

**BEFORE THE ADMINISTRATOR
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

In the Matter of:)	
)	
Designation of Fifteen PM ₁₀ Nonattainment)	Rulemaking petition under
Areas, Reclassification of Six PM ₁₀)	the Administrative Procedure
Nonattainment Areas from Moderate to Serious,)	5 U.S.C. § 551, <i>et seq.</i> , and the Clean
and Call for the Revision of Applicable State)	Air Act, 42 U.S.C. § 7401, <i>et seq.</i>
Implementation Plans Over their Failure to)	
Attain and Maintain the National Ambient Air)	
Quality Standards)	

PETITION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO:

(1) DESIGNATE FIFTEEN AREAS AS NONATTAINMENT FOR THE PM₁₀ NATIONAL AMBIENT AIR QUALITY STANDARDS;

(2) BUMP UP THE CLASSIFICATION OF SIX PM₁₀ NONATTAINMENT AREAS FROM MODERATE TO SERIOUS DUE TO THEIR FAILURE TO ATTAIN THE NATIONAL AMBIENT AIR QUALITY STANDARDS; AND

(3) CALL FOR THE REVISION OF THE RELEVANT STATE IMPLEMENTATION PLANS DUE TO THEIR FAILURE TO ATTAIN AND/OR MAINTAIN THE NATIONAL AMBIENT AIR QUALITY STANDARDS

WildEarth Guardians hereby petitions the Administrator of the Environmental Protection Agency (“Administrator” or “EPA”), pursuant to the Administrative Procedure Act (“APA”), 5 U.S.C. § 551, *et seq.*; the Clean Air Act, 42 U.S.C. § 7401, *et seq.*; and the EPA’s Clean Air Act implementing regulations, to undertake the following actions:

1. Designate fifteen areas as nonattainment for the primary and secondary national ambient air quality standards (“NAAQS”) for particulate matter less than 10 microns in diameter, or PM₁₀ pursuant to Section 107(d)(3) of the Clean Air Act. *See* 42 U.S.C. § 7407(d)(3). These areas include: Tucson, Arizona; Alamosa, Colorado; Pagosa Springs, Colorado; Parachute, Colorado; Durango, Colorado; Grand Junction, Colorado; Lamar, Colorado; a portion of Jefferson County, Montana; Pahump, Nevada; Deming, New Mexico; Sunland Park, New Mexico; Chaparral, New Mexico; Las Cruces, New Mexico; Tulsa,

Oklahoma; and a portion of Sweetwater County, Wyoming. According to data from 2008-2010, these areas have failed to meet the primary and secondary PM₁₀ NAAQS. *See* 40 C.F.R. § 50.6. Under the Clean Air Act, a nonattainment area is “any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant.” 42 U.S.C. § 7407(d)(1)(A)(i). These areas are not currently designated as nonattainment, but must be redesignated on the basis of air quality data.

2. Bump up the classification of six areas that are currently designated nonattainment for PM₁₀ from Moderate to Serious pursuant to Section 188(b)(2) of the Clean Air Act. *See* 42 U.S.C. § 7513(b)(2). These areas include: Nogales, Arizona; Paul Spur/Douglas, Arizona; Yuma, Arizona; Anthony, New Mexico; Salt Lake County, Utah; and Utah County, Utah. Under the Clean Air Act, PM₁₀ nonattainment areas are initially classified as Moderate. However, the Clean Air Act provides that if the Administrator finds that any Moderate nonattainment area is not in attainment after the applicable attainment date, the area shall be reclassified as a Serious nonattainment area. In this case, air quality data from 2008-2010 shows that these six areas have failed to attain the PM₁₀ NAAQS after the applicable attainment date. Thus, these areas must be bumped up in classification from Moderate to Serious.
3. Call for the revision of the Arizona, Colorado, Montana, Nevada, New Mexico, Oklahoma, Utah, and Wyoming State Implementation Plans (“SIPs”) pursuant to Section 110(k)(5) of the Clean Air Act. *See* 42 U.S.C. § 7410(k)(5). Air quality data for 2008-2010 demonstrates that the SIPs for these states are substantially inadequate to attain and/or maintain the primary and secondary PM₁₀ NAAQS.

The need to undertake these actions is critical. As the EPA itself has recognized, PM₁₀ is a threat to public health and welfare. The current NAAQS limit PM₁₀ concentrations in the ambient air to no more than 150 micrograms/cubic meter over a 24-hour period. *See* 40 C.F.R. § 50.6. At a size of 1/7th the width of a human hair, PM₁₀ includes extremely small particles that can be inhaled, causing myriad adverse health impacts, including:

- Increased respiratory symptoms such as irritation of the airways, coughing, or difficulty breathing;
- Decreased lung function;
- Aggravated asthma;
- Development of chronic bronchitis;

- Irregular heartbeat;
- Nonfatal heart attacks; and
- Premature death in people with heart or lung disease.

See U.S. EPA, “Particulate Matter, Health,” website available at

<http://www.epa.gov/air/particlepollution/health.html> (last accessed Oct. 26, 2011). As indicated by air quality data, PM₁₀ is a problem within these areas. Undertaking the requested actions will ensure that PM₁₀ air pollution is reduced, affording greater protection to the people in these areas. Undertaking the requested actions will ensure that the problem is resolved, rather than continuing unabated.

PETITIONER

WildEarth Guardians is a Santa Fe, New Mexico-based conservation group with offices in Denver and Phoenix. WildEarth Guardians is dedicated to protecting and restoring the wildlife, wild rivers, and wild places of the American West. To this end, WildEarth Guardians seeks to safeguard clean air and the climate by promoting cleaner energy, efficiency and conservation, and alternatives to fossil fuels.

BACKGROUND AND PROCEDURAL AUTHORITY

WildEarth Guardians petitions the EPA pursuant to the APA. See 5 U.S.C. § 551, *et seq.* The APA specifically requires that “[e]ach agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.” 5 U.S.C. § 553(e). A rule is defined as “the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy[.]” 5 U.S.C. § 551(4). The requested actions constitute a request that the EPA issue a rule or rules.

Under the Clean Air Act, the Administrator identifies criteria air pollutants that may reasonably be anticipated to endanger public health and welfare. *See* 42 U.S.C. § 7408(a)(1). Once criteria air pollutants are identified, the EPA is required to promulgate NAAQS for such pollutants. *See* 42 U.S.C. § 7409(a). The EPA is obligated to establish primary NAAQS for a criteria pollutant at a level “requisite to protect the public health.” *Id.* at § (b)(1). The EPA is also obligated to establish secondary NAAQS for a criteria pollutant at a level “requisite to protect the public welfare[.]” *Id.* at § (b)(2).

Once a NAAQS is promulgated, the EPA must initially identify areas that meet or do not meet the NAAQS within two years. *See* 42 U.S.C. § 7407(d). Any area that is not meeting the NAAQS is considered to be in nonattainment while any area that is meeting the NAAQS is considered to be in attainment. *Id.* at § (d)(1)(A)(i).

After two years, if air quality data indicates an attainment area is not meeting the NAAQS, the EPA has the authority to redesignate the area to nonattainment. *See* 42 U.S.C. § 7407(d)(3). To do so, the EPA must first notify the Governor of a State that available information indicates that the designation of the area must be revised from attainment to nonattainment. *Id.* at § 7407(d)(3)(A). Such a notification triggers a 120-day deadline by which the Governor must submit a request to redesignate the area. *Id.* at § 7407(d)(3)(B). Upon receiving a recommendation from a Governor, the EPA must promulgate the redesignation within 120 days. *Id.* at § 7407(d)(3)(C). If the Governor does not submit a recommendation for a redesignation in response to a notification from the EPA, the Administrator must promulgate such redesignation as she deems appropriate. *Id.*

The EPA first promulgated primary and secondary PM₁₀ NAAQS in 1987, limiting 24-hour concentrations to no more than 150 micrograms/cubic meter. *See* 52 Fed. Reg. 24663 (July

1, 1987). In 1997 and again in 2006, the EPA decided to retain the primary and secondary 24-hour PM₁₀ NAAQS. The 24-hour PM₁₀ NAAQS are violated whenever the expected number of exceedances in any one-year period exceeds 1.0. *See* 40 C.F.R. § 50.6(a). The expected number of exceedances in any one-year period is determined by recording the number of exceedances in each calendar year and then averaging them over the past three calendar years. *See* 40 C.F.R. § 50, Appendix K, 2.1(a). The three-year average is also known as the “exceedance based design value.”

PM₁₀ is often distinguished as “coarse” particle pollution given that the EPA has also established NAAQS for PM_{2.5}, or particles less than 2.5 microns in diameter, otherwise known as “fine” particle pollution. Both “coarse” and “fine” particle pollution are of concern given their ability to be deposited “in the alveolar and tracheobronchial regions,” which, if inhaled, can lead to a number of adverse respiratory symptoms. *See* 71 Fed. Reg. 61144, 61178 (Oct. 17, 2006). In its most recent decision to retain the 24-hour PM₁₀ NAAQS, the EPA stated “there is a growing body of evidence suggesting causal associations between short-term exposure to thoracic coarse particles and morbidity effects, such as respiratory symptoms and hospital admissions for respiratory diseases, and possibly mortality.” *Id.* at 61185.

Initially, an area that is not meeting the PM₁₀ NAAQS is designated a “Moderate” nonattainment area. *See* 42 U.S.C. § 7513(a). Moderate areas are required to attain the PM₁₀ NAAQS within six years after the area’s designation. *Id.* at § 7513(c)(1). If the EPA finds that a Moderate nonattainment area is not in attainment after the applicable attainment date, the area must be reclassified as a “Serious” nonattainment area. *Id.* at § 7513(b)(2). Serious PM₁₀ nonattainment areas are subject to more stringent emission reduction requirements than Moderate PM₁₀ nonattainment areas. *See e.g.* 42 U.S.C. § 7513a(b). For example, States must

ensure that “best available,” rather than “reasonably available,” control measures are implemented to reduce PM₁₀ pollution within Serious nonattainment areas. *See Id.* at 7513a(b)(1)(B).

Under the Clean Air Act, states prepare and submit SIPs to the EPA in order to attain and maintain the NAAQS, including the PM₁₀ NAAQS. *See* 42 U.S.C. § 7410(a). The SIP is a living document that the State and EPA can, from time to time, revise as necessary. EPA is authorized pursuant to the Clean Air Act to initiate rulemaking proceedings and to call for SIP revisions when a SIP is substantially inadequate to attain or maintain the NAAQS, or otherwise fails to meet the requirements of the Clean Air Act. *See* 42 U.S.C. § 7410(k)(5). In fact, EPA must “*require* the State to revise the SIP as necessary to correct such inadequacies.” *Id.* (emphasis added).

The APA requires EPA to conclude the matter raised in this petition within a reasonable time. *See* 5 U.S.C. § 555(b). Furthermore, the Clean Air Act contemplates that the EPA will not delay unreasonably in addressing matters before it. *See* 42 U.S.C. § 7604(a) (providing that citizens can file suit against the EPA over unreasonable delay). Given that air quality data unequivocally demonstrates that the petitioned actions are warranted, WildEarth Guardians requests EPA expedite resolution of this matter and respond no later than 90 days after receiving this petition.

BASIS FOR THE ADMINISTRATOR TO UNDERTAKE THE PETITIONED ACTIONS

Petitioner brings its request on the basis of EPA air quality monitoring data demonstrating that the areas named in this petition are currently in violation of the PM₁₀ NAAQS based on data from the years 2008-2010. *See* EPA, “Design Values,” available at <http://www.epa.gov/airtrends/values.html> (last accessed Oct. 26, 2011). Data available on the

EPA's "Design Values" website indicates that exceedance-based design value for each area exceeds 1.0 for calendar year 2011, and that these areas are therefore in violation. This data is attached to this petition as Exhibit 1. The EPA expressly states in its design value data that all the areas identified in this petition have violated the NAAQS based on 2008-2010 monitoring data.

For areas not yet designated nonattainment, this data demonstrates these areas must be designated nonattainment for PM₁₀. For areas already designated as nonattainment and classified as Moderate, this data demonstrates the EPA must bump up their classification to Serious. For all areas, this data demonstrates that they are failing to attain and maintain the PM₁₀ NAAQS in accordance with Section 110 of the Clean Air Act.

Below, we explain the basis for our request that areas be designated as nonattainment, be bumped up to a "Serious" classification, and that EPA call for the revision of the applicable SIPs.

