



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

FEB - 6 2013

The Honorable Andrew M. Cuomo
Governor of the State of New York
State Capitol
Albany, New York 12224

Dear Governor Cuomo:

Thank you for your recommendations of June 1, 2011 on air quality designations for the state of New York for the 2010 revision to the primary National Ambient Air Quality Standard for sulfur dioxide (SO₂). Reducing levels of sulfur dioxide pollution is an important part of the U. S. Environmental Protection Agency's commitment to a clean, healthy environment. Exposure to SO₂ can cause a range of adverse health effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms. This letter is to notify you of the EPA's preliminary intentions regarding your recommended designations.

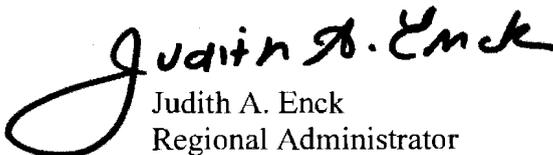
On June 3, 2010, the EPA strengthened the health-based or "primary" standard for SO₂ by establishing a standard for 1-hour average SO₂ concentrations at a level of 75 parts per billion. The Clean Air Act requires the EPA to complete the initial designations process within two years of promulgating a new or revised standard. If the Administrator has insufficient information to make these designations, the EPA has the authority to extend the designation process by up to one year. On July 27, 2012, the EPA announced that it had insufficient information to complete the designations for the 1-hour SO₂ standard within two years and extended the designations deadline to June 3, 2013.

At this time the EPA is proceeding with designating as nonattainment most areas in locations where existing monitoring data from 2009-2011 indicate violations of the 1-hour SO₂ standard. The EPA intends to address the designations for all other areas in separate future actions. With input from a diverse group of stakeholders, EPA has developed a comprehensive implementation strategy for these future actions that focuses resources on identifying and addressing unhealthy levels of SO₂. The strategy is available at: <http://www.epa.gov/airquality/sulfurdioxide/implement.html>. The EPA will continue to work closely with you and our other partners at the state, tribal and local levels to ensure health-protective, common sense implementation of the 1-hour SO₂ standard.

The EPA's review of the most recent monitored air quality data from 2009-2011 shows no violations of the 2010 SO₂ standard in any areas in New York. Consequently, the EPA is not yet prepared to propose designation action in New York and is therefore currently deferring action to designate areas in New York. The EPA expects to be able to proceed with designation action in New York once additional data are gathered pursuant to our comprehensive implementation strategy. In a separate future action or actions the EPA will notify you of our intended designations for these areas, and seek public comment on these actions, no later than 120 days prior to promulgating any final designations.

We look forward to a continued dialogue with you and your staff as we work together to implement the 2010 primary SO₂ standard. For additional information regarding initial designations on the SO₂ standard, please visit our website at www.epa.gov/so2designations. Should you have any questions, please do not hesitate to call me, or have your staff contact Richard Ruvo of my staff at 212-637-4014 or ruvo.richard@epa.gov.

Sincerely,


Judith A. Enck
Regional Administrator

cc: Joe Martens, Commissioner
New York State Department of Environmental Conservation

David Shaw, Director
Division of Air Resources
New York State Department of Environmental Conservation

Gina McCarthy, Assistant Administrator for Air and Radiation

Stephen D. Page, Director, Office of Air Quality Planning and Standards