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## **EPA Failed to Adequately Consider ADEQ's Scientific Research in Aftermath of Dust-Storm Air-Quality Exceedances**

PHOENIX (July 6, 2010) – The U.S. Environmental Protection Agency failed to adequately consider the Arizona Department of Environmental Quality's scientific research in concluding that dust storms were not to blame for four air-pollution exceedances during 2008 at a monitoring station near 43<sup>rd</sup> Avenue and Broadway Road.

In a letter from ADEQ Director Benjamin H. Grumbles to EPA Region 9 Administrator Jared Blumenfeld, the state's environmental regulatory agency also noted that the EPA is not consistent with its own rules for determining whether air quality violations are caused by man or nature and is also not consistent in its analysis of Arizona's data and earlier analyses done within the San Joaquin Valley of California.

EPA in May denied ADEQ's request to classify several Maricopa County air quality violations related to dust as being the result of uncontrollable natural events. EPA's denial could lead to the disapproval of an air quality plan designed to reduce dust emissions in Maricopa County until EPA standards are achieved. A final disapproval of the air quality plan could result in sanctions, potentially putting billions of dollars of federal highway funding at risk in Arizona.

"The EPA analysis was incomplete and gave short shrift to our scientific research," Director Grumbles said. "EPA's analysis also was not shared with ADEQ or other local authorities prior to the announcement of its decision. ADEQ is seeking an opportunity to find common ground with EPA on the scientific and technical differences."

Grumbles noted in his letter that the EPA's preamble for its exceptional events rule indicated that the federal agency will work cooperatively with states, tribes and local agencies, a process that was not followed in Arizona's case.

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