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

OFFICE OF THE
REGIONAL ADMINISTRATOR

JUN 2 9 2011

The Honorable Edmund G. Brown, Jr
Governor of California
State Capitol Building, Suite #1173
Sacramento, California 95814

Dear Governor Brown:

I am writing to notify you of the U.S. Environmental Protection Agency's (EPA's) intention to designate all areas of California as unclassifiable/attainment for the revised primary National Ambient Air Quality Standard (NAAQS) for nitrogen dioxide (NO_2) using the boundaries your State recommended in January 2011 or any revised boundaries that you submit in response to this letter. I am also writing to thank you for your State's previous recommendations, to provide you an opportunity to revise these previous recommendations for area boundaries, and to inform you of our approach for completing the designations for the revised NO_2 NAAQS.

On January 22, 2010, the EPA strengthened the health-based NAAQS for NO_2 by setting a new 1-hour NO_2 standard at the level of 100 parts per billion (ppb). The EPA also retained the annual NO_2 standard of 53 ppb. This suite of standards will protect public health by limiting people's exposures to short-term peak concentrations of NO_2 and by limiting community-wide NO_2 concentrations to levels below those that have been linked to respiratory-related emergency department visits and hospital admissions in the United States. To determine compliance with the new standard, the EPA established new ambient air monitoring and reporting requirements for NO_2. In urban areas, monitors are required near major roads as well as in other locations where maximum concentrations are expected. Additional monitors will be required in some large urban areas to measure the highest concentrations of NO_2 that occur more broadly across communities.

In our November 2010 letter to California requesting designation recommendations, the EPA stated that we anticipated designating most areas of the country as "unclassifiable," indicating that there are insufficient data to determine whether or not an area is attaining the revised NO_2 NAAQS. The EPA believed this approach was appropriate given that: (1) the new near-road monitoring network requirements associated with the revised NO_2 NAAQS will not be effective until January 2013, so air quality data from these new monitors would not be available to inform initial designations; and (2) the NO_2 monitors in the existing NO_2 network do not provide adequate evidence to determine whether or not the new NAAQS is met at other locations, especially those closer to NO_2 emission sources such as roadways.

After reviewing all the recommendations we received including California's, the EPA now intends to designate all areas of the country as "unclassifiable/attainment." The EPA is making this change because, based on the most recent air quality data from 2008-2010, all monitored areas in the country meet the 2010 NO_2 NAAQS. While the EPA acknowledges that the existing NO_2 monitoring network

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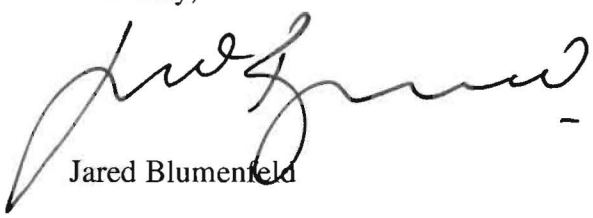
does not provide adequate evidence to determine whether or not the new NAAQS is met everywhere, there currently is no evidence of violations anywhere in the country. Based on this, the EPA believes "unclassifiable/attainment" is the most appropriate designation to use at this time. The EPA intends to redesignate areas, as appropriate, after sufficient air quality data from the new monitoring network are available.

The EPA intends to designate all areas of California as unclassifiable/attainment using the boundaries your State recommended to the EPA in January 2011 or any revised boundaries you may provide in response to this letter. As we did in our November 2010 letter, EPA recommends that each state carefully consider the implications of the boundaries it selects for its Prevention of Significant Deterioration permitting program for new or modified sources to ensure that they are consistent with its objectives for managing air quality deterioration and economic growth.

If your State has additional information that you want the EPA to consider with respect to the designations including any revisions to your State's recommended boundaries, please submit it to us by August 29, 2011. We are also making the EPA's preliminary designation decisions and supporting documentation available to the general public for review. We are accepting public comments on our preliminary decisions for 30 days after the notice of their availability is published in the Federal Register. We will review any information we receive from the state of California and the general public by these dates. We plan to promulgate the final designations by October 31, 2011.

Thank you again for California's January 2011 recommendations for designations for the new 1-hour NO_2 NAAQS. We look forward to a continued dialogue with you and your staff as we work together to implement this NAAQS. Should you have any questions, please do not hesitate to call me, or have your staff contact Deborah Jordan of my staff at (415) 947-8715.

Sincerely,



Jared Blumenfeld

cc: Linda S. Adams
Acting Secretary, California EPA

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