



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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**FEB 06 2013**

Ref: 8P-AR

The Honorable Jimmy Newton, Jr., Chairman  
Southern Ute Indian Tribe  
P.O. Box 737  
Ignacio, Colorado 81137-0737

Dear Chairman Newton:

Thank you for your recommendation letters dated May 18, 2011 and November 22, 2011, on air quality designations for the Southern Ute Indian Tribe for the 2010 revision to the primary National Ambient Air Quality Standard for sulfur dioxide (SO<sub>2</sub>). Reducing levels of sulfur dioxide pollution is an important part of the U. S. Environmental Protection Agency's (EPA) commitment to a clean, healthy environment. Exposure to SO<sub>2</sub> can cause a range of adverse health effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms. This letter is to notify you of the EPA's preliminary intentions regarding your recommended designations.

On June 3, 2010, the EPA strengthened the health-based or "primary" standard for SO<sub>2</sub> by establishing a standard for 1-hour average SO<sub>2</sub> concentrations at a level of 75 parts per billion. The Clean Air Act requires the EPA to complete the initial designations process within two years of promulgating a new or revised standard. If the Administrator has insufficient information to make these designations, the EPA has the authority to extend the designation process by up to one year. On July 27, 2012, the EPA announced that it had insufficient information to complete the designations for the 1-hour SO<sub>2</sub> standard within two years and extended the designations deadline to June 3, 2013.

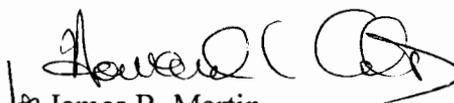
At this time the EPA is proceeding with designating as nonattainment most areas in locations where existing monitoring data from 2009-2011 indicate violations of the 1-hour SO<sub>2</sub> standard. The EPA intends to address the designations for all other areas in separate future actions. With input from a diverse group of stakeholders, EPA has developed a comprehensive implementation strategy for these future actions that focuses resources on identifying and addressing unhealthy levels of SO<sub>2</sub>. The strategy is available at: <http://www.epa.gov/airquality/sulfurdioxide/implement.html>. The EPA will continue to work closely with you and our other partners at the state, tribal and local levels to ensure health-protective, commonsense implementation of the 1-hour SO<sub>2</sub> standard.

The EPA's review of the most recent monitored air quality data from 2009-2011 shows no violations of the 2010 SO<sub>2</sub> standard in any areas of the Southern Ute Indian Reservation. Consequently, the EPA is not yet prepared to propose designation action for the Southern Ute Indian Reservation, and is, therefore, currently deferring action to designate areas on the Southern Ute Indian Reservation. The EPA expects

to be able to proceed with designation action for the Reservation once additional data are gathered pursuant to our comprehensive implementation strategy. In a separate future action or actions the EPA will notify you of our intended designations for these areas, and seek public comment on these actions, no later than 120 days prior to promulgating any final designations.

We look forward to a continued dialogue with you and your staff as we work together to implement the 2010 primary SO<sub>2</sub> standard. For additional information regarding initial designations on the SO<sub>2</sub> standard, please visit our website at [www.epa.gov/so2designations](http://www.epa.gov/so2designations). Should you have any questions, please do not hesitate to call me, or have your staff contact Crystal Ostigaard of my staff at (303) 312-6602 or [ostigaard.crystal@epa.gov](mailto:ostigaard.crystal@epa.gov).

Sincerely,

  
for James B. Martin  
Regional Administrator

Enclosure

cc: Thomas (Tom) Johnson, Division Head  
Brenda Jarrell, Air Quality Program Manager

Gina McCarthy, Assistant Administrator for Air and Radiation  
Stephen D. Page, Director, Office of Air Quality Planning and Standards