

Modifications to State and Tribal Recommendations for Areas Not Meeting the National Ambient Air Quality Standards for Lead Established in 2008

Fact Sheet Summarizing the Action

ACTION

- On June 15, 2011 the Environmental Protection Agency (EPA) sent letters to state and tribal representatives responding to their recommendations on which areas would not meet the National Ambient Air Quality Standards (NAAQS) for lead (Pb). The letters indicate either agreement with the state and tribal recommendations, or EPA's intent to modify those recommendations. States and tribes have the opportunity to comment on EPA's modifications to their recommendations, and to provide new information and analyses to EPA if appropriate.
- EPA notified Puerto Rico, Michigan, Illinois, Iowa and Kansas that they each have one area under consideration for a nonattainment designation based on the 2008 lead standards. EPA is also considering expanding the size of one other area in Pennsylvania that was already designated as nonattainment in November 2010 based on new information. A nonattainment area would include areas with monitors that show violations of the lead standard and nearby areas contributing to that violation.
- States and tribes may comment on EPA's proposed responses outlined in the letters, and provide additional information to EPA by August 15, 2011. The public may also review the Agency's proposed responses and provide comment for 30 days following the publication of a Federal Register notice announcing the start of a 30-day public comment period.
- On October 15, 2008, EPA revised the NAAQS for lead by significantly strengthening the standard from 1.5 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to 0.15 $\mu\text{g}/\text{m}^3$. Lead exposure can cause a range of adverse health effects, most notably in children. Exposure to lead early in life has been linked to effects on IQ, learning, memory and behavior. Reducing levels of lead pollution is an important part of EPA's commitment to a clean, healthy environment.

- In conjunction with strengthening the lead NAAQS, EPA also established new criteria for siting ambient lead monitors. The pre-existing ambient lead monitoring network was not adequate to determine whether many areas are meeting the revised lead NAAQS. Monitors meeting the new network requirements came online in January 1, 2010.
- After EPA sets a new NAAQS or revises an existing NAAQS, the Agency formally identifies or “designates” areas as “unclassifiable/attainment” (meeting the standard or no evidence they are not meeting the standard), “nonattainment” (not meeting the standard), or “unclassifiable” (insufficient information to designate as attainment or nonattainment, but a significant likelihood of nonattainment).
- Because EPA had data from existing monitors indicating violations of the standards, and began collecting data from new monitors that began operation in January 2010, EPA is designating areas as meeting or not meeting the standards in two rounds.
- In the first round, completed in November 2010, EPA designated 16 areas across the country as “nonattainment” because their 2007 to 2009 air quality monitoring data showed that they did not meet the Agency’s health-based air quality standards for lead. The letters issued today are part of the second round of designations that would designate the remaining areas taking into consideration data from the new monitors.
- In October 2011, EPA will use data from 2008 to 2010 from the new monitors to complete the second round of designations. The Agency will designate remaining areas as unclassifiable/attainment, nonattainment, or unclassifiable.

ABOUT DESIGNATIONS

- EPA will be making designations for all areas in the country, both for state lands and for Indian country. Unlike states, tribes are not obligated to submit designation recommendations but are invited to participate in the designations process by submitting a designation recommendation for Indian country and/or by engaging in formal or informal consultation with EPA and states.
- Once designations take effect, they become an important component of state, local and tribal governments’ efforts to reduce lead pollution.

- The Clean Air Act requires states to take steps to control lead pollution in nonattainment areas. Those steps may include stricter controls on industrial facilities.
- States must detail control requirements in plans demonstrating how they will attain and maintain the 2008 lead NAAQS. Those plans are known as state implementation plans, or SIPs. States must submit their plans to EPA within eighteen months after the Agency's final designations become effective. Nonattainment areas are required to meet the standards within five years of being designated.
- Tribes also may submit plans, known as tribal implementation plans (TIPS), but are not required to do so. EPA will develop federal requirements, as appropriate, where a tribe does not develop a TIP.
- Once designated, nonattainment areas also are subject to nonattainment new source review requirements. Nonattainment New Source Review is a permitting program for industrial facilities to ensure that new and modified sources of pollution do not impede progress toward cleaner air.
- Areas that are designated unclassifiable/attainment will not have to take steps to improve air quality but they must take steps to help prevent their air quality from deteriorating to unhealthy levels. For example, Prevention of Significant Deterioration (PSD) is a permitting program for industrial facilities to ensure that new and modified sources of pollution do not cause or contribute to violations of air quality standards.
- In November 2008, EPA provided guidance to states and tribes for recommending nonattainment area boundaries for the lead standard. EPA's proposed decisions on lead designations are based on that guidance and on EPA's consideration of information and recommendations submitted by states.

FOR MORE INFORMATION

- For more information on the designation process for the lead standards, and to view individual letters from EPA to states and tribes, go to EPA's Web site at www.epa.gov/leaddesignations.