



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

The Honorable David A. Paterson
Governor of the State of New York
State Capitol
Albany, NY 12224

Dear Governor Paterson:

Thank you for your recommendations on air quality designations for the revised National Ambient Air Quality Standards (NAAQS) for lead throughout New York. 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 effects on IQ, learning, memory and behavior. This letter is to notify you of the U.S. Environmental Protection Agency's (EPA's) response to New York's designation recommendations, and to inform you of our approach for completing the designations for the revised lead NAAQS.

On October 15, 2008, EPA substantially strengthened 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 January 1, 2010.

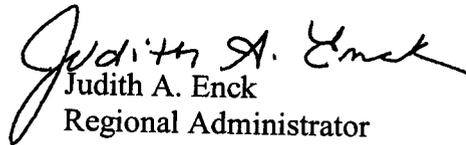
The Clean Air Act (CAA) requires EPA to complete the initial designation process within two years of promulgating a new or revised NAAQS. If the Administrator has insufficient information to make these designations, EPA has the authority to extend the designation process by up to one year. In light of 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 reviewed New York's October 15, 2009 recommendation letter on air quality designations and all the associated technical information for the 2008 lead NAAQS, including the most recent air quality data from 2007-2009. However, EPA is not intending to complete the initial area designations for your state at this time since there are no "nonattainment" areas in your state. Instead, EPA intends to designate all areas in your state by no later than October 15,

2011, in the second round of lead designations. If you would like to submit updated recommendations for your 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 all 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 Raymond Werner of my staff at 212-637-4249.

Sincerely,


Judith A. Enck
Regional Administrator

cc: Pete Grannis, Commissioner
New York State Department of Environmental Conservation

J. Jared Snyder, Assistant Commissioner
Office of Air Resources, Climate Change and Energy
New York State Department of Environmental Conservation

D. Shaw, Director
Division of Air Resources
New York State Department of Environmental Conservation