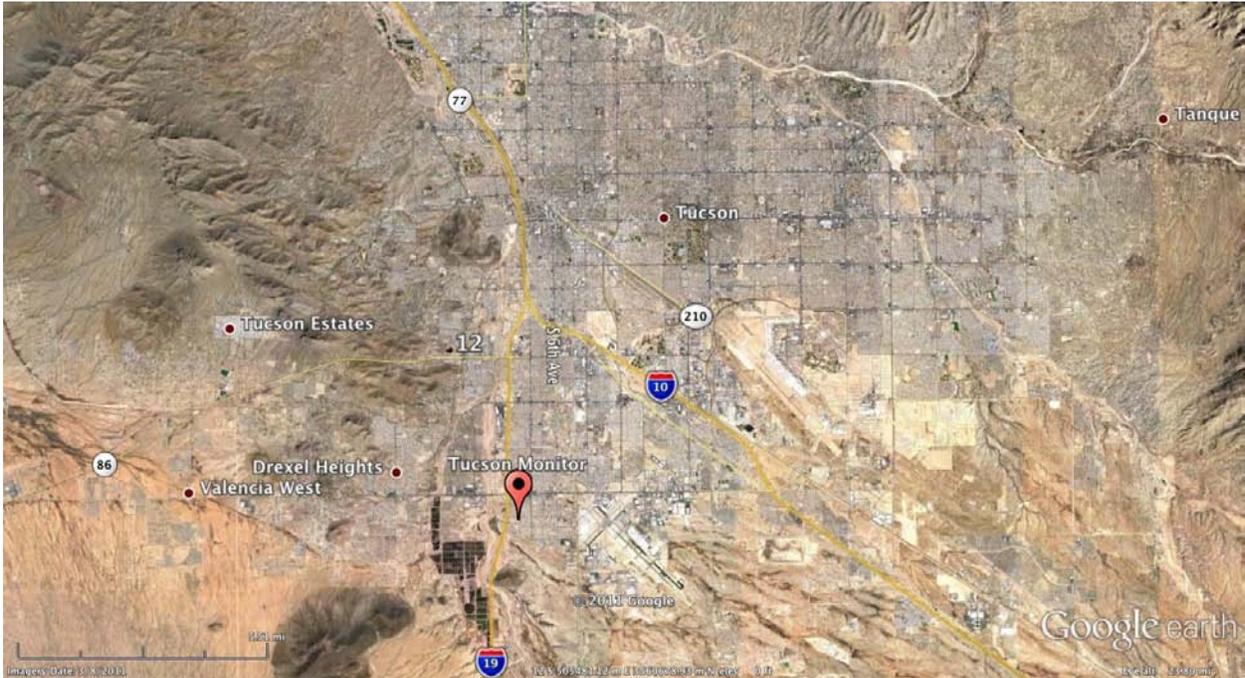
1. Designation as Nonattainment¹

a. Tucson, Arizona

According to EPA data, a portion of Pima County near the community-based statistical area of Tucson is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 040191026, is shown in the map below.

¹ A nonattainment area is defined as "any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard[.]" 42 U.S.C. § 7407(d)(1)(A)(i). Pursuant to this definition, WildEarth Guardians requests that in designating nonattainment areas, the EPA delineate such areas to ensure that the boundaries include any and all areas that are not meeting, or that contribute to violations in nearby areas that do not meet, the PM₁₀ NAAQS.

Location of Tucson, Arizona Monitor



This data shows that the three-year average of the number of exceedances at this monitoring site is 2.0, thereby violating the 24-hour PM₁₀ NAAQS. See table below. This data demonstrates that all or a portion of Tucson, Arizona and potentially surrounding portions of Pima County must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

Tucson PM₁₀ Information

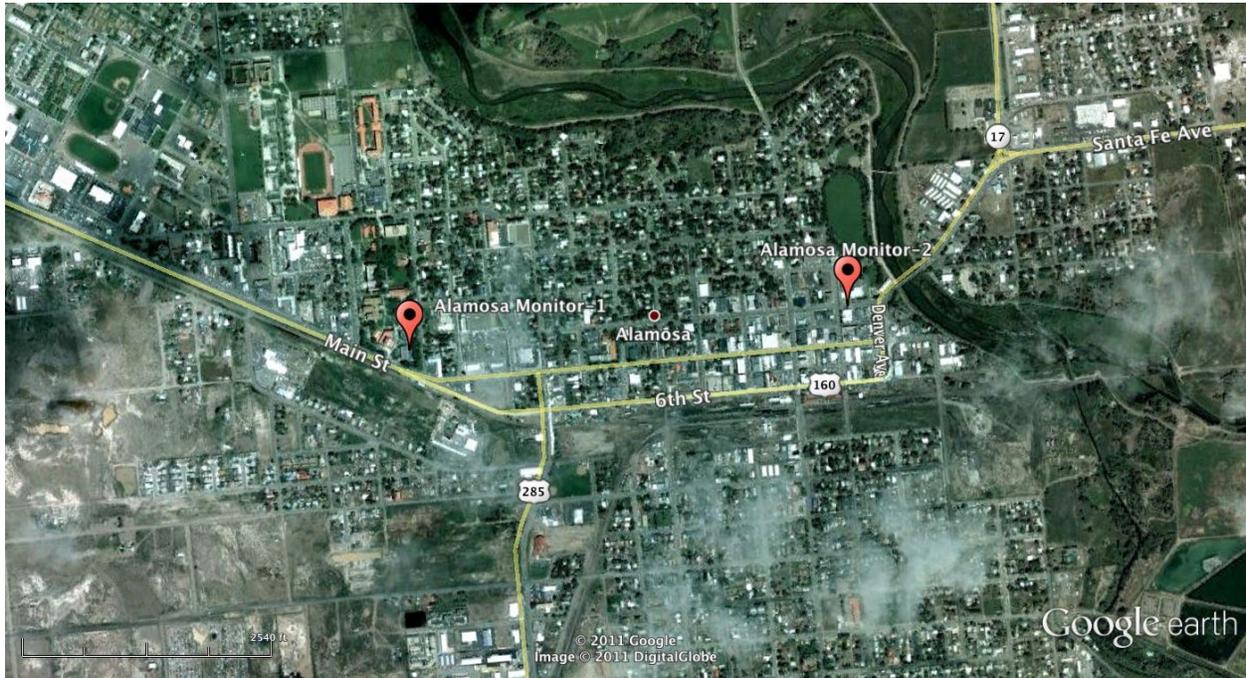
State	County	Community Based Statistical Area	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
AZ	Pima	Tucson	9	040191026	2	No

b. Alamosa, Colorado

According to EPA data, Alamosa, Colorado, located in Alamosa County, Colorado is in violation of the PM₁₀ NAAQS at two monitoring sites based on 2008-2010 monitoring data. The

location of these monitors, which are identified as 080030001 and 080030003, are shown in the map below.

Location of Alamosa, Colorado Monitors



This data shows that the three-year average of the number of exceedances at monitoring site 080030001 is 1.9 and 2.4 at monitoring site 080030003, thereby violating the 24-hour PM₁₀ NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of exceedances at both monitoring sites will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Alamosa, Colorado, as well as potentially surrounding areas of Alamosa County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

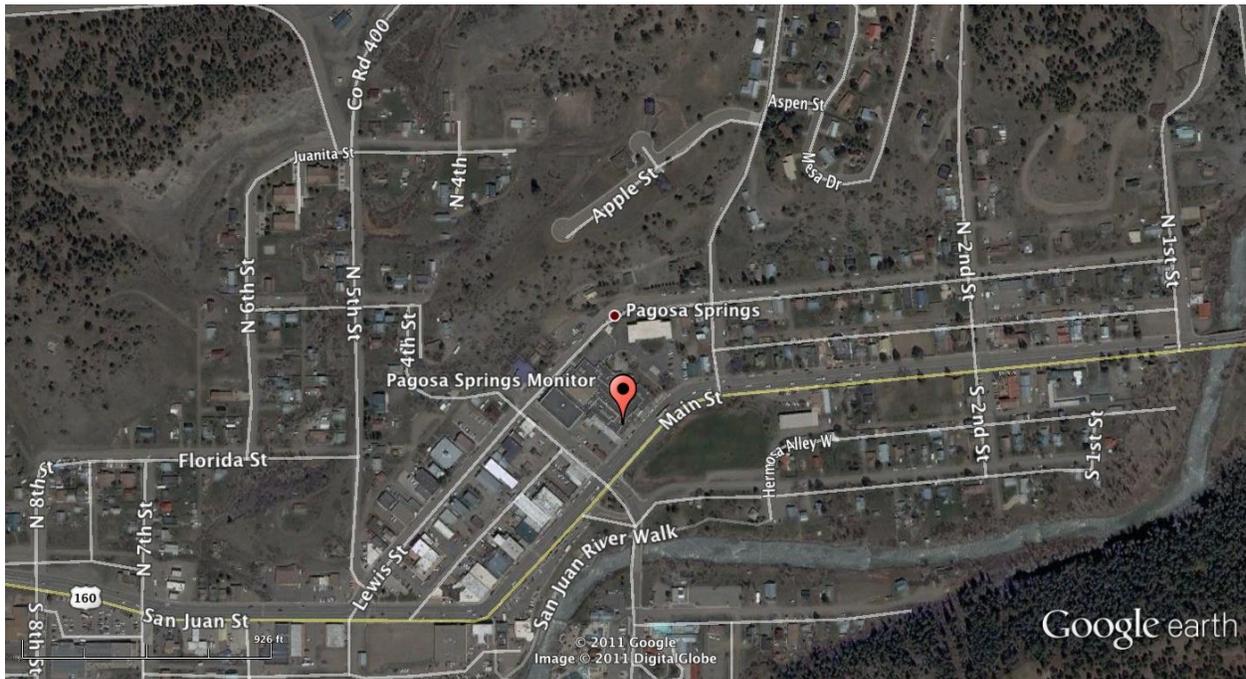
Alamosa, CO PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
CO	Alamosa		8	080030001	1.9	No
CO	Alamosa		8	080030003	2.4	No

c. Pagosa Springs, Colorado

According to EPA data, Pagosa Springs, Colorado in Archuleta County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 080070001, is shown in the map below.

Location of Pagosa Springs, Colorado Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 080070001 is 3.6, thereby violating the 24-hour PM₁₀ NAAQS. See table below. The monitoring data also shows that Lamar violated based on air quality monitoring data for the years 2007-2009, as well. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. Overall, this data demonstrates that Pagosa Springs, Colorado, as well as potentially surrounding areas of Archuleta County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

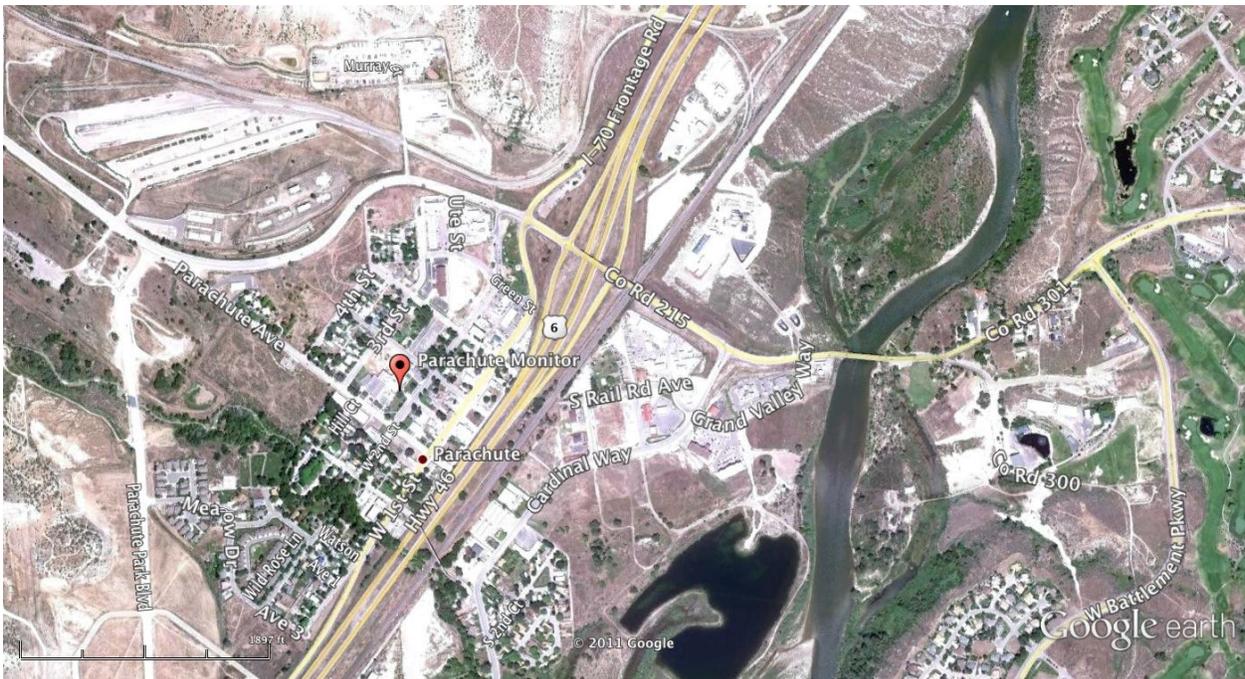
Pagosa Springs, CO PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
CO	Archuleta		8	080070001	3.6	No

d. Parachute, Colorado

According to EPA data, Parachute, Colorado in Garfield County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 080450005, is shown in the map below.

