



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

OFFICE OF THE REGIONAL
ADMINISTRATOR

August 12, 2020

The Honorable Jay Inslee
Governor of Washington
P.O. Box 40002
Olympia, Washington 98504-0002

Dear Governor Inslee:

The purpose of this letter is to notify you of the U.S. Environmental Protection Agency’s intended designations for the remaining undesignated areas in Washington for the 2010 1-hour sulfur dioxide (SO₂) primary national ambient air quality standard. In accordance with section 107(d)(1)(B)(ii) of the Clean Air Act, the EPA is providing you with 120-days’ notice before promulgating final designations for areas in Washington. The designations for this NAAQS are an important part of the EPA’s commitment to a clean, healthy environment.

In previous final actions, the EPA issued designations for the 2010 SO₂ NAAQS for most areas of the country.¹ To meet the requirements of a March 2, 2015, schedule ordered by the U.S. District Court for the Northern District of California, by December 31, 2020, the EPA will sign for publication in the *Federal Register*, a final notice promulgating designations for all remaining areas of the country.² We are referring to this final set of designations for the 2010 SO₂ NAAQS as “Round 4” designations. After the EPA completes these “Round 4” designations, there will be no remaining undesignated areas for the 2010 SO₂ NAAQS in the United States.

Washington submitted its first recommendation regarding designations for the 2010 1-hour SO₂ NAAQS on June 2, 2011, to designate the whole state as unclassifiable. Washington submitted a formal recommendation for “Round 4” designations on July 16, 2020, of attainment/unclassifiable for Douglas and Chelan Counties but did not update the unclassifiable recommendation for Whatcom County even though the County has a monitor that violates the SO₂ NAAQS.

After carefully considering Washington’s recommendations and all available information, particularly the most recent (2017-2019) air monitoring data, the EPA intends to designate the following areas in Washington as shown in the table below.

| Areas | Included Counties | EPA’s Intended Designation |
|------------------------|---------------------------------|----------------------------|
| Whatcom County | Whatcom County (p) | Nonattainment |
| Rest of Whatcom County | Whatcom County (p) | Attainment/Unclassifiable |
| Douglas/Chelan County | Douglas County Chelan County | Attainment/Unclassifiable |

(p) indicates portion of county

¹ Most areas of the U.S. were previously designated in actions published on August 5, 2013 (78 FR 47191), July 12, 2016 (81 FR 45039), December 13, 2016 (81 FR 89870), December 21, 2017 (83 FR 1098) and March 28, 2018 (83 FR 14597). The EPA is not reopening these previous designation actions in this current “Round 4” of designations under the 2010 SO₂ NAAQS, except where specifically discussed.

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

The enclosures to this letter provide the technical information that supports the EPA's intended designation decisions for these areas in Washington and a map of an intended nonattainment area in Whatcom County.³ Please note that the area listed as "Whatcom County" includes only the Alcoa Intalco facility and the area in close proximity to that facility in the western portion of the county, and the "Rest of Whatcom County" area includes the remainder of Whatcom County.

We invite Washington to review the available information and further discuss this issue with the EPA to inform appropriate final designations for the areas. The EPA is available to assist and hopes to resolve any differences regarding the appropriate designation for these areas within the 120-day period provided by the CAA.

The EPA will publish a notice in the *Federal Register* announcing a 30-day public comment period for the interested parties to provide feedback on the EPA's intended designations. States will have additional time beyond the public comment period to respond to public comments, if necessary, and/or provide additional information. If you or your staff have additional information that the EPA should review and consider prior to promulgating final designations, please submit it as soon as possible, but no later than October 16, 2020. You may submit additional information to the EPA's public docket for these designations, Docket #EPA-HQ-OAR-2020-0037, located at www.regulations.gov. Please also send an electronic copy to the EPA, Region 10 staff member whose contact information I have included below.

Thank you for Washington's efforts to provide cleaner air for the 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 SO₂ NAAQS. For additional information regarding designations under the 2010 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 John Chi, Air and Radiation Division, at chi.john@epa.gov or at (206) 553-1185.

Sincerely,

Chris Hladick
Regional Administrator

cc: Ms. Laura Watson, Director, Washington State Department of Ecology
Ms. Kathy Taylor, Program Manager, Office of Air Quality, Washington State Department of Ecology
Mr. Mark Buford, Executive Director, Northwest Clean Air Agency

³ Enclosure 1 includes *Chapter #1: Background and History* and *Chapter #2 Designations for Areas without Violating Monitors* of the Technical Support Document. Enclosure 2 includes Chapter 10 of the Technical Support Document that addresses areas in Washington. The Technical Support Document is also available at <https://www.epa.gov/sulfur-dioxide-designations>.