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# STATE OF UTAH

GARY R. HERBERT  
GOVERNOR

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

GREG BELL  
LIEUTENANT GOVERNOR

October 25, 2011

James B. Martin, Regional Administrator  
U. S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

Dear Mr. Martin,

On May 3, 2011, the State of Utah transmitted to your office a recommendation that all 29 counties in Utah be designated as unclassifiable for the revised SO<sub>2</sub> National Ambient Air Quality Standard (NAAQS) promulgated on June 3, 2010. That recommendation was based on proposed guidance under development by EPA requiring refined dispersion modeling as a basis for designation as attainment, regardless of the amount of ambient air monitoring data available. At that time, Utah did not have refined dispersion modeling for any of the counties in question, although the State did have adequate ambient monitoring data for the Salt Lake – Davis County area.

Since the time of that recommendation, Utah has reviewed the final rule establishing the NAAQS, and EPA's acknowledgement, as published in the Federal Register on January 26, 2011, that "nowhere in the preamble (much less in any promulgated regulation) does EPA state that modeling must be used for designating areas as attainment, nonattainment or unclassifiable." 76 Fed. Reg. 4,792. Utah concurs with EPA's declaration therein. Because Salt Lake County remains a nonattainment area for the initial 1971 SO<sub>2</sub> NAAQS, Utah has a long-standing and robust SO<sub>2</sub> monitoring network in Salt Lake County, extending into neighboring Davis County. For the past 29 years, at none of those monitoring stations has the ambient SO<sub>2</sub> concentration ever violated either the initial or revised standard.

Therefore, based on the above facts, Utah hereby changes its initial area designations recommendation for the June 3, 2010, SO<sub>2</sub> NAAQS. The State of Utah recommends that, based on decades of ambient monitoring data that are well below the applicable SO<sub>2</sub> NAAQS, Salt Lake and Davis County be designated as "attainment" areas, and the remaining 27 counties in Utah be designated as "unclassifiable" based on a lack of sufficient ambient monitoring data.

If you have questions regarding this matter, please contact Bryce Bird, Director of the Division of Air Quality, at (801) 536-4064.

Sincerely,

Gary R. Herbert  
Governor

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U.S. EPA Region 8  
RA's Office

OCT 28 2011