

APPENDIX J

1992 EPA Correspondence

1994 EPA SIP Completeness Determination



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

May 14, 1992

OFFICE OF THE
REGIONAL ADMINISTRATOR

Honorable Fife Symington
Governor of Arizona
1700 West Washington
Phoenix, Arizona 85007

Office of Assistant Director

May 14, 1992

Dear Governor Symington:

The purpose of this letter is to inform you that, pursuant to sections 110(k) and 179(a)(1) of the Clean Air Act (CAA) as amended in 1990, the United States Environmental Protection Agency (EPA) is today making a finding that the State of Arizona has failed to submit a required complete PM-10 (particulate matter 10 microns or less in size) State Implementation Plan (SIP) for the Yuma and Rillito planning areas, as described in 56 Federal Register 56694, 56719-56720 (November 6, 1991).

EPA received the PM-10 SIPs for Yuma and Rillito on November 15, 1991. As required by the Act, EPA has reviewed the SIP submissions to determine whether they meet the completeness criteria. See 40 CFR Part 51, Appendix V, as amended on August 26, 1991. We have concluded that the plan submissions do not meet the completeness criteria in the following respects:

- 1) Insufficient documentation exists in the Yuma plan to justify eliminating certain ambient air quality data from use in the modeling analysis. This information is needed to support the demonstration of attainment contained in the plan. See section 2.2(e) of the completeness criteria. Additionally, the plan lacks evidence that the State has the necessary legal authority under State law to implement the plan. See section 2.1(c) of the completeness criteria.
- 2) The Rillito plan does not contain an inventory of point, area or mobile source emissions. See section 2.2(c) of the completeness criteria.

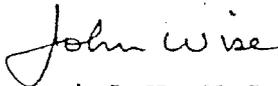
Beyond these completeness issues, there are significant approvability issues that we believe should be addressed before the State re-submits the plans in accordance with the completeness criteria. We will contact your state air quality staff to identify and assist in correcting these additional deficiencies in order to ensure EPA approval of the plans upon re-submission.

In accordance with section 179(a) of the Act, if within 18 months of this letter the state of Arizona does not re-submit plans that meet the completeness criteria, EPA will use its authority under sections 179 and 110(m) of the Act to impose at least one sanction identified in section 179(b) on the Yuma and Rillito planning areas. If the corrective action is not taken within 24 months of this letter, EPA will impose the second sanction identified in section 179(b). Additionally, section 110(c) of the Act provides that EPA promulgate a Federal Implementation Plan (FIP) 24 months after our finding of incompleteness unless the Agency has approved a plan by the time.

I want to assure you that EPA will not impose any sanctions or promulgate a FIP in response to this finding until after the State of Arizona and others have had an opportunity to comment on Federal Register notices proposing these actions.

I look forward to working closely with your staff to ensure that the Act's requirements are met in a timely and effective manner without adverse consequences. If you have any questions concerning this letter, please contact me or David P. Howekamp, Director, Air and Toxics Division, at (415) 744-1219.

Sincerely,


for Daniel W. McGovern
Regional Administrator

cc: Edward Z. Fox, Director
Arizona Department of Environmental Quality

✓ Nancy C. Wrona, Assistant Director for Air Quality
Arizona Department of Environmental Quality



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

September 1, 1994

Edward Z. Fox
Director
Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012

Dear Mr. Fox:

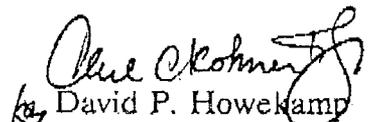
On July 12, 1994, you submitted a revision to the Arizona State Implementation Plan for achieving and maintaining the National Ambient Air Quality Standards for particulate matter 10 microns or less in aerodynamic diameter (PM_{10}). This revision consists of the Final Revised State Implementation Plan for the Yuma PM_{10} Nonattainment Area.

We have reviewed this package for completeness and found that it conforms to the completeness criteria in 40 CFR Part 51, Appendix V (1993). The complete submittal addresses the finding of incompleteness made by EPA on May 14, 1992, and thus stops the clock for mandatory sanctions under section 179(a) of the Clean Air Act.

The committal package found to be complete is now in the process of being reviewed. Once reviewed, we will prepare a rulemaking notice for submittal to our Headquarters office for publication in the Federal Register.

If you have any questions regarding our review, please call me or have your staff call Wallace Woo, Chief of the Plans Development Section in the Air Planning Branch at (415)744-1207.

Sincerely,


David P. Howekamp
Director
Air & Toxics Division

cc: Nancy Wrona, Arizona Department
of Environmental Quality