Location of Parachute, Colorado Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 080450005 is 1.4, thereby violating the 24-hour PM₁₀ NAAQS. See table below. This data demonstrates that Parachute, Colorado, as well as potentially surrounding areas of Garfield County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

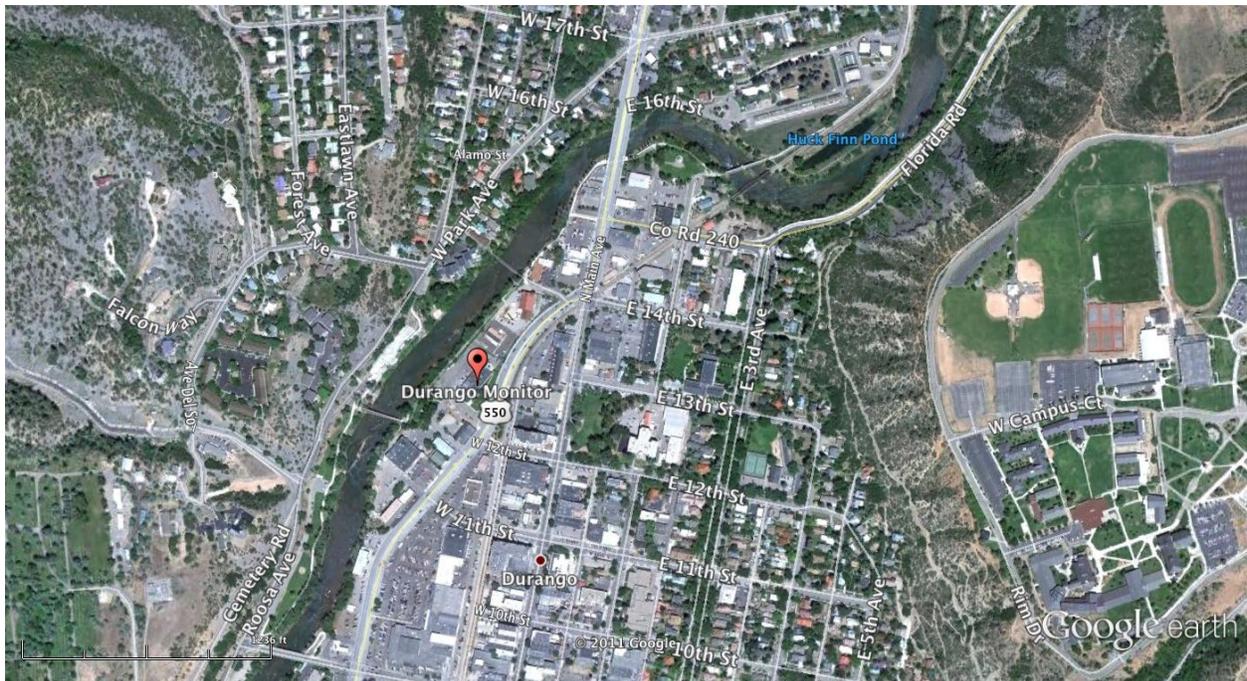
Parachute, CO PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
CO	Garfield		8	080450005	1.4	No

e. Durango, Colorado

According to EPA data, Durango, Colorado in La Plata County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 080450005, is shown in the map below.

Location of Durango, Colorado Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 080670004 is 4.2, thereby violating the 24-hour PM₁₀ NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Durango, Colorado, as well as

potentially surrounding areas of La Plata County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

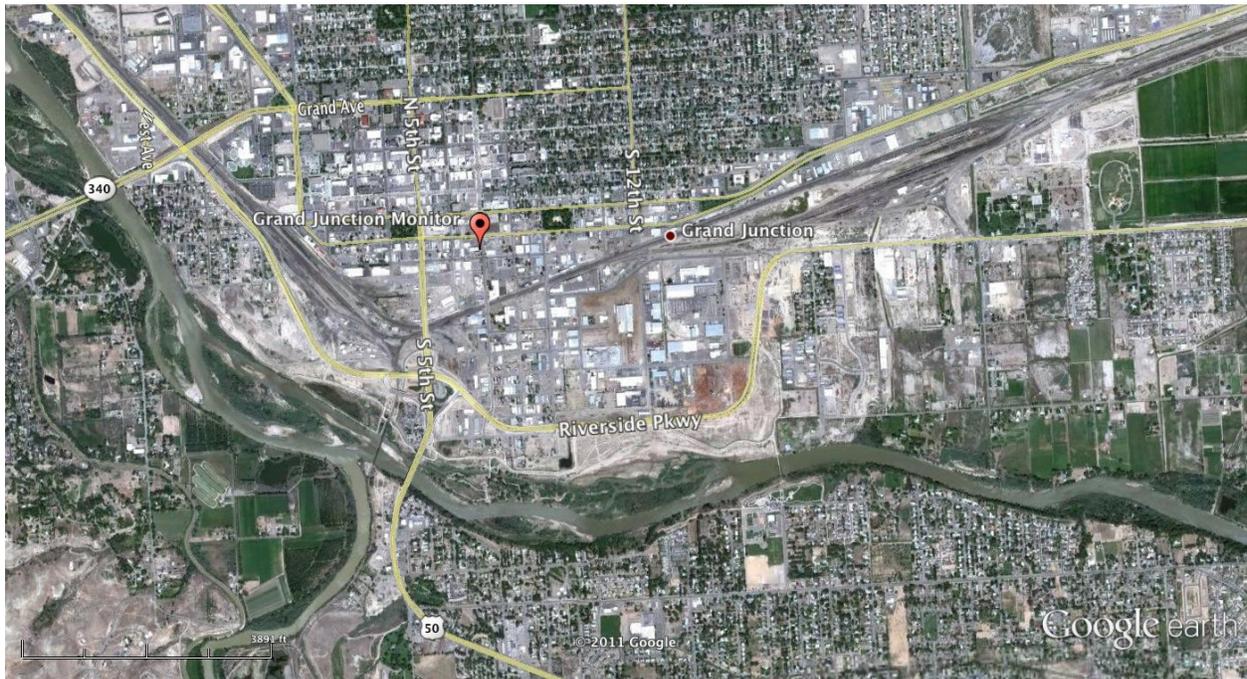
Durango, CO PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
CO	La Plata	Durango	8	080670004	4.2	No

f. Grand Junction, Colorado

According to EPA data, Grand Junction, Colorado in Mesa County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 080770017, is shown in the map below.

Location of Grand Junction, Colorado Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 080770017 is 1.2, thereby violating the 24-hour PM₁₀ NAAQS. See table below. This data

demonstrates that Grand Junction, Colorado, as well as potentially surrounding areas of Mesa County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

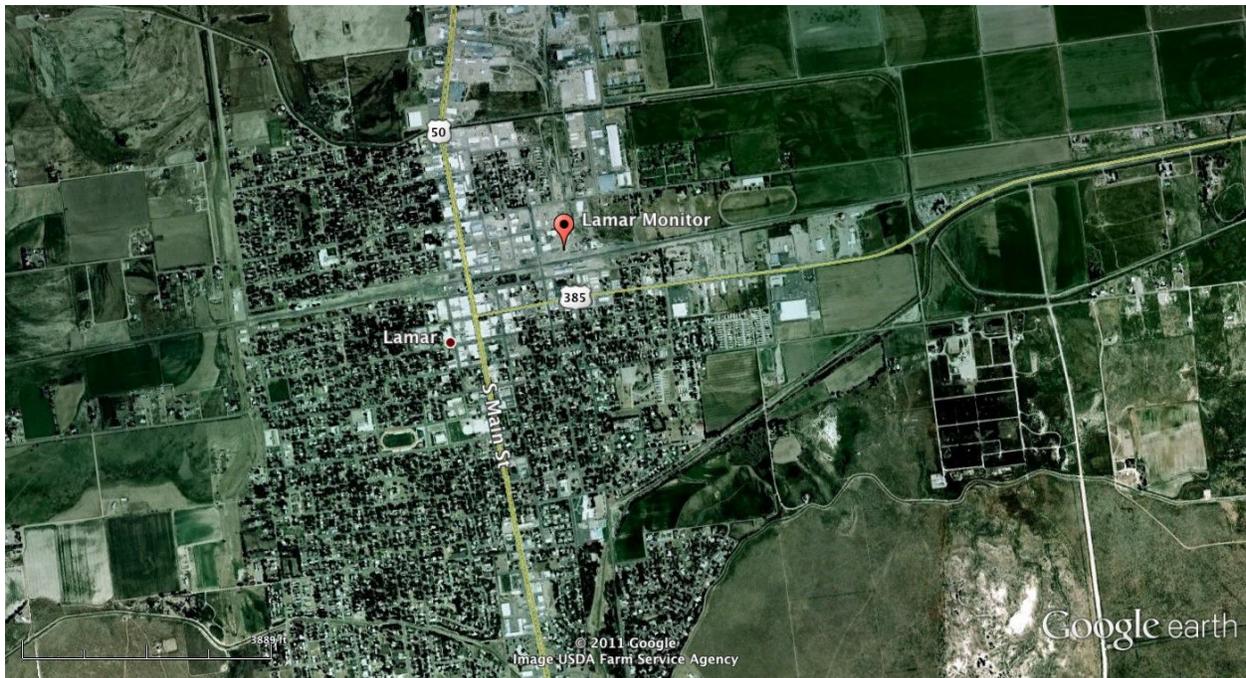
Grand Junction, CO PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
CO	Mesa	Grand Junction	8	080770017	1.2	No

g. Lamar, Colorado

According to EPA data, Lamar, Colorado in Prowers County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 080990001, is shown in the map below.

Location of Lamar, Colorado Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 080990001 is 1.7, thereby violating the 24-hour PM₁₀ NAAQS. See table below. The

monitoring data also shows that Lamar violated based on air quality monitoring data for the years 2007-2009, as well. Overall, this data demonstrates that Lamar, Colorado, as well as potentially surrounding areas of Prowers County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

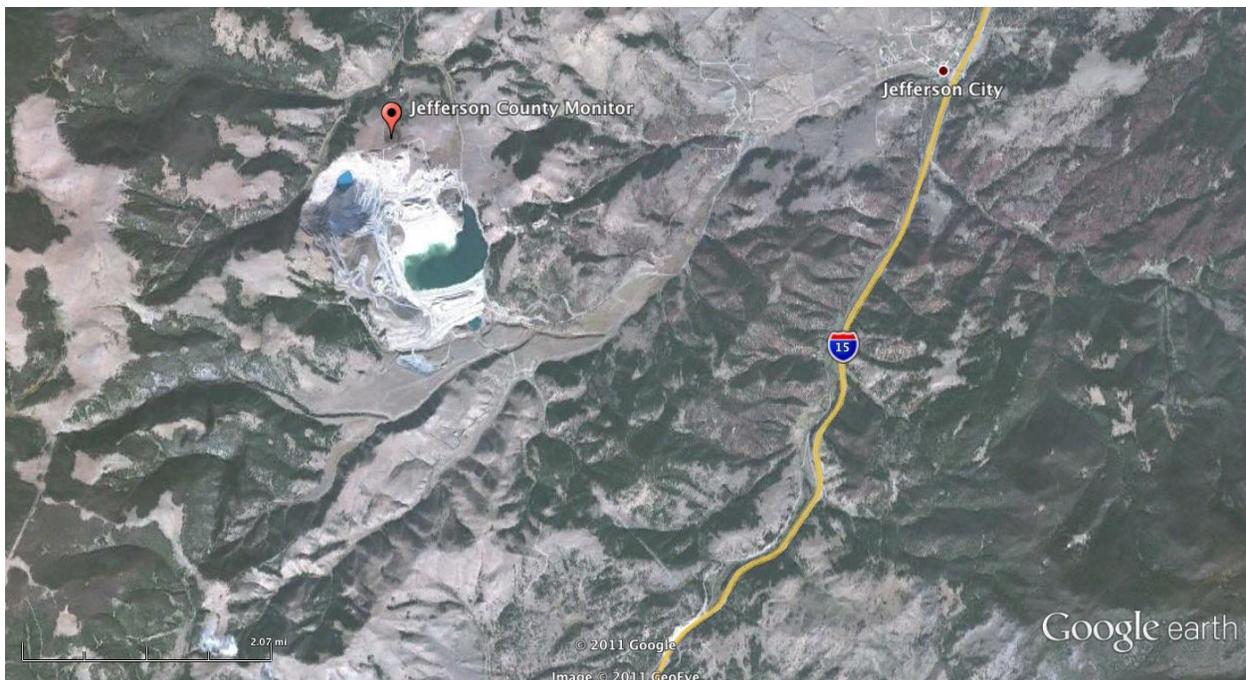
Lamar, CO PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
CO	Prowers	Lamar	8	080990001	1.7	No

h. Jefferson County, Montana

According to EPA data, a portion of Jefferson County, Montana is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 080450005, is shown in the map below. The monitor is located near the Montana Tunnels mining operations.

Location of Jefferson County, Montana Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 300430022 is 5.7, thereby violating the 24-hour PM₁₀ NAAQS. See table below. This data demonstrates that this portion of Jefferson County, Montana, as well as potentially surrounding areas of Jefferson County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

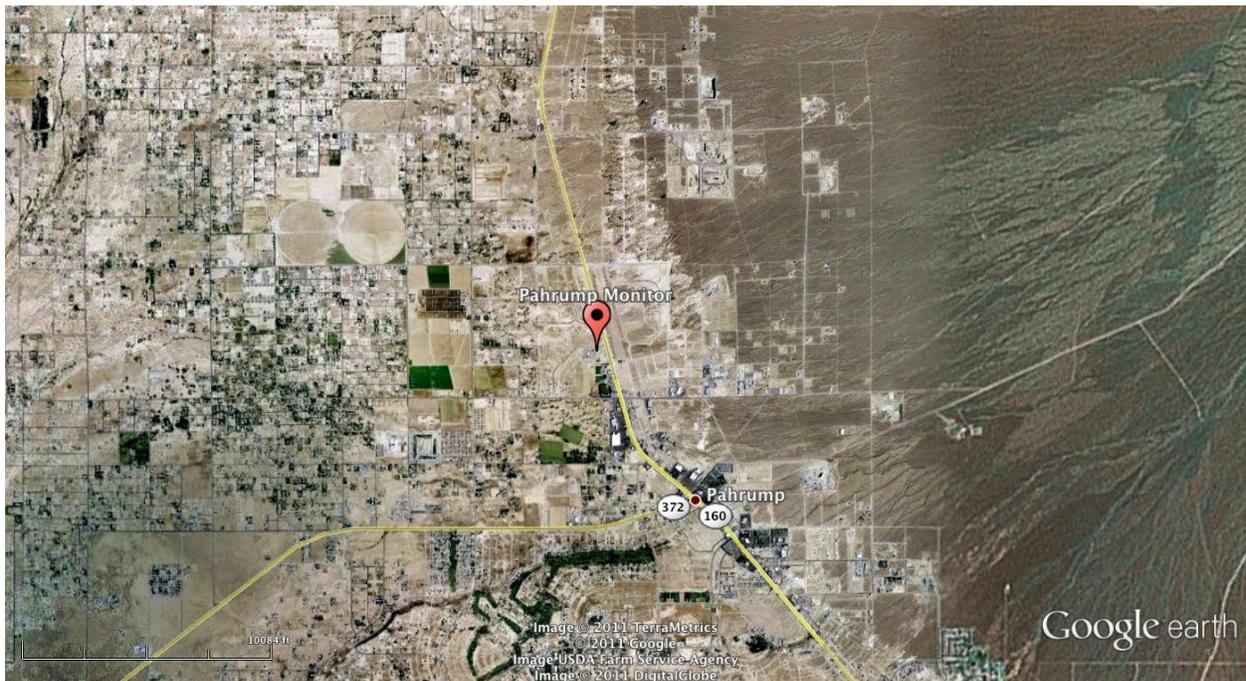
Jefferson County, MT PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
MT	Jefferson	Helena	8	300430022	5.7	No

i. Pahrump, Nevada

According to EPA data, Pahrump, Nevada in Nye County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 320230014, is shown in the map below.

