attainment/Unclassifiable

The EPA will publish a notice in the *Federal Register* announcing a 30-day public comment period for the interested parties to provide feedback on the EPA's intended designations. States will have additional time beyond the public comment period to respond to public comments, if necessary, and/or provide additional information. If you or your staff have additional information that the EPA should review and consider prior to promulgating final designations, please submit it as soon as possible but no later than October 16, 2020. You may submit additional information to the EPA's public docket for these designations, Docket# EPA-HQ-OAR-2020-0037, located at www.regulations.gov. Please also send an electronic copy to the EPA Region 7 staff member listed below.

Thank you for Nebraska's efforts to provide cleaner air for the citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 Sulfur Dioxide National Ambient Air Quality Standard. For additional information regarding designations under the 2010 Sulfur Dioxide National Ambient Air Quality Standard, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me or have your staff contact William Stone at stone.william@epa.gov or at (913) 551-7714.

Sincerely,

James B. Gulliford

Enclosure

Technical Support Document

cc: Mr. Jim Macy
 Director, Nebraska Department of Environment and Energy

Mr. Kevin Stoner
 Administrator, Air Quality Division, Nebraska Department of Environment and Energy