



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

AUG 22 2017

The Honorable Brian Sandoval
Governor
State of Nevada
State Capital Building, 101 North Carson Street
Carson City, Nevada 89701

Dear Governor Sandoval:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's (EPA's) intended designations for Nevada for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The designations for this NAAQS are an important part of the EPA's commitment to a clean, healthy environment. These intended designations are a response to designations-related recommendations and information your state submitted in letters dated May 3, 2011, and January 4, 2017.¹

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 areas in Nevada were designated in these previous actions. Pursuant to a March 2, 2015, court-ordered schedule,² the agency must complete the remaining SO₂ 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 assessment of your state's recommended designations for all areas in Nevada. We are in general agreement with your recommendations.

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, 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.

Nevada has recommended a designation of unclassifiable for the area indicated below. EPA regulations for implementing the SO₂ NAAQS require Nevada to characterize SO₂ air quality in the listed area. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by Nevada or by a third party. Our review of this information indicates that it is consistent with a designation of unclassifiable/attainment.

¹ The Nevada Department of Environmental Protection also provided information relevant to these designations in letters and correspondence dated January 13, 2016, June 24, 2016, and June 20, 2017.

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

| Unclassifiable/Attainment Area | Included Counties |
|--------------------------------|-------------------------------------------------------------|
| Hydrographic Area 64 | Humboldt County (p), Elko County (p), and Lander County (p) |

(p) indicates portion of county

Enclosure 1 to this letter provides the information that supports the intended designation decision for this area in Nevada.³

Finally, we intend to designate as unclassifiable/attainment all remaining areas of Nevada that were not required to be characterized and for which the EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. A list of these remaining areas is included in the last section of the enclosure.⁴

The EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017. Upon the completion of this designation action, there will be no remaining areas in Nevada to be designated.

We share your goal to provide cleaner air for citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO₂ NAAQS. For additional information regarding designations under the SO₂ NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact Meredith Kurpius at (415) 947-4534 or kurpius.meredith@epa.gov.

Sincerely,



gs Alexis Strauss
Acting Regional Administrator

Enclosure

cc: Greg Lovato, Administrator, Nevada Division of Environmental Protection (NDEP)
Danilo Dragoni, Chief, Air Quality Planning Office, NDEP (by email)

³ Enclosure 1 is Chapter 26 of the Technical Support Document for the EPA's intended designations that addresses areas in Nevada. The Technical Support Document is also available at <https://www.epa.gov/sulfur-dioxide-designations>.

⁴ Our intended designated areas include all areas of Indian country located in each of the indicated areas.