Location of Pahrump, Nevada Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 320230014 is 3.2, thereby violating the 24-hour PM₁₀ NAAQS. *See* table below. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Pahrump, Nevada, as well as potentially surrounding areas of Nye County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

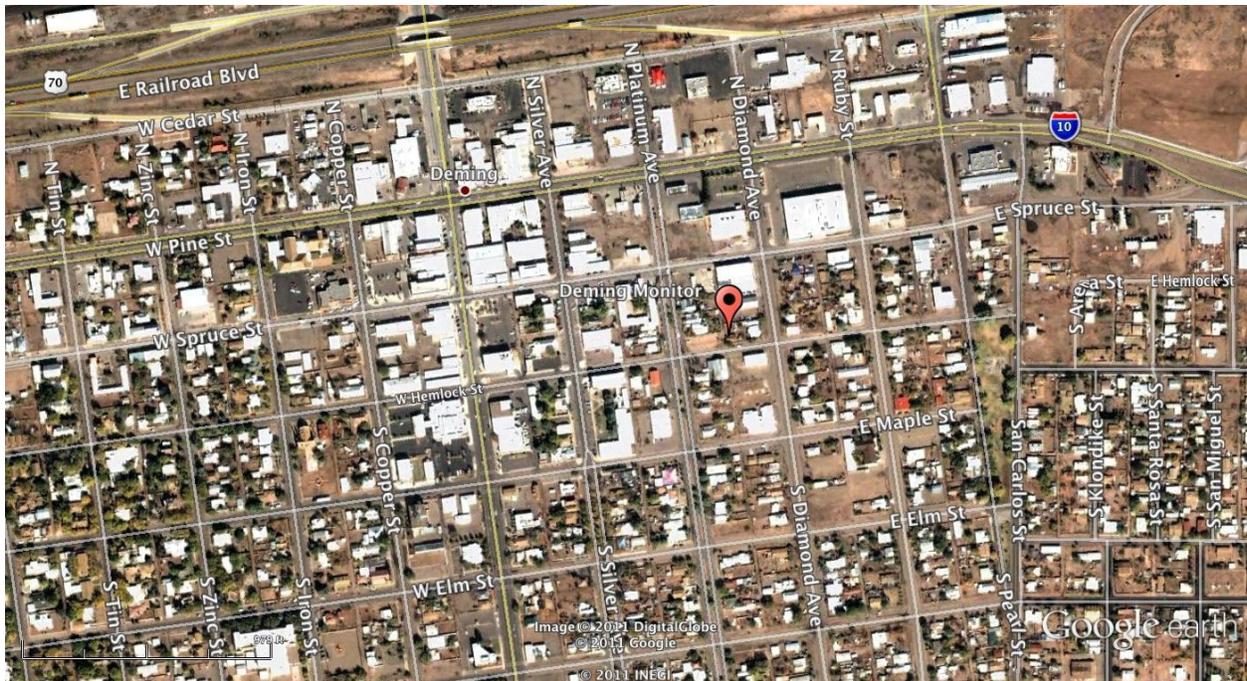
Pahrump, NV PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
NV	Nye	Pahrump	9	320230014	3.2	No

j. Deming, New Mexico

According to EPA data, Deming, New Mexico in Luna County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 350290003, is shown in the map below.

Location of Deming, New Mexico Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 350290003 is 9.7, thereby violating the 24-hour PM₁₀ NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Deming, New Mexico, as well as potentially surrounding areas of Luna County, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

Deming, NM PM₁₀ Information

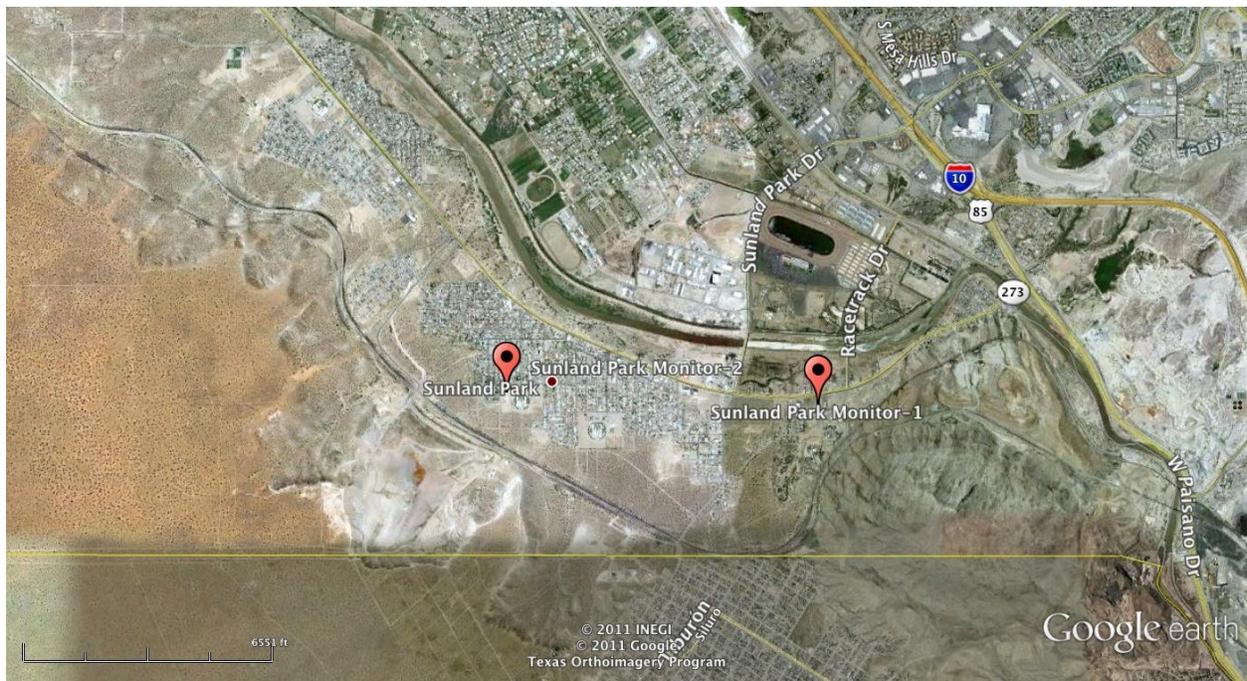
State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
NM	Luna	Deming	6	350290003	9.7	No

k. Sunland Park, New Mexico

According to EPA data, Sunland Park, New Mexico, which is a part of the Las Cruces community-based statistical area and located in Doña Ana County, is in violation of the PM₁₀

NAAQS at two monitoring sites based on 2008-2010 monitoring data. The location of these monitors, which are identified as 350130017 and 350130021, are shown in the map below.

Location of Sunland Park, New Mexico Monitors



This data shows that the three-year average of the number of exceedances at monitoring site 350130017 is 8.0 and 5.0 at site 350130021, thereby violating the 24-hour PM_{10} NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of exceedances at both monitoring sites will exceed 1.0 for the years 2009-2011, regardless of

whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Sunland Park, New Mexico, as well as potentially surrounding areas of Doña Ana County and/or all of the Las Cruces community-based statistical area, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

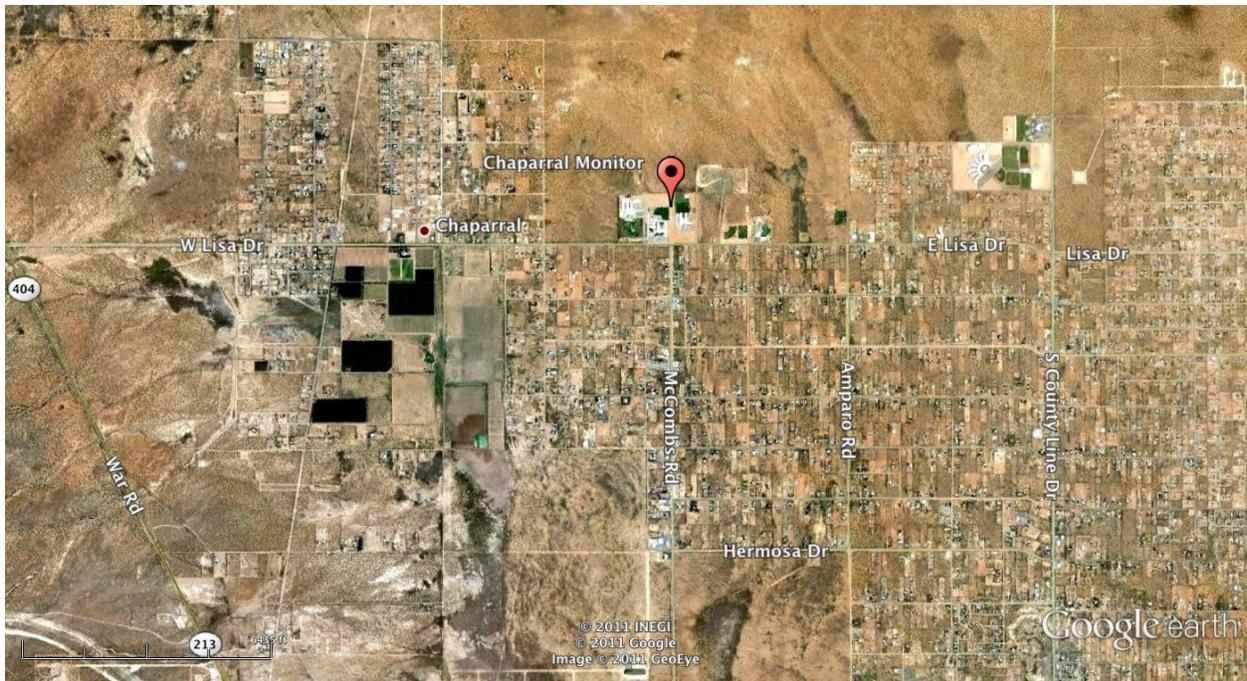
Sunland Park, NM PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
NM	Doña Ana	Las Cruces	6	350130017	8.0	No
NM	Doña Ana	Las Cruces	6	350130021	5.0	No

I. Chaparral, New Mexico

According to EPA data, Chaparral, New Mexico, which is a part of the Las Cruces community-based statistical area and located in Doña Ana County, is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 350130020, is shown in the map below.

Location of Chaparral, New Mexico Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 350130020 is 10.1, thereby violating the 24-hour PM₁₀ NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Chaparral, New Mexico, as well as potentially surrounding areas of Doña Ana County and/or all of the Las Cruces community-based statistical area, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

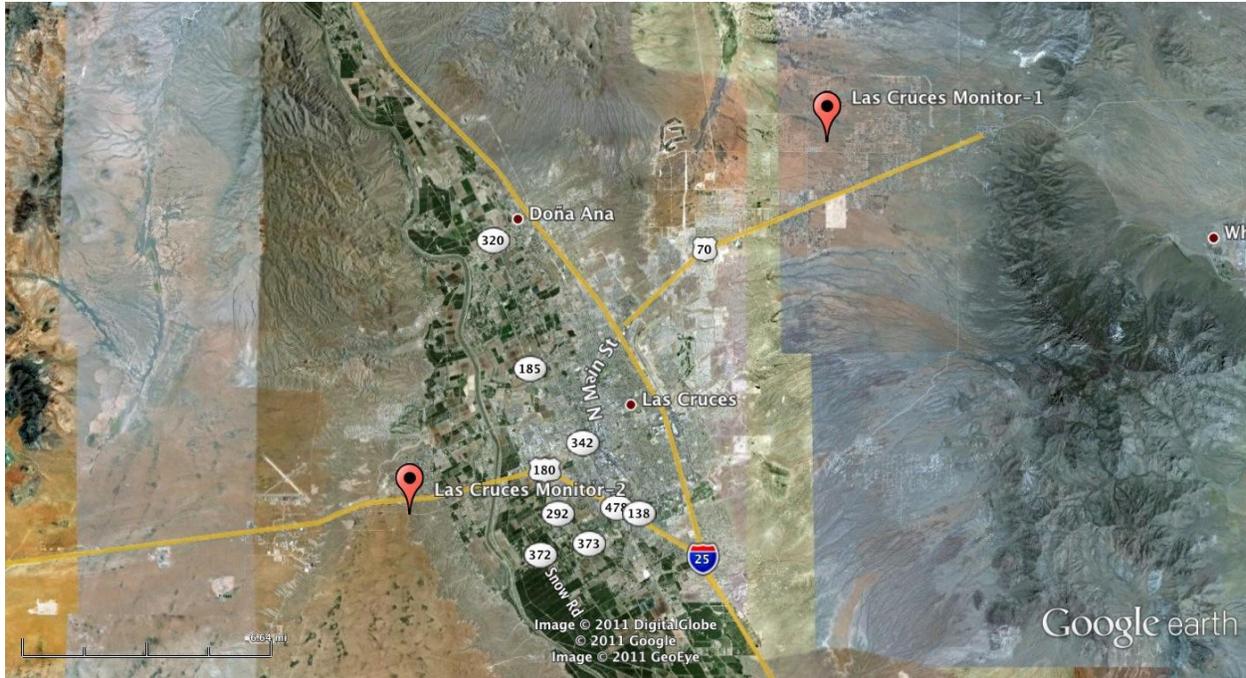
Chaparral, NM PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
NM	Doña Ana	Las Cruces	6	350130020	10.1	No

m. Las Cruces, New Mexico

According to EPA data, Las Cruces, New Mexico, which is a part of the Las Cruces community-based statistical area and is located in Doña Ana County, is in violation of the PM₁₀ NAAQS at two monitoring sites based on 2008-2010 monitoring data. The location of these monitors, which are identified as 350130019 and 350130024, are shown in the map below.

