



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

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ADEQ
AIR QUALITY DIVISION

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OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. Eric Massey
Director, Air Division
Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, Arizona 85007

Dear Mr. Massey:

This letter responds to Arizona Department of Environmental Quality's (ADEQ) February 13, 2013 submittal regarding 37 exceedances of the 24-hour PM₁₀ standard that occurred at several monitoring stations within the Phoenix PM₁₀ nonattainment area on the following days: September 11 and 12, 2011, June 16, June 27, July 11, August 11, August 14, and September 6, 2012.

ADEQ's submittal included documentation that these exceedances were caused by high wind exceptional events. EPA has reviewed the documentation provided by ADEQ to demonstrate that the exceedances on these days meet the criteria for an exceptional event in the Exceptional Events Rule (EER). EPA concurs based on the weight of the evidence that the exceedances were caused by high wind exceptional events and finds that ADEQ has successfully made the demonstrations referred to in 40 CFR §50.14 to EPA's satisfaction. In addition, ADEQ has met the schedule and procedural requirements in section 50.14(c) with respect to the same data. A more detailed assessment of ADEQ's demonstration is enclosed. My staff has or shortly will enter "concurrency flags" for these data into EPA's AQS data system.

Based on these determinations, EPA will exclude these data from the following types of calculations and activities:

- EPA's Air Quality Data system (AQS) will not count these days as exceedances when generating user reports, or include them in design values estimates, unless the AQS user specifically indicates that they should be included.
- EPA will accept the exclusion of these data for the purposes of selecting appropriate background concentrations for New Source Review air quality analyses.¹
- EPA will accept the exclusion of these data for the purposes of selecting appropriate background concentrations for transportation conformity hot spot analyses.²
- The data will continue to be publicly available, but EPA's publications and public information statements on the status of air quality in the affected area will not reflect these data in any summary statistic of potential regulatory application, unless such inclusion is specifically noted.³

¹ If we are the permitting authority, we will propose permits on this basis. If we are commenting on another permitting authority's proposed action, our comments will be consistent with the determinations in this letter.

² Applicable only to PM₁₀ and PM_{2.5}.

³ These data may be included in statistics intended to describe trends in actual air quality in the area.

In addition, EPA will rely on calculated values that exclude these data in proposed regulatory actions, such as a proposed designation, classification, attainment demonstration, or finding as to whether the Phoenix PM₁₀ nonattainment area has met the PM₁₀ NAAQS. These regulatory actions require EPA to provide an opportunity for public comment prior to taking a final Agency action. If EPA is pursuing one of these actions for the Phoenix PM₁₀ nonattainment area, EPA will open a new comment period during which EPA may receive comments on the exceptional event submission you have made and the determinations conveyed in this letter. If so, we must consider and respond to those comments before taking final regulatory action. Accordingly, the determinations conveyed in this letter do not constitute final EPA action regarding any matter on which EPA is required to provide an opportunity for public comment. In particular, this point applies to determinations regarding the attainment status or classification of the area. Final actions will take place only after EPA completes notice and comment rulemaking on those determinations. As an additional clarification, the determinations conveyed in this letter are applicable only to determinations incorporating the submitted data relative to the PM₁₀ NAAQS.

If you have any questions or wish to discuss this matter further, please contact Deborah Jordan, Director of the Air Division at (415) 947-8715.

Sincerely,

for *Allen Strauss* 1 July 2013
Jared Blumenfeld

Enclosure

cc: Ms. Theresa Rigney, ADEQ