



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 Maxine Resvaloso
Torres Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, California 92274

Dear Chairwoman Resvaloso:

This letter is to notify you of the U.S. Environmental Protection Agency's (EPA's) response to your lead (Pb) designation recommendation, 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 extending the designation process by up to one year for areas, including your tribal lands, that are not currently violating the standard.

Thank you for your Tribe's letter, sent on September 29, 2009, in which Jonathan Chapman recommended an air quality designation of "unclassifiable" for the revised lead NAAQS on behalf of the Torres Martinez Desert Cahuilla Indians. 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 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 promulgate 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, where they are required, 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 reviewed your Tribe's recommendation on air quality designations and all the associated technical information for the 2008 lead NAAQS, including, if available, the most recent air quality data from 2007-2009. However, EPA is not intending to complete the initial area designations for your tribal lands at this time. Instead, EPA intends to designate these areas by no later than October 15, 2011, in the second round of lead designations. If you would like to submit updated recommendations for your tribal lands for our consideration in the second round of lead NAAQS designations, we request that you do so by December 15, 2010. For the second round of designations, we will notify all states and tribes of our preliminary responses to their recommendations 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. Please let us know as soon as possible if you would like to be consulted further on this issue. 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

cc: Roland Ferrer, Director of Planning