



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

SEP 30 2004

OFFICE OF
AIR AND RADIATION

Dr. Carol A. Couch, Director
Environmental Protection Division
Georgia Department of Natural Resources
2 Martin Luther King Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334

Dear Dr. Couch:

The Environmental Protection Agency (EPA) has completed its review of the State of Georgia's request that EPA waive the reformulated gasoline (RFG) requirement for the Atlanta ozone non-attainment area.

The Agency has carefully reviewed the material submitted by the State and has analyzed the legal and technical merits of this request. Our review concludes that EPA does not have the legal authority to grant Georgia's request to waive the requirements of the RFG program in Atlanta. The enclosed document provides an explanation of EPA's decision to deny this request.

The State's clean fuel program, known as "Georgia Gas," has helped Atlanta achieve great progress toward improving air quality. I applaud Georgia's progressive efforts to capitalize on the benefits of a clean burning gasoline. Notwithstanding this situation, EPA does not have the discretion to grant Georgia the relief sought with regard to the federal requirement to use reformulated gasoline.

If you have any questions about this decision, please feel free to call me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeffrey R. Holmstead".

Jeffrey R. Holmstead
Assistant Administrator

Enclosure

cc: Jimmy Palmer, EPA Regional Administrator