Location of Las Cruces, New Mexico Monitors



This data shows that the three-year average of the number of exceedances at monitoring site 350130019 is 6.1 and 3.0 at site 350130024, thereby violating the 24-hour PM₁₀ NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of exceedances at both monitoring sites will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that Las Cruces, New Mexico, as well as potentially surrounding areas of Doña Ana County and/or all of the Las Cruces community-based statistical area, must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

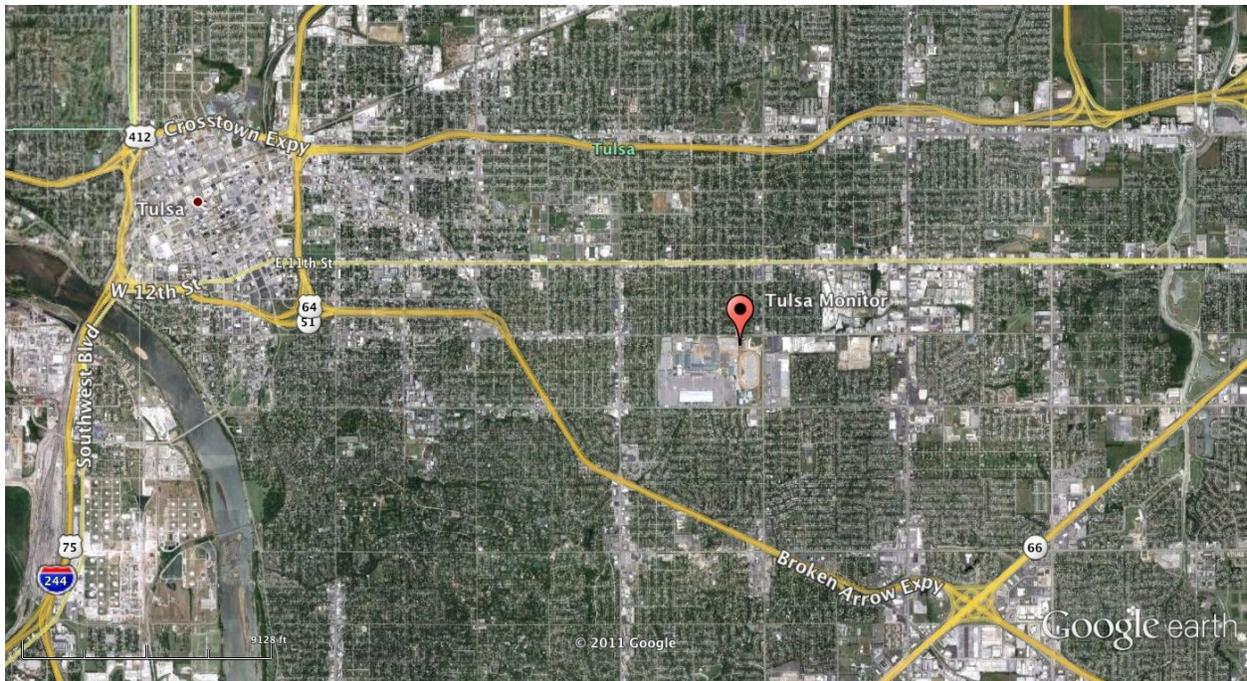
Las Cruces, NM PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
NM	Doña Ana	Las Cruces	6	350130019	6.1	No
NM	Doña Ana	Las Cruces	6	350130024	3.0	No

n. Tulsa, Oklahoma

According to EPA data, Tulsa, Oklahoma in Tulsa County is in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 350130019, is shown in the map below.

Location of Tulsa, Oklahoma Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 401430110 is 2.2, thereby violating the 24-hour PM₁₀ NAAQS. See table below. This data demonstrates that Tulsa, Oklahoma must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

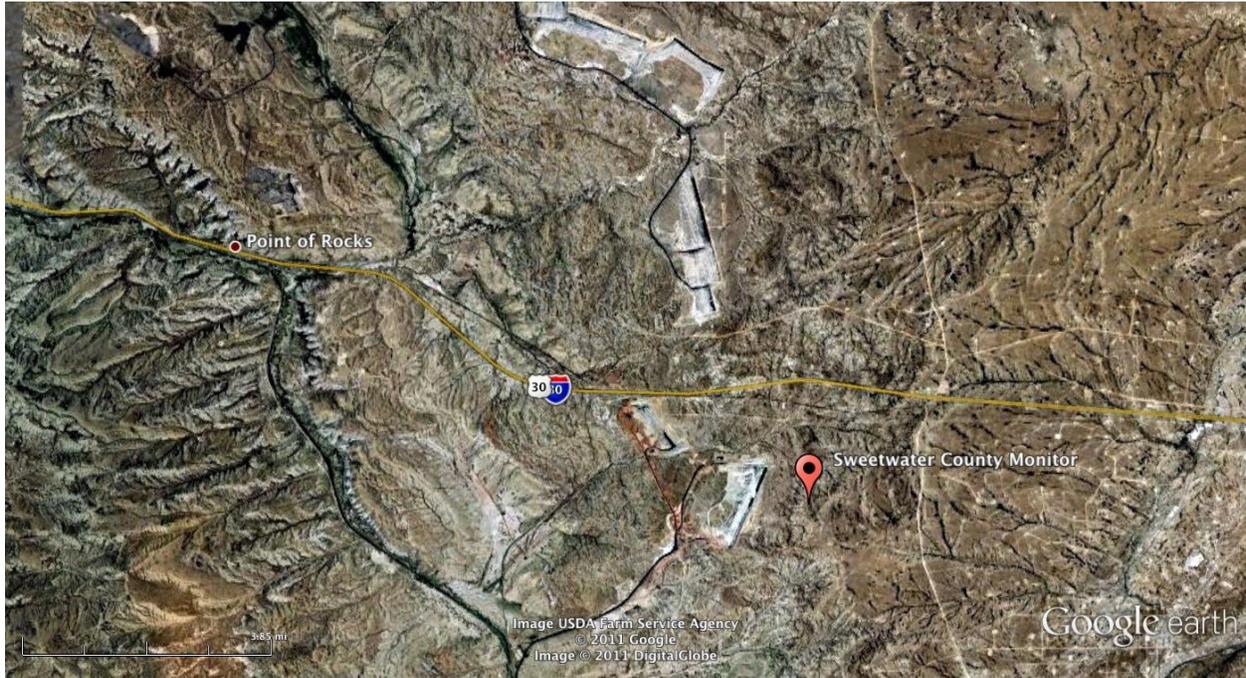
Tulsa, OK PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
OK	Tulsa	Tulsa	6	401430110	2.2	No

o. Sweetwater County, Wyoming

According to EPA data, a portion of Sweetwater County, Wyoming in violation of the PM₁₀ NAAQS based on 2008-2010 monitoring data. The location of this monitor, which is identified as 560370868, is shown in the map below. The monitor is located near coal mining operations in Sweetwater County.

Location of Sweetwater County, Wyoming Monitor



This data shows that the three-year average of the number of exceedances at monitoring site 560370868 is 1.2, thereby violating the 24-hour PM₁₀ NAAQS. See table below. This data demonstrates that all or a portion of Sweetwater County, Wyoming must be designated nonattainment for the 24-hour PM₁₀ NAAQS.

Sweetwater County, Wyoming PM₁₀ Information

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
WY	Sweetwater	Rock Springs	8	560370868	1.2	No

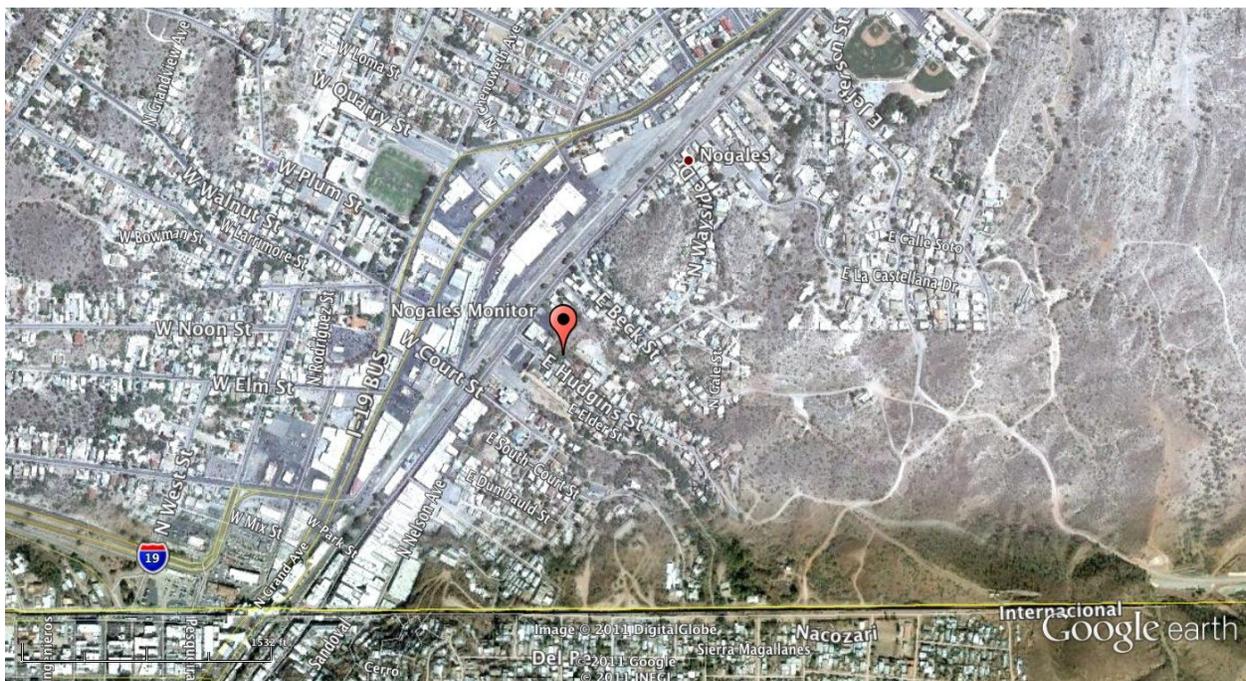
2. Reclassification from Moderate to Serious

a. Nogales, Arizona

The Nogales Moderate PM₁₀ nonattainment area “covers approximately 70 square miles along the border of Mexico within Santa Cruz County[, Arizona].” See 76 Fed. Reg. 1532 (Jan.

11, 2011). The area was designated as a Moderate PM₁₀ nonattainment area in 1990 and is currently still designated a Moderate nonattainment area. *See* 40 C.F.R. § 81.303 (2010). Although in January of 2011, the EPA found that the Nogales area had attained the PM₁₀ NAAQS by December 31, 1994, monitoring data indicates this nonattainment area has since then failed to attain the NAAQS and therefore should be reclassified as a Serious PM₁₀ nonattainment area. The location of the Nogales monitor, which is identified as 040230004, is shown in the map below.

Location of Nogales, Arizona Monitor



The PM₁₀ violations in Nogales are not anomalous. In fact, this area consistently violates the NAAQS. Monitoring data for site 040230004 shows that the Nogales, Arizona nonattainment area has violated the PM₁₀ NAAQS every year since at least 1999, with the number of exceedances exceeding 30 for the three-year period 2005-2007. *See* table below.

Nogales, AZ PM₁₀ Trends

Three-Year Period	Average Number of Annual Exceedances
1999-2001	7.5
2000-2002	4.4
2001-2003	8.4
2002-2004	6.1
2003-2005	10.1
2004-2006	25.9
2005-2007	30.5
2006-2008	25.1
2007-2009	9.7
2008-2010	7.9

This data shows that the most recent three-year average of the number of exceedances at monitoring site 040230004 is 7.9, thereby continuing to violate the 24-hour PM₁₀ NAAQS. *See* table below. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that the Nogales Moderate nonattainment area must be reclassified as Serious.

