



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 14 2000

OFFICE OF
AIR AND RADIATION

Honorable Winston H. Hickox
Secretary
California Environmental Protection Agency
2020 L Street
P.O. Box 2815
Sacramento, CA 95812

Dear Mr. Hickox:

I am writing to confirm receipt on February 9, 2000, of California's completed application for a waiver from the reformulated gasoline (RFG) program's oxygen requirement in the Clean Air Act. As you are aware, on January 24 and 25, 2000, Environmental Protection Agency (EPA) staff met with California Air Resources Board (CARB) staff to explore technical questions and issues concerning California's request for the waiver. Based on those discussions, CARB recently provided the additional information requested by EPA to complete its application.

As you know, under the Clean Air Act provisions, EPA may waive the oxygen mandate, in whole or in part, "...upon a determination by the Administrator that compliance with such requirement would prevent or interfere with the attainment by the area of a national primary ambient air quality standard [NAAQS]."

In order to make this determination, the Agency must conduct an independent evaluation of the data and modeling as well as the other information submitted by the state in support of its request for a waiver from the federal RFG oxygen requirement. We hope to complete our assessment by early summer. Based on our productive discussions with CARB up to this point, we fully expect that we will meet this schedule. If EPA determines that the statutory conditions to grant the waiver are met, we will then be required to provide public notice of our decision. Such procedures include a comment period of at minimum thirty days.

EPA understands California's desire for an expeditious resolution of this matter. To facilitate this process, we have been in close contact with CARB technical staff and we appreciate the cooperation we have received from CARB to date. We look forward to maintaining this cooperative relationship as we exchange information necessary to complete our evaluation.

We appreciate your willingness to continue working closely with us on this matter, and will keep you apprised of our progress.

Sincerely,

A handwritten signature in black ink that reads "Bob Perciasepe". The signature is written in a cursive, slightly slanted style.

Robert Perciasepe
Assistant Administrator

cc: Michael Kenny, Executive Officer, CARB