



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

AUG 22 2017

OFFICE OF THE  
REGIONAL ADMINISTRATOR

The Honorable Ronnie Lupe  
Chairman  
White Mountain Apache Tribe  
Post Office Box 700  
White River, Arizona 85941

Dear Chairman Lupe:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's (EPA's) intended designation for the White Mountain Apache Tribe for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO<sub>2</sub>). The designations for this NAAQS are an important part of the EPA's commitment to a clean, healthy environment.

On July 25, 2013, the EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016, and November 29, 2016. No portion of your tribe's lands was designated in these previous actions; however, we did designate the Miami SO<sub>2</sub> Planning Area and the Hayden SO<sub>2</sub> Planning Area, to the south of your tribe's lands, within Gila County and Pinal County, Arizona. Pursuant to a March 2, 2015, court-ordered schedule,<sup>1</sup> the agency must complete the remaining SO<sub>2</sub> designations by two specific deadlines: December 31, 2017, and December 31, 2020. Accordingly, pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act, this letter is to notify you of the EPA's intended designation for the lands of the White Mountain Apache Tribe.

If you or your staff have additional information that the EPA should consider prior to finalizing the designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at [www.regulations.gov](http://www.regulations.gov), and sending a copy to EPA Region 9. The EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on the EPA's intended designations.

After carefully considering all available information, the EPA intends to designate all lands of the White Mountain Apache Tribe as unclassifiable/attainment. This unclassifiable/attainment designation would not trigger any planning requirements under the Clean Air Act. The EPA intends to designate all lands of the White Mountain Apache Tribe, including those lands geographically located in Gila and Apache counties, with the Navajo County unclassifiable/attainment area in which some of the tribe's lands are

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<sup>1</sup> *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).


geographically located. The enclosure to this letter provides the information that supports the intended designation decision for your tribe's lands.<sup>2</sup>

The EPA will promulgate the final designations for the lands of the White Mountain Apache Tribe by December 31, 2017. Upon the completion of this designation action, there will be no remaining areas in your tribe's lands to be designated.

We share your goal to provide cleaner air for members of your tribe. For additional information regarding designations under the SO<sub>2</sub> NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, or if you would like a briefing or to engage in consultation, please do not hesitate to call me, or have your staff contact Meredith Kurpius at (415) 947-4534 or [kurpius.meredith@epa.gov](mailto:kurpius.meredith@epa.gov).

Sincerely,



 Alexis Strauss  
Acting Regional Administrator

Enclosure

cc: Brenda Pusher-Begay, Environmental Manager, Environmental Protection Office

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<sup>2</sup> The enclosure is Chapter 4 of our Technical Support Document for the EPA's intended designations that addresses Arizona and the lands of the White Mountain Apache Tribe. The full Technical Support Document is also available at <https://www.epa.gov/sulfur-dioxide-designations>.