Nogales, AZ PM₁₀ Information, 2008-2010

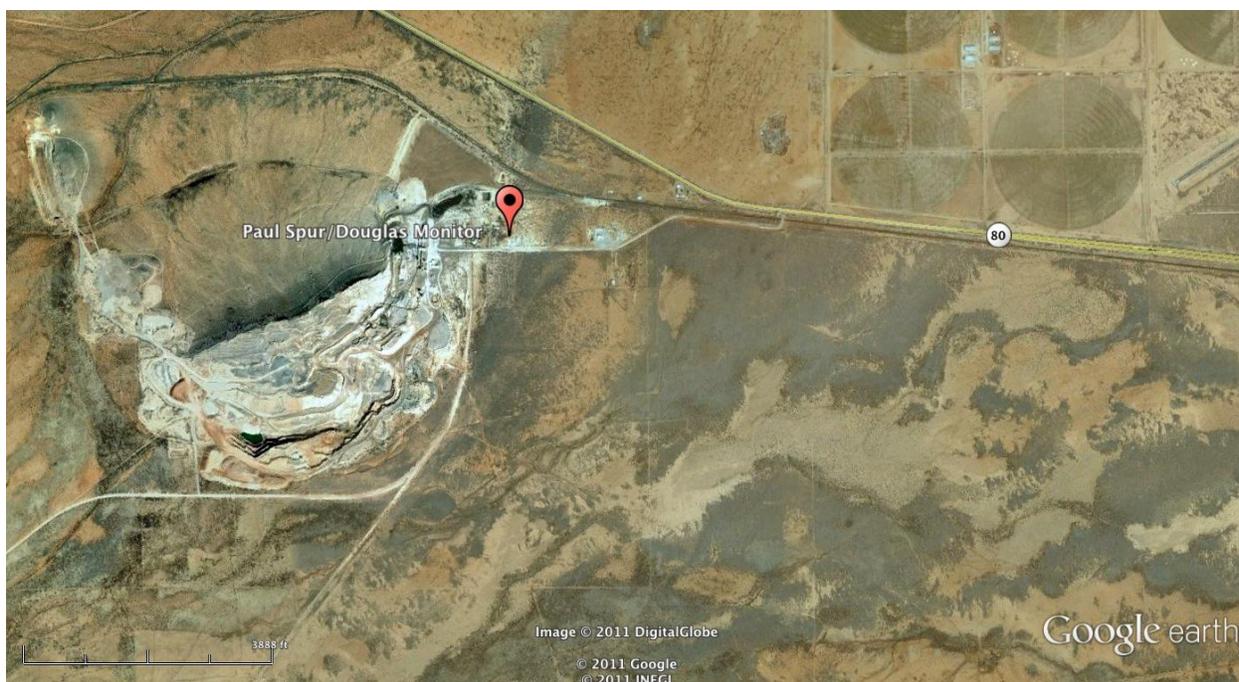
State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
AZ	Santa Cruz	Nogales	9	040230004	7.9	No

b. Paul Spur/Douglas, Arizona

The Paul Spur/Douglas Moderate PM₁₀ nonattainment area “covers approximately 220 square miles along the border of Mexico within Cochise County[, Arizona].” *See* 76 Fed. Reg. 1533 (Jan. 11, 2011). The area was designated as a Moderate PM₁₀ nonattainment area in 1990

and is currently still designated a Moderate nonattainment area. *See* 40 C.F.R. § 81.303 (2010). Although in January of 2011, the EPA found that the Paul Spur/Douglas area had attained the PM₁₀ NAAQS by December 31, 1994, monitoring data indicates this nonattainment area has since then failed to attain the NAAQS and therefore should be reclassified as a Serious PM₁₀ nonattainment area. The location of the Paul Spur/Douglas monitor, which is identified as 040030011, is shown in the map below.

Location of Paul Spur/Douglas, Arizona Monitor



The PM₁₀ violations in Paul Spur/Douglas are not anomalous. In fact, this area has regularly violated the NAAQS over the years. Monitoring data for site 040030011 shows that the nonattainment area has violated the PM₁₀ NAAQS at least six times since 1999. *See* table below.

Paul Spur/Douglas, AZ PM₁₀ Trends

Three-Year Period	Average Number of Annual Exceedances
1999-2001	0.0
2000-2002	0.0
2001-2003	2.2
2002-2004	2.2
2003-2005	2.2
2004-2006	0.0
2005-2007	0.0
2006-2008	2.0
2007-2009	2.0
2008-2010	2.0

This data shows that the most recent three-year average of the number of exceedances at monitoring site 040030011 is 2.0, thereby continuing to violate the 24-hour PM₁₀ NAAQS. *See* table below. This data demonstrates that the Paul Spur/Douglas Moderate nonattainment area must be reclassified as Serious.

Paul Spur/Douglas, AZ PM₁₀ Information, 2008-2010

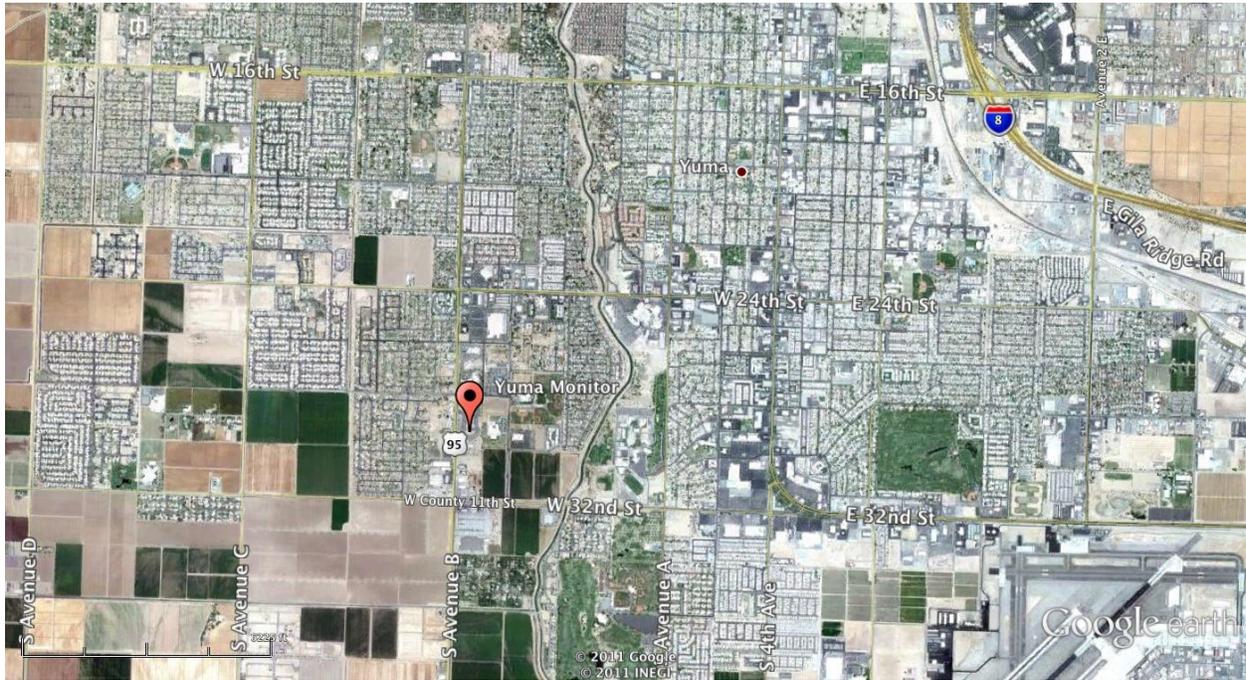
State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
AZ	Cochise	Douglas	9	040030011	2.0	No

c. Yuma, Arizona

The Yuma Moderate PM₁₀ nonattainment area “consists of 456 square miles, which is roughly eight percent of the land area of Yuma County[, Arizona.]” *See* 71 Fed. Reg. 13022 (March 14, 2006). The area was designated as a Moderate PM₁₀ nonattainment area in 1990 and is currently still designated a Moderate nonattainment area. *See* 40 C.F.R. § 81.303 (2010). Although in March of 2006, the EPA found that the Yuma area had attained the PM₁₀ NAAQS, monitoring data indicates this nonattainment area has since then failed to attain the NAAQS and

therefore should be reclassified as a Serious PM₁₀ nonattainment area. The location of the Yuma monitor, which is identified as 040270004, is shown in the map below.

Location of Yuma, Arizona Monitor



The PM₁₀ violations in Yuma are not anomalous. In fact, this area has regularly violated the NAAQS over at least the last five years. Monitoring data for site 040270004 shows that the nonattainment area has consistently violated the PM₁₀ NAAQS at least since 2004. See table below.

Yuma, AZ PM₁₀ Trends

Three-Year Period	Average Number of Annual Exceedances
2004-2006	1.7
2005-2007	6.0
2006-2008	7.6
2007-2009	7.9
2008-2010	5.3

This data shows that the most recent three-year average of the number of exceedances at monitoring site 040270004 is 5.3, thereby continuing to violate the 24-hour PM₁₀ NAAQS. *See* table below. Data from the EPA also shows that the three-year average of the number of exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that the Yuma Moderate nonattainment area must be reclassified as Serious.

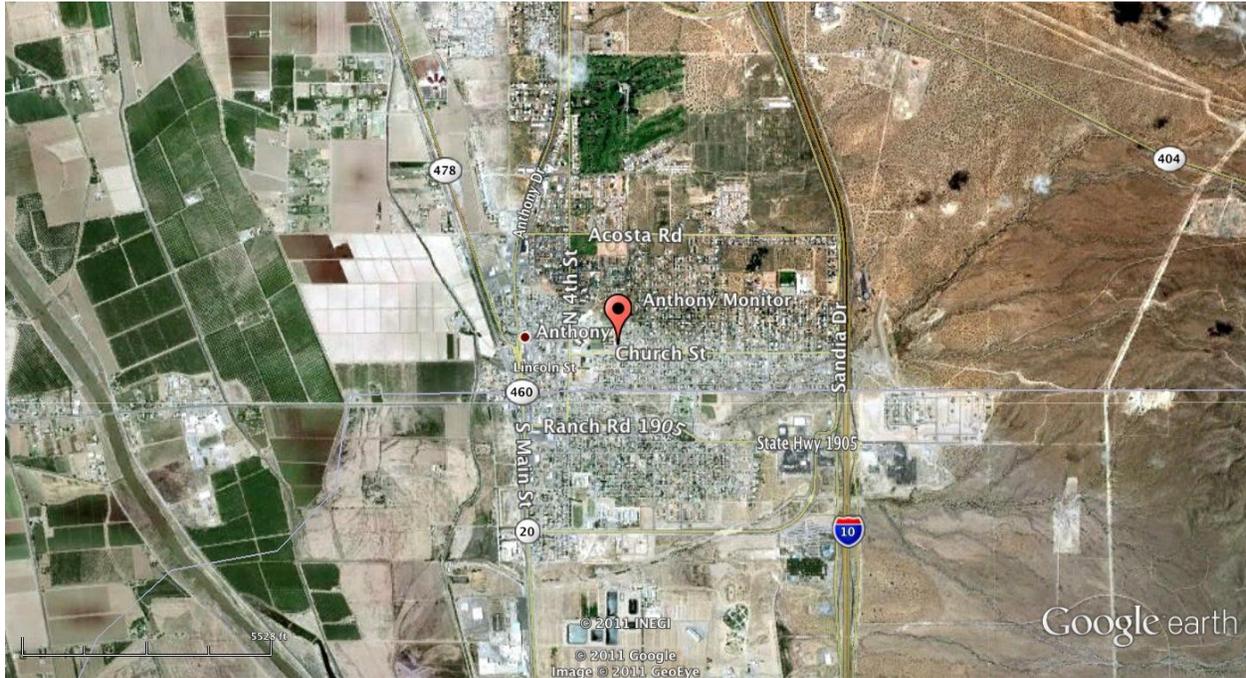
Yuma, AZ PM₁₀ Information, 2008-2010

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
AZ	Yuma	Yuma	9	040270004	5.3	No

d. Anthony, New Mexico

The Anthony Moderate PM₁₀ nonattainment area was designated in 1990 and is currently still designated a Moderate nonattainment area. *See* 40 C.F.R. § 81.332 (2010). Monitoring data indicates this nonattainment area has since then failed to attain the NAAQS and therefore should be reclassified as a Serious PM₁₀ nonattainment area. The location of the Anthony monitor, which is identified as 350130016, is shown in the map below.

Location of Anthony, New Mexico Monitor



The PM₁₀ violations in Anthony are not anomalous. In fact, this area has regularly violated the NAAQS over at least the last five years. Monitoring data for site 350130016 shows that the nonattainment area has consistently violated the PM₁₀ NAAQS at least since 2004. See table below.

Anthony, NM PM₁₀ Trends

Three-Year Period	Average Number of Annual Exceedances
2004-2006	4.0
2005-2007	4.4
2006-2008	9.1
2007-2009	8.0
2008-2010	8.9

This data shows that the most recent three-year average of the number of exceedances at monitoring site 350130016 is 8.9, thereby continuing to violate the 24-hour PM₁₀ NAAQS. See table below. Data from the EPA also shows that the three-year average of the number of

exceedances at the monitoring site will exceed 1.0 for the years 2009-2011, regardless of whether the PM₁₀ NAAQS are actually exceeded in 2011. This data demonstrates that the Anthony Moderate nonattainment area must be reclassified as Serious.

