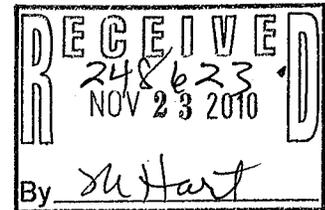




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901



November 16, 2010

OFFICE OF THE
REGIONAL ADMINISTRATOR

The Honorable Janice K. Brewer
Governor of Arizona
1700 West Washington
Phoenix, AZ 85007

Dear Governor Brewer:

I am writing to let you know that the Environmental Protection Agency (EPA) has decided not to designate Hayden, Arizona as a nonattainment area for the national ambient air quality standards (NAAQS) for lead (Pb) at this time. EPA will delay the final designation of the Hayden area for one year. Thank you for providing information during our decision process.

On October 15, 2008, EPA substantially strengthened the NAAQS for lead. The level of the 2008 lead standards, set at 0.15 micrograms per cubic meter, is 10 times tighter than the previous standards. In conjunction with strengthening the lead standards to protect public health, EPA improved the existing lead monitoring network by requiring monitors to be placed in areas with sources such as industrial facilities that emit one ton or more per year of lead and at other sites. EPA will be finalizing changes to the requirements for population-based monitors in the coming months.

The Clean Air Act requires EPA to complete the initial designation process within two years of establishing a new or revised NAAQS. EPA may extend the designation process by up to one year if the Administrator has insufficient information to make these designations. Because the expanded lead monitoring network will provide additional data for consideration next year, EPA decided to complete the lead designations in two rounds. In the first round, which is being finalized today, EPA is designating as nonattainment any area that is violating the 2008 lead standards based on data from the pre-2010 monitoring network. For all other areas, EPA is extending the deadline for designations by up to one year so that data from the newly deployed monitors can be considered in making appropriate designation decisions. Hayden, Arizona will be part of this second round. EPA will complete the second round of lead designations no later than October 15, 2011.

On June 14, 2010, I sent a letter informing you that EPA intended to designate the Hayden area nonattainment for the lead NAAQS, based on a violation recorded at a Superfund monitor located nearby. We have reviewed your response letter of August 12, 2010 in which you explained that the State of Arizona believes that a nonattainment designation for lead in the Hayden area is unwarranted at present. We have also considered your comments about the air quality data on which we were relying for our designation.

Based on our evaluation of the monitoring data issues raised by commenters, we have determined that we do not have sufficient information to warrant a nonattainment designation for the Hayden area at this time. As further explained in the Response to Comments document, which can be viewed at <http://www.epa.gov/leaddesignations/>, the July – September 2008 data that we obtained from the Hayden Maintenance Building monitor did not fully satisfy applicable requirements for data used for comparisons with the lead NAAQS.

We are, therefore, delaying our designation of the Hayden area until the second round. As noted above, the second round of designations will be completed no later than October 15, 2011. EPA will evaluate data from the new state-operated lead monitors along with other pertinent information in our designation of the Hayden area at that time. If EPA intends to make a nonattainment designation for the Hayden area, EPA will also reevaluate the appropriate nonattainment area boundaries. As we mentioned to you in our June 14, 2010 letter, any updates you may wish to make to your designation recommendation for the Hayden area or other areas in Arizona should be submitted by December 15, 2010. We will notify you of our preliminary response to your recommendations no later than June 17, 2011 and will provide an opportunity for public comment.

We note that the State's installation of the Hayden and Miami source-oriented monitors was delayed and rather than beginning operation on January 1, 2010, as required, these monitors have only recently begun operation. As a result, a limited amount of data from the new monitors will be available to inform the second round of designations. Following the initial designations under the revised lead NAAQS, attainment and unclassifiable areas found to be newly violating the NAAQS, or nonattainment areas that compile a record of clean data, are subject to redesignation in accordance with Clean Air Act.

We look forward to continuing to work with you and your staff to develop area designations. Your air quality staff may wish to contact Deborah Jordan, Air Division Director at 415-947-8715 or Colleen McKaughan, Associate Air Division Director at 520-498-0118.

Sincerely,



Jared Blumenfeld
Regional Administrator

cc: Benjamin H. Grumbles, Director, Arizona Department of Environmental Quality
Nancy Wrona, Senior Policy Advisor to the Director, Arizona Department of Environmental Quality
Eric Massey, Director, Air Quality Division, Arizona Department of Environmental Quality
Don Gabrielson, Director, Pinal County Air Quality Control District