JOHN H. LYNCH
Governor

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March 23, 2011

Mr. Curt Spalding
Regional Administrator
U.S. Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: Designation of Attainment Area Status under the Revised Nitrogen Dioxide Standard

Dear Mr. Spalding:

As required by the Clean Air Act and the Transportation Equity Act for the 21st Century, I hereby recommend that all of New Hampshire be designated as unclassifiable for the one-hour National Ambient Air Quality Standard (NAAQS) for ground-level nitrogen dioxide (NO_2). While all areas of New Hampshire currently being monitored for NO_2 attain the level of this new standard, I recognize that the newly required roadside monitoring has not yet begun and therefore a designation of attainment cannot be assured at this time. When this new data becomes available, I anticipate that it will lead towards redesignation to attainment.

On January 22, 2010, the U.S. Environmental Protection Agency (EPA) issued a fact sheet summarizing their expectations for the new 1-hour NO_2 NAAQS. According to the fact sheet, EPA anticipates that any area currently violating the 1-hour NO_2 standard with the existing monitoring network will be designated as nonattainment. All other areas would be designated as unclassifiable until the more comprehensive roadside monitoring network has been operational for three years. EPA anticipates that unclassifiable areas could then be redesignated into either attainment or nonattainment in 2016 or 2017.

As specified by EPA, my current NO_2 designation recommendation is based on the most recent three-year period of quality assured data, 2007 through 2009. This recommendation was then checked against the 2010 preliminary data to ensure consistency (see Table 1 below). Upon conclusion, no portions of New Hampshire's current monitoring network were found to be at risk for exceeding the new NO_2 NAAQS. After review of nearby states current NO_2 data, we find that my recommendations are fully compliant with Section 107(d)(1)(A) of the Clean Air Act ("CAA") which defines a nonattainment area as any area that (1) does not meet the NO_2 NAAQS, or (2) contributes to ambient NO_2 violations in a nearby area.

Thank you for your consideration of my recommendations. If you have any questions regarding this determination, please contact Thomas Burack, Commissioner of the Department of Environmental Services at (603) 271-3449.

Sincerely,

John H. Lynch
Governor

cc: Thomas S. Burack, Commissioner DES
Robert R. Scott, Air Resources Director DES
Jeffrey T. Underhill, DES
David Conroy, USEPA Region 1
Ian Cohen, USEPA Region 1

TABLE 1. Estimated 2006 – 2008 Quarterly 1-Hour NO_2 Design Values by Monitor, in parts per billion (ppb)

Location	**Monitor ID**	**2007 98th Percentile**	**2008 98th Percentile**	**2009 98th Percentile**	**2010 98th Percentile**	**2007-2009 Design Value**	**2008-2010 Design Value**	**NO_2 NAAQS (ppb)**
Manchester	33-011-0020	44	48	47	42	46.3	45.7	100
Nashua	33-011-1011	26	28	10	12	21.3	16.7	100
Miller State Park (Pack Monadnock Mt)	33-011-5001	17	32	8	7	19.0	15.7	100
Portsmouth	33-015-0014	36	40	--	--	38[1]	--	100
State Maximum	--	44	48	47	42	46.3	45.7	100

[1] *– Two year average.*

TABLE 2. Proposed Designation of Areas for 1-Hour Nitrogen Dioxide NAAQS Nonattainment in New Hampshire

NEW HAMPSHIRE – Lead (QUARTERLY STANDARD)

Designated Area	Designation Type	Classification Type
New Hampshire: None	Nonattainment	--
All portions of all counties	Unclassifiable	Unclassifiable