Anthony, NM PM₁₀ Information, 2008-2010

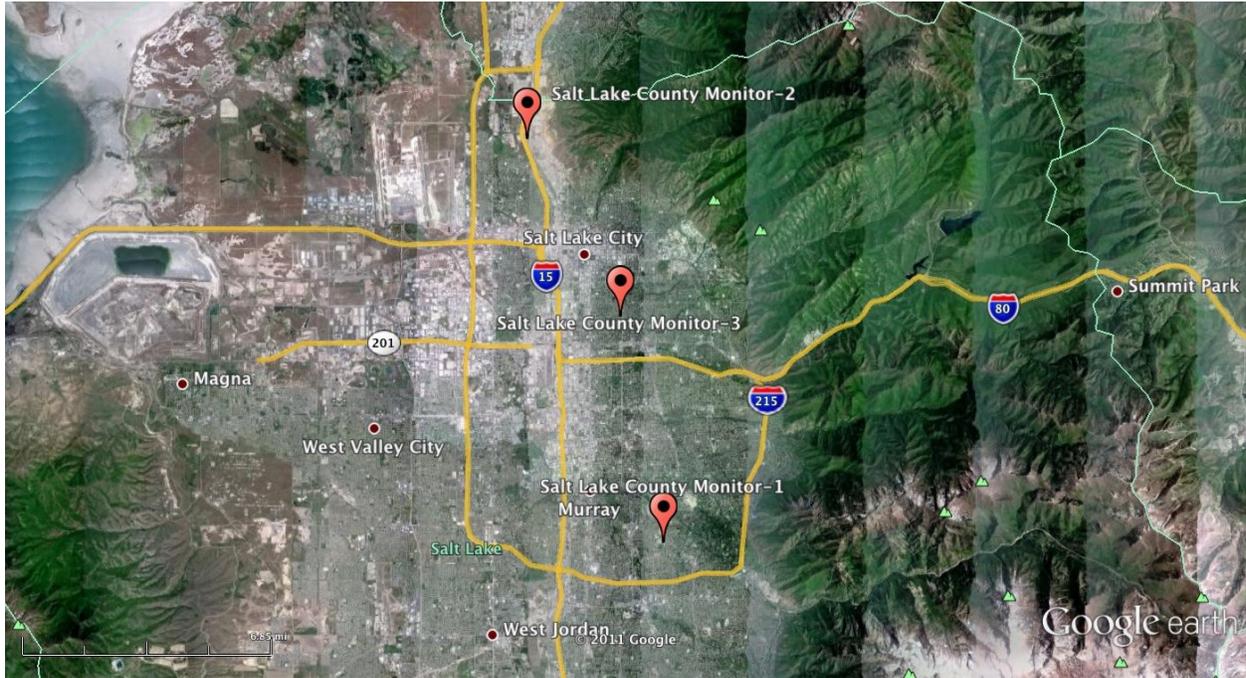
State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
NM	Doña Ana	Las Cruces	9	350130016	8.9	No

e. Salt Lake County, Utah

The Salt Lake County Moderate PM₁₀ nonattainment area was designated in 1990 and is currently still designated a Moderate nonattainment area. *See* 40 C.F.R. § 81.345 (2010).

Although in June of 2001, the EPA found that Salt Lake County had attained the PM₁₀ NAAQS, monitoring data indicates this nonattainment area has since then failed to attain the NAAQS and therefore should be reclassified as a Serious PM₁₀ nonattainment area. The location of the Salt Lake County monitors, which are identified as 490350003, 490350012, and 49033006, are shown in the map below.

Location of Salt Lake County, Utah Monitors



The PM₁₀ violations in Salt Lake County are not anomalous. In fact, this area has regularly violated the NAAQS over at least the last 10 years. Monitoring data shows that the nonattainment area has consistently violated the PM₁₀ NAAQS at least since 1999. *See table below.*

Salt Lake County, UT PM₁₀ Trends

Three-Year Period	Average Number of Annual Exceedances
1999-2001	2.1
2000-2002	2.1
2001-2003	2.6
2002-2004	1.4
2003-2005	1.7
2004-2006	1.1
2005-2007	2.2
2006-2008	2.8
2007-2009	2.4
2008-2010	2.2

This data shows that the most recent three-year average of the number of exceedances at monitoring site 490350003 is 2.2, 1.7 at 490350012, and 1.7 at 49033006, thereby continuing to violate the 24-hour PM₁₀ NAAQS. *See* table below. This data demonstrates that the Salt Lake County Moderate nonattainment area must be reclassified as Serious.

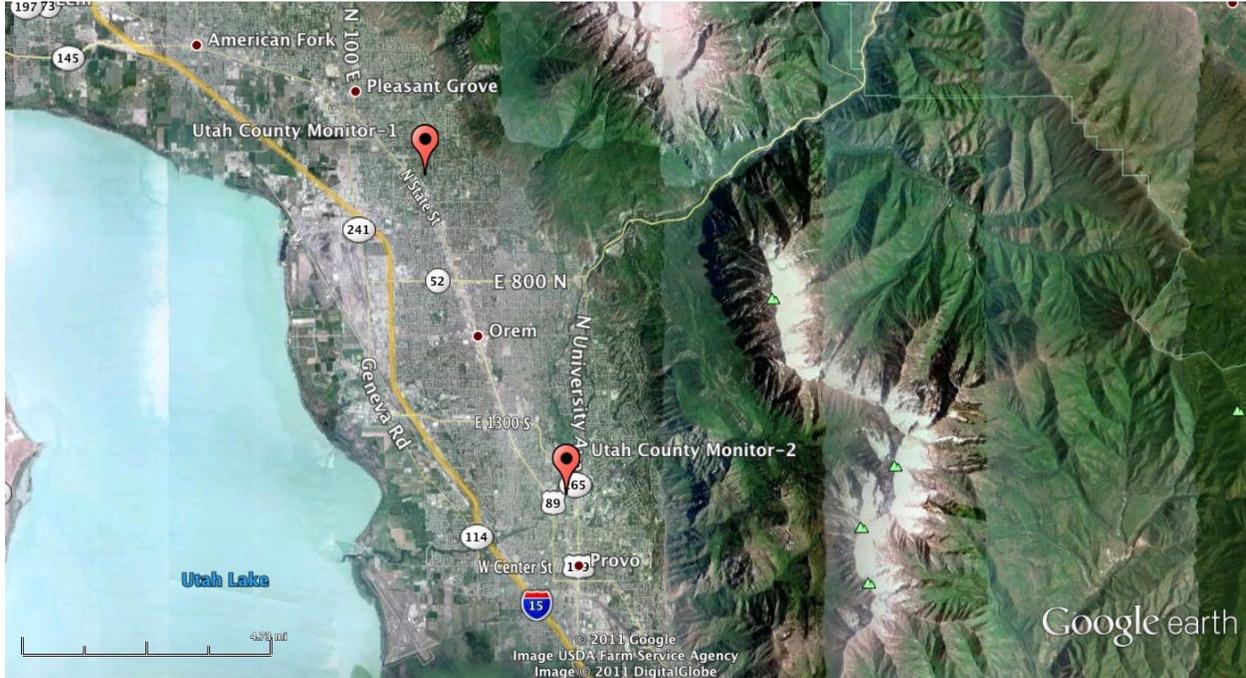
Salt Lake County, UT PM₁₀ Information, 2008-2010

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
UT	Salt Lake	Salt Lake	8	490353003	2.2	No
UT	Salt Lake	Salt Lake	8	490353006	1.7	No
UT	Salt Lake	Salt Lake	8	490353012	1.7	No

f. Utah County, Utah

The Utah County Moderate PM₁₀ nonattainment area was designated in 1990 and is currently still designated a Moderate nonattainment area. *See* 40 C.F.R. § 81.345 (2010). Although in June of 2001, the EPA found that Utah County had attained the PM₁₀ NAAQS, monitoring data indicates this nonattainment area has since then failed to attain the NAAQS and therefore should be reclassified as a Serious PM₁₀ nonattainment area. The location of the Utah County monitors, which are identified as 490490001 and 490490002, are shown in the map below.

Location of Utah County, Utah Monitors



The PM₁₀ violations in Utah County are not anomalous. In fact, this area has regularly violated the NAAQS over at least the last 10 years. Monitoring data shows that the nonattainment area has consistently violated the PM₁₀ NAAQS at least since 2006. *See table below.*

Utah County, UT PM₁₀ Trends

Three-Year Period	Average Number of Annual Exceedances
1999-2001	0.0
2000-2002	0.3
2001-2003	0.3
2002-2004	0.7
2003-2005	0.3
2004-2006	0.3
2005-2007	0.0
2006-2008	1.3
2007-2009	2.0
2008-2010	2.4

This data shows that the most recent three-year average of the number of exceedances at monitoring site 490490001 is 2.4 and 1.2 at 490490002, thereby continuing to violate the 24-hour PM₁₀ NAAQS. See table below. This data demonstrates that the Utah County Moderate nonattainment area must be reclassified as Serious.

Utah County, UT PM₁₀ Information, 2008-2010

State	County	CBSA	EPA Region	Monitor ID	2008-2010 Expected Number of Exceedances	Met NAAQS in 2008-2010?
UT	Utah	Provo	8	490490001	2.4	No
UT	Utah	Provo	8	490490002	1.2	No

3. Call for SIP Revisions

In addition to making the aforementioned redesignations and reclassifications, EPA must require States to revise their SIPs on the basis that they are substantially inadequate to attain and maintain the NAAQS. Section 110(k)(5) of the Clean Air Act explicitly states:

Whenever the Administrator finds that the applicable implementation plan for any area is substantially inadequate to attain or maintain the relevant national ambient air quality standard...the Administrator shall require the State to revise the plan as necessary to correct for such inadequacies.

42 U.S.C. § 7410(k)(5). In this case, monitoring data clearly shows that SIPs for Arizona, Colorado, Montana, Nevada, New Mexico, Oklahoma, Utah, and Wyoming are failing to attain and maintain the PM₁₀ NAAQS in accordance with Section 110 of the Clean Air Act. Data from 2008-2010 shows that the areas identified in this petition within these States are in violation of the PM₁₀ NAAQS. The table below lists those areas.

Areas Violating PM₁₀ NAAQS by State

State	Area
Arizona	Tucson; Nogales; Paul Spur/Douglas; Yuma
Colorado	Alamosa; Pagosa Springs; Parachute; Durango; Grand Junction; Lamar
Montana	Portion of Jefferson County
Nevada	Pahrump
New Mexico	Deming; Sunland Park; Chaparral; Las Cruces; Anthony
Oklahoma	Tulsa
Utah	Salt Lake County; Utah County
Wyoming	Portion of Sweetwater County

For many of these areas, violations of the PM₁₀ NAAQS have been ongoing. Nogales, AZ has violated every year since the three-year period 1999-2001. Paul Spur/Douglas, AZ has violated every year since the period 2006-2008, and also previously violated for the periods 2001-2003, 2002-2004, and 2003-2005. Yuma, AZ has violated every year since the period 2004-2006. Pagosa Springs, CO has violated every year since the period 2007-2009. Lamar, CO has violated every year since the period 2007-2009. Anthony, NM has violated every year since the period 2004-2006. Salt Lake County has violated every year since the period 1999-2001. Utah County has violated every year since the period 2006-2008. This data indicates ongoing problems with attaining the PM₁₀ NAAQS, clearly signaling substantial inadequacies with the underlying SIPs.

This data also indicates that in many cases, violations will certainly persist, further indicating the applicable SIPs are substantially inadequate to attain the NAAQS. Monitoring data shows that Alamosa, CO, Pagosa Springs, CO, Durango, CO, Pahrump, NV, Deming, NM, Sunland Park, NM, Chaparral, NM, Nogales, AZ, Yuma, AZ, and Anthony, NM will continue to violate, regardless of whether or not the areas exceed the NAAQS in 2011. In any case, it cannot

reasonably be concluded that SIPs for Arizona, Colorado, Montana, Nevada, New Mexico, Oklahoma, Utah, and Wyoming are adequate to ensure that the PM₁₀ NAAQS are attained and maintained, as required by the Clean Air Act.

Even if monitoring data for the areas identified in this petition ultimately shows attainment with the NAAQS, the EPA is obligated at the very least to find that the SIPs in question are failing to maintain the PM₁₀ NAAQS. The EPA has found in similar situations that where violations of the NAAQS have occurred in the recent past, it is appropriate to find that a SIP is substantially inadequate to maintain the NAAQS. For instance, the EPA recently found that the Iowa SIP was substantially inadequate to maintain the 2006 24-hour PM_{2.5} NAAQS, which limits concentrations to no more than 35 micrograms/cubic meter, on the basis that monitors in the Muscatine area showed past violations. *See* 76 Fed. Reg. 41424 (July 14, 2011).

The EPA stated:

The Muscatine area is currently designated as attainment of the 2006 24-hour PM_{2.5} standard, however, EPA finds that the SIP [is] substantially inadequate to maintain the 2006 24-hour NAAQS for PM_{2.5}, due to the monitor in the Muscatine area (Garfield School) recording data violating the standard (considering 2007-2009 monitoring data). In this instance, the CAA [Clean Air Act] requirements relating to nonattainment areas are not expressly applicable. Therefore, consistent with the general SIP requirements in section 110 of the CAA, and as discussed in the February 2, 2011, proposed SIP Call (76 FR 9706), EPA is requiring a SIP revision which includes adopted measures to achieve reductions necessary to attain and maintain the NAAQS, as well as contingency measures, as described below.

