



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105-3901**

June 14, 2010

**OFFICE OF THE
REGIONAL ADMINISTRATOR**

The Honorable Janice K. Brewer
Governor of Arizona
1700 West Washington Street
Phoenix, Arizona 85007

Dear Governor Brewer:

This letter is to notify you of the U.S. Environmental Protection Agency's (EPA's) response to Arizona's lead (Pb) designation recommendations, and to inform you of our approach for completing the designations for the revised National Ambient Air Quality Standards (NAAQS) for lead. As explained below, we are proposing to designate the Hayden area nonattainment for the lead NAAQS by October 15, 2010, and will extend the designation process by up to one year for the remainder of the State.

Thank you for your December 15, 2009 letter conveying your recommendations on air quality designations for the revised lead NAAQS throughout Arizona, and the supporting analysis submitted by Arizona Department of Environmental Quality on December 17, 2009. Reducing levels of lead pollution is an important part of EPA's commitment to a clean, healthy environment. Lead exposure can cause a range of adverse health effects, most notably in children. Exposures to low levels of lead early in life have been linked to adverse effects on IQ, learning, memory and behavior.

On October 15, 2008, EPA substantially strengthened the NAAQS for lead. The new standards, set at 0.15 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), are 10 times tighter than the previous standards. 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 inadequate for determining whether many areas are meeting the revised lead NAAQS. Monitors meeting the new network siting requirements were required to begin operation by January 1, 2010.

The Clean Air Act (CAA) requires EPA to complete the initial designation process within two years of promulgating a new or revised NAAQS. If the Administrator has insufficient information to make these designations, EPA has the authority to extend the designation process by up to one year. In light of the new monitoring network, which will generate additional information in the upcoming year, EPA intends to complete the lead designations in two rounds. In the first round, to be completed by October 15, 2010, EPA is designating as "nonattainment" any area that is violating the 2008 lead NAAQS based on data from the pre-2010 monitoring network. For all other areas, EPA is extending the deadline for designations by up to one year so that data from the newly deployed monitors can be considered in making appropriate designation decisions. EPA will complete the second round of lead designations no later than October 15, 2011.

We have carefully considered your recommendation that we delay designating the Hayden area nonattainment for the lead NAAQS, pending new monitoring data and a commitment from ASARCO to install new controls on the Hayden copper smelter. However, the CAA requires us to designate areas by October 15, 2010 if, as in the case of Hayden, we have sufficient information. Further, waiting a year would not enable Hayden to demonstrate attainment since violations measured in 2008 would still be within the three-year clean data period required for an unclassifiable or attainment designation. As a result, even if we could delay our designation for a year and no new violations were measured, the area would still be violating the standard and would receive a nonattainment designation. Therefore, consistent with the Clean Air Act, and after reviewing ADEQ's supporting information along with the associated technical information for the 2008 lead NAAQS, including the most recent air quality data from 2007-2009, EPA is proposing to designate the Hayden area nonattainment for the lead NAAQS. We concur with the recommended boundary for the Hayden nonattainment area set forth in ADEQ's supporting information. The enclosed draft Technical Support Document provides a detailed analysis that supports our preliminary decisions.

If your state has additional information that you want EPA to consider with respect to the nonattainment designation, please submit it to us by August 16, 2010. We are also making EPA's preliminary designation decisions and supporting documentation available to the general public for review. We are accepting public comments on our preliminary decisions through August 16, 2010. We will review any information we receive from the State of Arizona and the general public by this date, and we plan to promulgate the first round of final designations by October 15, 2010.

For all other areas in Arizona, EPA is deferring the designations decisions for up to one additional year so that additional lead air quality data can be collected. If you would like to submit updated recommendations for those areas for our consideration in the second round of designations, we request that you do so by December 15, 2010. For the second round of designations, we will notify states and tribes of our preliminary responses to their recommendations by no later than June 17, 2011.

We look forward to a continued dialogue with you and your staff as we work together to implement the 2008 lead NAAQS. Should you have any questions, please do not hesitate to call me, or have your staff contact Colleen McKaughan, Associate Air Division Director, at 520-498-0118.

Sincerely,



Jared Blumenfeld
Regional Administrator

Enclosure

cc: See next page

cc: Benjamin H. Grumbles, Director, Arizona Department of Environmental Quality
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