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

December 3, 2003

OFFICE OF THE REGIONAL ADMINISTRATOR

Honorable Terry O. Enos, Chairman
Ak-Chin Indian Community
42507 W. Peters & Nall Road
Maricopa, Arizona 85239

Dear Chairman Enos:

Thank you for your July 9, 2003, letter submitting the Ak-Chin Indian Community's recommendation on the air quality designation for the 8-hour national health-based standard for ground-level ozone, a major constituent of smog. The U.S. Environmental Protection Agency (EPA) has reviewed your recommendation and, consistent with Section 107(d)(1) of the Clean Air Act, this letter is to inform you that we intend to designate the geographic area covered in your recommendation as attainment/unclassifiable, as you recommended.

The EPA is obligated by the Clean Air Act to designate the air quality for all areas of the United States, including Indian country. It is EPA's responsibility under Section 107 (d)(1) to determine if the population within a given area is exposed to unhealthy levels of specific air pollutants, in this case ground-level ozone. We implement this responsibility by identifying the areas that experience unhealthy air and any nearby area that is contributing to the air quality problem.

The EPA has been tracking 2003 ozone monitoring data and their impact on area designations. If the data supports a change to the designation we have conveyed to you today, EPA will coordinate closely with you to determine the appropriate course of action.

We are encouraged to see tribal participation in the national designations process for the 8-hour ozone standard, and we look forward to a continued dialogue as we finalize the designations. We will review any future supporting information you wish to submit on these recommendations, keeping in mind that EPA will promulgate designations by April 15, 2004. If you have any questions, please do not hesitate to contact me.

Sincerely,

Wayne Nastri
Regional Administrator

cc: Patrick Trusty, Tribal Environmental Director

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