



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

**DEC 20 2017**

The Honorable Brian Sandoval  
Governor of Nevada  
State Capitol Building, 101 North Carson Street  
Carson City, Nevada 89701

Dear Governor Sandoval:

Thank you for your recommendation dated September 22, 2016, on air quality designations for the revised 2015 National Ambient Air Quality Standards (NAAQS) for ozone throughout Nevada. I appreciate the information Nevada shared with the U.S. Environmental Protection Agency (EPA) as we move forward to improve ozone air quality. This letter is to notify you of the EPA's preliminary response to Nevada's recommendations and to inform you of our approach for completing designations for the revised ozone standards. After considering Nevada's September 22, 2016 ozone designation recommendations, which were based on 2013-2015 air quality data, as well as other relevant technical information, the EPA intends to designate a portion of Clark County as Nonattainment, as listed in Enclosure 1. We intend to modify the State's recommendation for this area. The EPA also intends to designate all other areas in the State not previously designated in November 2017 as Attainment/Unclassifiable.

On October 1, 2015, the EPA lowered the primary 8-hour ozone standard from 0.075 parts per million (ppm) to 0.070 ppm to provide increased protection of public health. The EPA revised the secondary 8-hour ozone standard, making it identical to the primary standard, to protect against welfare effects, including impacts on sensitive vegetation and forested ecosystems. Working closely with the states and tribes, the EPA is implementing the standards using a common sense approach that improves air quality and minimizes the burden on state and local governments. As part of this routine process, the EPA is working with the states to identify areas in the country that meet the standards and those that need to take steps to reduce ozone pollution.

As a first step in implementing the 2015 ozone standards, the EPA asked states to submit in the fall of 2016 their designation recommendations, including appropriate area boundaries. A first round of designations was published on November 16, 2017. Consistent with states' recommendations, the EPA designated most of the country as Attainment/Unclassifiable, with limited areas designated as Unclassifiable. Further, consistent with EPA's "Policy for Establishing Separate Air Quality Designations for Areas of Indian Country" (December 20, 2011), the EPA designated two areas of Indian country as separate Attainment/Unclassifiable areas.

As required by the Clean Air Act, the EPA will designate an area as Nonattainment if there are certified, quality-assured air quality monitoring data showing a violation of the 2015 ozone standards or if the EPA makes a determination that the area is contributing to a violation of the standards in a nearby area.

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Areas designated Attainment/Unclassifiable are not measuring or contributing to a violation of the standards.

A Technical Support Document, available on the EPA ozone designations website at [www.epa.gov/ozone-designations/](http://www.epa.gov/ozone-designations/), provides a detailed analysis to support our preliminary decisions for the areas of the State not previously designated, and discusses our intended modification to the State's recommended nonattainment area for Clark County. In order for the EPA to consider more current (i.e., 2015-2017) air quality data in the final designation decisions for any area, Nevada must submit certified, quality-assured 2015-2017 air quality monitoring data for the area to the EPA by February 28, 2018.

The EPA will continue to work with state officials regarding the appropriate boundaries for the Nonattainment areas in Nevada. If Nevada has additional information that you would like the EPA to consider, please submit it to us by February 28, 2018. Please submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0548, located at [www.regulations.gov](http://www.regulations.gov), and sending a copy to EPA Region 9. The EPA will also make its preliminary designation decisions and supporting documentation available to the general public for review and comment. We will be announcing a 30-day public comment period shortly in the *Federal Register*. After considering additional information we receive, the EPA plans to promulgate final ozone designations in spring of 2018.

The EPA is committed to working with the states and tribes to reduce ozone air pollution. We look forward to a continued dialogue with you and your staff as we work together to implement the 2015 ozone standards. Should you have any questions regarding this matter, please do not hesitate to contact me at 415-947-8702 or have a member of your staff contact Meredith Kurpius at 415-947-4534.

Sincerely,

  
Alexis Strauss      20 Dec. 2017  
Acting Regional Administrator

Enclosure

cc (via e-mail):      Greg Lovato, Administrator, Nevada Division of Environmental Protection (NDEP)  
                                 Jeffrey Kinder, Deputy Administrator, NDEP

## Enclosure 1

### Nevada State and Tribal Recommended Nonattainment Areas and the EPA's Intended Designated Nonattainment Areas for the 2015 Ozone NAAQS.

Area	Nevada's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]	EPA's Intended Nonattainment Counties [or Areas of Indian Country]
Las Vegas, NV*	Clark County (partial)	<b>Clark County (partial)</b>
<ul style="list-style-type: none"> <li>• Las Vegas Tribe of Paiute Indians</li> </ul>	<ul style="list-style-type: none"> <li>• did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>• Las Vegas Tribe of Paiute Indians</li> </ul>

EPA modifications to state or tribal recommendations are shown in **bold**.

\*Las Vegas is a multi-jurisdictional nonattainment area that include areas of Indian country of federally-recognized tribes. The areas of Indian country of each tribe that the EPA intends to designate as part of the nonattainment area are discussed in the Technical Support Document for Nevada, which is available on the EPA ozone designations website at <https://www.epa.gov/ozone-designations/>.