



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

ADD 3 0 2010

**OFFICE OF THE  
REGIONAL ADMINISTRATOR**

The Honorable Louis Manuel  
Ak-Chin Indian Community  
42507 W. Peters and Nall Road  
Maricopa, Arizona 85239

Dear Chairman Manuel:

The purpose of this letter is to explain the status of the designations for the coarse particle (PM<sub>10</sub>) and fine particle (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS), and to offer formal consultation with the Ak-Chin Indian Community on these issues prior to reaching our preliminary decisions. The consultation process will provide a forum for the U.S. Environmental Protection Agency (EPA) and Ak-Chin to confer on technical information and next steps.

Previously, EPA had designated Pinal County as “unclassifiable/attainment” for the 1987 PM<sub>10</sub> NAAQS and for the 1997 annual PM<sub>2.5</sub> NAAQS. We also deferred the initial air quality designation of Pinal County for the 2006 24-hour PM<sub>2.5</sub> NAAQS. Based on the 2006-2008 air quality monitoring data, Pinal County appears to be violating all three standards so EPA is in the process of gathering and evaluating information on the potential nonattainment boundaries for these standards.

On October 14, 2009, and December 30, 2009, EPA sent letters requesting the Ak-Chin Indian Community’s recommendations regarding the PM<sub>10</sub> and PM<sub>2.5</sub> designations for the Ak-Chin reservation. We understand that you may be sending recommendations in the near future and we look forward to receiving your input.

EPA Region 9 and EPA Headquarters have been working together to prepare a technical analysis of the particulate matter pollution issues within Pinal County and the affected tribal reservations. Our analysis indicates that the Ak-Chin Indian Community is impacted by the particulate sources that EPA believes are causing the air quality problems within Pinal County.

Given this technical information, EPA is considering designating the reservation as “nonattainment” for the 24-hour PM<sub>10</sub> and PM<sub>2.5</sub> standards. We would like the opportunity to explain our thinking to you and the tribal council before we take that step. We would also like to discuss the impacts that a designation of nonattainment may have on the Ak-Chin Indian Community.

We are requesting that formal consultation occur by June 24, 2010. We have received a notice of intent to sue from the Sierra Club to compel final action on the Pinal County PM<sub>2.5</sub> designation and would like to have the Tribe's input prior to any legal deadline that could result from litigation.

Please contact Colleen McKaughan, Associate Air Director, at (520) 498-0118 to schedule the consultation and to answer any questions that you may have. We look forward to productive discussions as we continue working with you and your staff to develop the PM<sub>10</sub> and PM<sub>2.5</sub> air quality standards designations.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Blumenfeld", written in a cursive style.

Jared Blumenfeld  
Regional Administrator

cc: Roman Orona, Environmental Director