



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAY 06 2013

OFFICE OF THE
REGIONAL ADMINISTRATOR

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

Dear Mr. Massey:

This letter responds to Arizona Department of Environmental Quality's (ADEQ) January 28, 2013 submittal regarding 65 exceedances of the 24-hour PM₁₀ standard that occurred at several monitoring stations within the Phoenix PM₁₀ nonattainment area on the following days: February 19, July 18, August 3, August 18, August 25-28, September 2, October 4, November 4, 2011 and February 27, 2012.¹

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.²
- EPA will accept the exclusion of these data for the purposes of selecting appropriate background concentrations for transportation conformity hot spot analyses.³

¹ADEQ also submitted an exceptional events demonstration for exceedances of the 24-hour PM₁₀ standard that occurred on January 21-22, 2012 within the Phoenix PM₁₀ nonattainment area and an exceedance measured in Yuma, AZ on July 3, 2011. At this time, EPA is not acting on the January 21-22, 2012 or the July 3, 2011 Yuma, AZ demonstrations.

² 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.

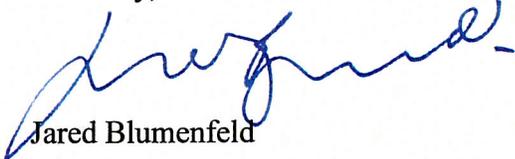
³ Applicable only to PM₁₀ and PM_{2.5}.

- The data will continue to be publically 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.⁴

In addition, EPA will rely on calculated values that exclude this 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, Air Division at (415) 947-8715.

Sincerely,



Jared Blumenfeld

Enclosure

cc: Theresa Rigney, ADEQ

⁴ These data may be included in statistics intended to describe trends in actual air quality in the area.