



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 27 2022

THE ADMINISTRATOR

The Honorable Greg Abbott
Governor of Texas
Post Office Box 12428
Austin, Texas 78711

Dear Governor Abbott:

Thank you for your letter of June 27, 2022, to President Biden expressing concern about the U.S. Environmental Protection Agency's (EPA) potential forthcoming redesignation of the Permian Basin. The President asked that I respond on his behalf.

As you identify in your letter, the Permian Basin is a large oil and natural gas exploration and production area that is situated in both New Mexico and Texas. Extracting and processing oil and natural gas from this area results in emissions of nitrogen oxides and volatile organic compounds that cause ozone pollution. Ozone can cause a number of health problems, including coughing, breathing difficulty and lung damage. Exposure to elevated ozone levels can make the lungs more susceptible to infection, aggravate lung diseases, increase the frequency of asthma attacks and increase the risk of early death from heart or lung disease.

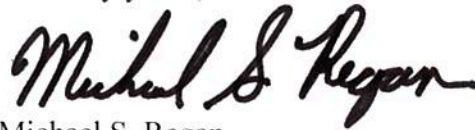
Ozone pollution levels that exceed national ambient air quality standards (NAAQS) for ozone have been recorded for more than 4 years at locations in the Permian Basin, specifically at air quality monitors in Eddy County, New Mexico. To protect public health, EPA is considering a redesignation to nonattainment for areas afflicted by and contributing to ozone levels that exceed the NAAQS, which could include portions of New Mexico as well as neighboring portions of Texas. If EPA decides to advance this action, EPA would initiate the redesignations process by sending a notification letter to you and New Mexico Governor Lujan Grisham to solicit state input and recommendations on the redesignation action and potential boundaries.

Clean Air Act (CAA) section 107(d)(3) lays out the process for redesignations from attainment to nonattainment, which begins with notifications to state governors, includes an opportunity for affected states to provide feedback and concludes with a final redesignation no sooner than 240 days from the date of the notification letter(s). As part of a potential redesignations effort, EPA would also provide an opportunity for public comment on the action.

EPA is committed to its mission to protect human health and the environment. EPA also recognizes the challenges associated with taking and implementing regulatory actions, which is why EPA is also committed to working closely with the states of Texas and New Mexico and other interested parties as we consider how best to ensure healthy air quality in the Eddy County, New Mexico area.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact John Lucey, Deputy Associate Administrator of Intergovernmental Relations, at *Lucey.John.D@epa.gov* or (202) 564-1820.

Sincerely yours,

A handwritten signature in black ink that reads "Michael S. Regan". The signature is written in a cursive, flowing style.

Michael S. Regan

cc: The Honorable Michelle Lujan Grisham, Governor of New Mexico