

February 6, 2009

Mr. William W. Rice  
Acting Regional Administrator  
USEPA, Region VII  
901 N. 5th Street  
Kansas City, KS 66101

Dear Mr. Rice:

This letter is in response to the requirement to submit area designations for the 8-hour National Ambient Air Quality Standard for ozone.

The following recommendations are being made regarding designation of areas within Kansas as nonattainment or attainment/unclassifiable for purposes of the 8-hour standard for ozone:

Nonattainment:                      Johnson County and Wyandotte County

Attainment/unclassifiable:      The remaining counties of the state.

The recommendation regarding Johnson and Wyandotte counties is based upon the analysis of ozone monitoring data from 2006 through 2008, ozone precursor emissions, meteorological conditions, population data, vehicle miles traveled and additional criteria. The basis for this recommendation was formed through the work of the staff of KDHE and stakeholders located in the Kansas City region. The design value for the recommended Kansas City nonattainment area in relation to the 8-hour ozone standard is 0.081 parts per million, recorded at both the Liberty site, 29-047-0005, and the Rocky Creek site, 29-047-0006, in Clay County, Missouri.

Designation of only Johnson and Wyandotte counties within the Kansas portion of the Kansas City metropolitan statistical area (MSA) is consistent with EPA guidance. All Kansas counties inside the MSA were reviewed for possible inclusion in the nonattainment designation, along with Douglas County. Based upon the factors specified in EPA's December 4, 2008 guidance, no Kansas counties outside the recommended two-county nonattainment area significantly cause or contribute to ozone violations within the recommended Kansas City nonattainment area.

The recommendation to designate the remainder of the state as attainment/unclassifiable is based upon the fact that no reference method monitoring of sufficient duration has been conducted in the counties designated attainment/unclassifiable except in Leavenworth, Linn, Sedgwick, Sumner and Trego Counties. Ozone monitoring data collected at monitoring sites located in these counties demonstrate that they meet the 8-hour ozone standard.

This recommendation does not include the following tribal lands: the Prairie Band of the Potawatomi Indian Reservation in Jackson County, and the Kickapoo Nation Indian Reservation, the Sac and Fox Tribe Indian Reservation and the Iowa Tribe Indian Reservation in Brown County.

Documentation supporting these recommendations is being submitted under separate cover and electronically by the Department of Health and Environment. The documentation justifies exclusion of Franklin, Leavenworth, Linn and Miami counties, which are located within the Kansas City MSA, from the recommended nonattainment designation. Feel free to contact John Mitchell, Director of the Division of Environment at 785-296-1535 if you have any questions regarding these recommendations or the analyses upon which the recommendations are made.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Sebelius', written in a cursive style.

Kathleen Sebelius  
Governor of Kansas

Enclosures

cc: Roderick Bremby, Secretary, KDHE  
John Mitchell, Director, Division of Environment

## 2009 Kansas 8-Hour Ozone Designations

County	Designation
Allen	Attainment/Unclassifiable
Anderson	Attainment/Unclassifiable
Atchison	Attainment/Unclassifiable
Barber	Attainment/Unclassifiable
Barton	Attainment/Unclassifiable
Bourbon	Attainment/Unclassifiable
Brown	Attainment/Unclassifiable
Butler	Attainment/Unclassifiable
Chase	Attainment/Unclassifiable
Chautauqua	Attainment/Unclassifiable
Cherokee	Attainment/Unclassifiable
Cheyenne	Attainment/Unclassifiable
Clark	Attainment/Unclassifiable
Clay	Attainment/Unclassifiable
Cloud	Attainment/Unclassifiable
Coffey	Attainment/Unclassifiable
Comanche	Attainment/Unclassifiable
Cowley	Attainment/Unclassifiable
Crawford	Attainment/Unclassifiable
Decatur	Attainment/Unclassifiable
Dickinson	Attainment/Unclassifiable
Doniphan	Attainment/Unclassifiable
Douglas	Attainment/Unclassifiable
Edwards	Attainment/Unclassifiable
Elk	Attainment/Unclassifiable
Ellis	Attainment/Unclassifiable
Ellsworth	Attainment/Unclassifiable
Finney	Attainment/Unclassifiable
Ford	Attainment/Unclassifiable
Franklin	Attainment/Unclassifiable
Geary	Attainment/Unclassifiable
Gove	Attainment/Unclassifiable
Graham	Attainment/Unclassifiable
Grant	Attainment/Unclassifiable
Gray	Attainment/Unclassifiable
Greeley	Attainment/Unclassifiable
Greenwood	Attainment/Unclassifiable
Hamilton	Attainment/Unclassifiable
Harper	Attainment/Unclassifiable
Harvey	Attainment/Unclassifiable
Haskell	Attainment/Unclassifiable

<b>County</b>	<b>Designation</b>
Hodgeman	Attainment/Unclassifiable
Jackson	Attainment/Unclassifiable
Jefferson	Attainment/Unclassifiable
Jewell	Attainment/Unclassifiable
Johnson	Nonattainment
Kearny	Attainment/Unclassifiable
Kingman	Attainment/Unclassifiable
Kiowa	Attainment/Unclassifiable
Labette	Attainment/Unclassifiable
Lane	Attainment/Unclassifiable
Leavenworth	Attainment
Lincoln	Attainment/Unclassifiable
Linn	Attainment
Logan	Attainment/Unclassifiable
Lyon	Attainment/Unclassifiable
Marion	Attainment/Unclassifiable
Marshall	Attainment/Unclassifiable
McPherson	Attainment/Unclassifiable
Meade	Attainment/Unclassifiable
Miami	Attainment/Unclassifiable
Mitchell	Attainment/Unclassifiable
Montgomery	Attainment/Unclassifiable
Morris	Attainment/Unclassifiable
Morton	Attainment/Unclassifiable
Nemaha	Attainment/Unclassifiable
Neosho	Attainment/Unclassifiable
Ness	Attainment/Unclassifiable
Norton	Attainment/Unclassifiable
Osage	Attainment/Unclassifiable
Osborne	Attainment/Unclassifiable
Ottawa	Attainment/Unclassifiable
Pawnee	Attainment/Unclassifiable
Phillips	Attainment/Unclassifiable
Pottawatomie	Attainment/Unclassifiable
Pratt	Attainment/Unclassifiable
Rawlins	Attainment/Unclassifiable
Reno	Attainment/Unclassifiable
Republic	Attainment/Unclassifiable
Rice	Attainment/Unclassifiable
Riley	Attainment/Unclassifiable
Rooks	Attainment/Unclassifiable
Rush	Attainment/Unclassifiable
Russell	Attainment/Unclassifiable
Saline	Attainment/Unclassifiable

County	Designation
Scott	Attainment/Unclassifiable
Sedgwick	Attainment
Seward	Attainment/Unclassifiable
Shawnee	Attainment/Unclassifiable
Sheridan	Attainment/Unclassifiable
Sherman	Attainment/Unclassifiable
Smith	Attainment/Unclassifiable
Stafford	Attainment/Unclassifiable
Stanton	Attainment/Unclassifiable
Stevens	Attainment/Unclassifiable
Sumner	Attainment
Thomas	Attainment/Unclassifiable
Trego	Attainment
Wabaunsee	Attainment/Unclassifiable
Wallace	Attainment/Unclassifiable
Washington	Attainment/Unclassifiable
Wichita	Attainment/Unclassifiable
Wilson	Attainment/Unclassifiable
Woodson	Attainment/Unclassifiable
Wyandotte	Nonattainment