76 Fed. Reg. 41424, 41426 (July 24, 2011). Thus, although clearly the EPA is warranted in finding that the SIPs in question are substantially inadequate to attain the PM₁₀ NAAQS, at the least a finding that the SIPs are substantially inadequate to maintain the NAAQS is still warranted given the violations identified in this petition.

In calling for the revision of the aforementioned SIPs, we request the EPA at a minimum require States to meet the applicable requirements under Section 189 of the Clean Air Act, which

sets forth provisions and schedules for Moderate and Serious PM₁₀ nonattainment areas. *See* 42 U.S.C. § 7513a. We also request the EPA require States to meet other requirements as may be necessary to ensure attainment and maintenance of the PM₁₀ NAAQS.

Furthermore, we request the EPA require submission of a revised SIP by the States as expeditiously as practicable, but not later than one year, or 12 months, after making the finding of substantial inadequacy. Pursuant to Section 110(k)(5) of the Clean Air Act, after making such a finding, the EPA must require submission of revised SIPs within 18 months. In light of the real dangers to public health posed by excessive PM₁₀ air pollution, it is reasonable for the EPA to require submission within one year. This is further consistent with Section 189 of the Clean Air Act, which requires that SIPs for Moderate PM₁₀ nonattainment areas be submitted within 12 months and that SIPs for PM₁₀ nonattainment areas that are reclassified from Moderate to Serious be submitted within 18 months. A 12-month deadline ensures that air quality in Serious PM₁₀ nonattainment areas is expeditiously addressed and that air quality in Moderate PM₁₀ nonattainment areas is addressed consistent with the clean Air Act.

CONCLUSION

On the basis of air quality monitoring data, EPA must designate Tucson, Arizona; Alamosa, Colorado; Pagosa Springs, Colorado; Parachute, Colorado; Durango, Colorado; Grand Junction, Colorado; Lamar, Colorado; a portion of Jefferson County, Montana; Pahrump, Nevada; Deming, New Mexico; Sunland Park, New Mexico; Chaparral, New Mexico; Las Cruces, New Mexico; Tulsa, Oklahoma; and a portion of Sweetwater County, Wyoming as nonattainment for the PM₁₀ NAAQS. Furthermore, on the basis of air quality monitoring data, EPA must bump up to Serious the classification of the Nogales, Arizona; Paul Spur/Douglas,

Arizona; Yuma, Arizona; Anthony, New Mexico; Salt Lake County, Utah; and Utah County, Utah Moderate PM₁₀ nonattainment areas.

In addition to making the aforementioned area designations and/or classifications, EPA must also call for the revision of the Arizona, Colorado, Montana, New Mexico, Nevada, Oklahoma, and Wyoming SIPs. Section 110(k)(5) of the Clean Air Act states that, “Whenever the Administrator finds that the applicable implementation plan for any area is substantially inadequate to attain or maintain the relevant national ambient air quality standard...the Administrator shall require the State to revise the plan as necessary to correct for such inadequacies.” 42 U.S.C. § 7410(k)(5). Because of past, present, and in some cases ongoing violations of the PM₁₀ NAAQS, the Administrator must call for the revision SIPs as set forth in this petition.

Should the Administrator fail to respond by initiating the petitioned actions within 90 days, WildEarth Guardians will consider such delay unreasonable.

Dated this 26th day of October 2011.

Respectfully submitted,

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Exhibit 1

PM₁₀ Data from EPA, "Design Values," website available at
<http://www.epa.gov/airtrends/values.html>

State	County	CBSA	EPA Region	State FIPS	County FIPS	Site	Sample Duration ('7=collected and reported for 24-hr. 'X' = collected hourly, aggregated to 24 hr)	Sampling / analysis method(s) utilized	Primaries/monitor? ¹	2008-2010 expected number of exceedances (EE; a.k.a.exceedance based design value) ^{2,3,4}	Met NAAQS 2008-2010? ⁴	Test Ex Ex ⁴	Actual number of exceedances, 2008	Actual number of exceedances, 2009	Actual number of exceedances, 2010	Expected number of exceedances, 2008	Expected number of exceedances, 2009	Expected number of exceedances, 2010
AZ	Pima	Tucson, AZ	9	04	019	040191026	7	126	yes	2.0	no	2.0	1	0	0	6.1	0.0	0.0
CO	Alamosa		8	08	003	080030001	7	063,064	yes	1.9	no	1.9	0	1	4	0.0	1.3	4.3
CO	Alamosa		8	08	003	080030003	7	063,064	yes	2.4	no	2.4	2	1	3	2.2	1.1	4.0
CO	Archuleta		8	08	007	080070001	7	063	yes	3.6	no	3.6	0	4	5	0.0	4.2	6.5
CO	Garfield		8	08	045	080450005	7	063	yes	1.4	no	1.4	1	0	0	4.2	0.0	0.0
CO	La Plata	Durango, CO	8	08	067	080670004	7	063,064	yes	4.2	no	4.2	0	2	2	0.0	6.5	6.1
CO	Mesa	Grand Junction, CO	8	08	077	080770017	7	063,064	yes	1.2	no	1.2	0	0	1	0.0	0.0	3.5
CO	Prowers		8	08	099	080990001	7	063,064	yes	1.7	no	1.7	2	3	0	2.0	3.0	0.0
MT	Jefferson	Helena, MT	8	30	043	300430022	7	063	yes	5.7	no	1.9	1			5.7		
NV	Nye	Pahrump, NV	9	32	023	320230014	X	122	yes	3.2	no	3.2	2	5	0	3.0	6.6	0.0
NM	Luna	Deming, NM	6	35	029	350290003	X	079	yes	9.7	no	9.7	24	1	4	24.0	1.0	4.0
NM	Dona Ana	Las Cruces, NM	6	35	013	350130017	7	062	yes	2.0	no	2.0	0	0	1	0.0	0.0	6.1
NM	Dona Ana	Las Cruces, NM	6	35	013	350130017	X	079	yes	8.0	no	8.0	14	4	6	14.0	4.0	6.0
NM	Dona Ana	Las Cruces, NM	6	35	013	350130019	X	079	yes	6.1	no	6.1	12	2	4	12.1	2.0	4.2
NM	Dona Ana	Las Cruces, NM	6	35	013	350130020	X	079	yes	10.1	no	10.1	19	6	5	19.4	6.0	5.0
NM	Dona Ana	Las Cruces, NM	6	35	013	350130021	X	079	yes	5.0	no	5.0	11	0	4	11.0	0.0	4.0
NM	Dona Ana	Las Cruces, NM	6	35	013	350130024	X	079	yes	3.0	no	3.0	5	0	4	5.0	0.0	4.0
OK	Tulsa	Tulsa, OK	6	40	143	401430110	7	063,127	yes	2.0	no	2.0	1	0	0	6.1	0.0	0.0
OK	Tulsa	Tulsa, OK	6	40	143	401430110	7	063,127	yes	2.2	no	2.2	1	0	0	6.6	0.0	0.0
WY	Sweetwater	Rock Springs, WY	8	56	037	560370868	7	079,126	yes	1.2	no	1.2	0	1	0	0.0	3.6	0.0

1. In situations where there are two or more FRM/FEM PM₁₀ monitors operating at the same site location (i.e., "collocated" monitors ... the additional ones ostensibly for quality assurance, public AQI reporting, and/or instrument comparison purposes), each distinct monitor - method combination (i.e., each POC with a different sampling / analysis methodology code) is used for NAAQS comparisons (assuming all regulatory requirements were met). For this data release, the primary monitor was determined according to the primary monitor designation/indicator in the AQS "monitor_collocations" table. If no such designation was present at the time of the data extraction, then each monitor-method(s) with the lowest numbered POC was assumed to be the primary monitor(s). In this table, all data columns are filled in (where applicable) for both primary and non-primary monitors. However, only the primary monitors were used in the generation of Tables 1 and 2.

2. The PM₁₀ NAAQS is an exceedance-based standard with a 24-hour averaging time and 150 micrograms per cubic meter (µg/m³) level; the NAAQS level is not to be exceeded more than once per year on average over three years. If exceedances are detected at monitors that do not operate on a daily sampling schedule, the exceedance count may be inflated to what would be expected if the monitor were operating on a daily sampling schedule; exceptions are granted for a monitor's first exceedance occurrence if monitoring is subsequently increased to a daily schedule. The values shown in the 2008-2010 expected number of exceedances' column are the 3-year averages of the annual expected exceedance counts; values in this column greater than 1.0 (i.e., 1.1 and above) generally indicate a violation of the NAAQS. The computation procedures for calculating estimated expected exceedances follow 40 CFR Part 50, Appendix K (2006). The 3-year average exceedance counts are commonly called PM₁₀ exceedance-based design values.

3. The updated exceedance-based design values shown here are computed for the 2008-2010 period using federal reference or equivalent PM₁₀ data reported by the Tribes and the State and local governments to EPA's Air Quality System (AQS) as of July 15, 2011. Concentrations flagged by States and Tribes as exceptional events (e.g. high winds, wildfires, volcanic eruptions, construction) and concurred by the EPA Regional Office are not included in the calculation of these design values. No regulatory decisions on attainment status have been made for areas based upon this data. In some cases the data are still under review.

4. In some cases, a conclusion that a monitor has an expected number of exceedances greater than 1.0 and accordingly has not met the PM₁₀ NAAQS in 2008-2010 is based on data that did not meet the minimum 75 percent data capture requirement per quarter (for all 12 quarters). Expected exceedance values greater than 1.0 based on incomplete data are considered valid for regulatory usage per 40 CFR Part 50 Appendix K 2.3(c) if substitution of zeros for the incomplete (e.g., unmonitored) periods results in a 3-year exceedance "test" metric that still exceeds 1.0. This "test" design value is shown in the column labeled "Test ExEx". If the "Test ExEx" value is greater than 1.0 then the entry in the "Met NAAQS 2008-2010?" column will be "no". If the "Test EE" value is not greater than 1.0 then the entry in the "Met NAAQS 2008-2010?" column will be "incomplete".

<u>Designated Area</u>	<u>State</u>	<u>EPA Region</u>	<u>Designation Status</u> ¹	<u>Area Classification</u>	<u>Monitor ID(s)</u>	<u>Expected Number of Exceedances</u> ^{2,3,4,5,6,7}	<u>Met NAAQS 2008-2010?</u> ^{6,7}
Nogales	AZ	9	Nonattainment	Moderate	040230004	7.9	no
Paul Spur / Douglas	AZ	9	Nonattainment	Moderate	040030011	2.0	no
Yuma	AZ	9	Nonattainment	Moderate	040270004	5.3	no
Anthony	NM	6	Nonattainment	Moderate	350130016	8.9	no
Salt Lake	UT	8	Nonattainment	Moderate	490350003, 490350012, 490330006	2.2	no
Utah County	UT	8	Nonattainment	Moderate	490490002, 490494001	2.4	no

1. Area designation status as of 7/15/2011.

2. The level of the 1987 NAAQS for PM₁₀ is 150 micrograms per cubic meter (µg/m3). The design value for the PM₁₀ NAAQS is the 3-year average expected number of exceedances.

3. The design values shown here are computed for the latest design value period using Federal Reference Method or equivalent data reported by States, Tribes, and local agencies to EPA's Air Quality System (AQS) as of 7/15/2011. Concentrations flagged by States, Tribes, and local agencies as exception events (e.g., high winds, wildfires, volcanic eruptions, construction) and concurred by the associated EPA Regional Office are not included in the calculation of these design values.

4. In situations where there are two or more FRM/FEM PM₁₀ monitors operating at the same site location (i.e., "collocated" monitors), each distinct monitor - method combination (i.e., the "primary" monitor(s) ... each POC with a different sampling / analysis methodology code) is used for NAAQS comparisons (assuming all regulatory requirements were met). For this data release, the primary monitor was determined according to the primary monitor designation/indicator in the AQS "monitor_collocations" table. If no such designation was present at the time of the data extraction, then each monitor-method(s) with the lowest numbered POC was assumed to be the primary monitor(s). In this Table (and also in Tables 2 and 3), only the primary monitors were considered for selection.

5. Underlined values are based on incomplete data and are generally not valid for regulatory usage. Either there are no other sites in the area with complete data for this three-year period or a complete site(s) is located in the area but has an expected estimated exceedance value of zero and an incomplete monitor in the area registered the non-zero value shown.

6. In some cases, a conclusion that an area has an expected number of exceedances greater than 1.0 and accordingly has not met the PM10 NAAQS in 2008-2010 is based on monitor data that did not meet the minimum 75 percent data capture requirement per quarter (for all 12 quarters). Expected exceedance values greater than 1.0 based on incomplete data are considered valid for regulatory usage per 40 CFR Part 50 Appendix K 2.3(c) if substitution of zeros for the incomplete (e.g., unmonitored) periods results in a 3-year exceedance "test" metric that still exceeds 1.0. These cases are identified in the monitor listing table by an entry in the "Test ExEx" column. If the "Test ExEx" value is greater than 1.0 then the entry in the "Met NAAQS 2008-2010?" column on this table will be "no" and the "2008-2010 Expected Number of Exceedances" entry will not be underlined. If the "Test ExEx" value is not greater than 1.0 then the entry in the "Met NAAQS 2008-2010?" column will be "incomplete" and the "2008-2010 Expected Number of Exceedances" entry will be underlined.

7. Note that in some areas with "no data", monitoring has been discontinued, with approval from the EPA, because the affecting sources have been shut down. For example, in the Vermillion, IN the monitor for that area last reported data in 1998; there are no longer any significant sources (former coal mine) so the Region does not think it is necessary to monitor in this rural location.

