



April 29, 2015

VIA CERTIFIED MAIL

Ms. Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Ariel Rios Bldg.
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Re: Urgent Request that the Administrator Reclassify the Los Angeles-South Coast Air Basin as a Serious PM2.5 Nonattainment Area

Dear Administrator McCarthy,

This letter is submitted on behalf of Center for Biological Diversity, Center for Community Action and Environmental Justice, Physicians for Social Responsibility – Los Angeles, Communities for a Better Environment, and Sierra Club, to request that, pursuant to section 188(b) of the Clean Air Act, EPA reclassify the Los Angeles-South Coast Air Basin as a “Serious Area” for the 2006 PM2.5 national ambient air quality standard (NAAQS) because the South Coast cannot practicably attain the standard by the applicable attainment date.

According to EPA, exposure to PM2.5 has been linked to premature death, heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. *See* 78 Fed. Reg. 3,086, 3,086 (Jan. 15, 2013). Many of these impacts are suffered most acutely by our most vulnerable, including people with heart or lung disease, children, and the elderly. *Id.* at 3,104.

In 2006, EPA revised the NAAQS for particulate matter, setting a 35 $\mu\text{g}/\text{m}^3$ 24-hour standard for PM2.5. 71 Fed. Reg. 61144 (Oct. 17, 2006); 40 C.F.R. § 50.13. Effective December 14, 2009, EPA designated Los Angeles-South Coast Air Basin, CA as a nonattainment area for this standard. 74 Fed. Reg. 58,688 (Nov. 13, 2009); 40 C.F.R. § 81.305.

Section 188(c)(1) of the Act requires that areas designated as nonattainment for particulate matter come into attainment with EPA’s standards within six years of a nonattainment designation. 42 U.S.C. § 7513(c)(1). Thus, the Los Angeles-South Coast Air Basin is required to come into attainment with EPA’s 2006 PM2.5 standards by December 31, 2015. *Id.*

Section 188(b)(1) provides that “the Administrator may reclassify as a Serious [PM2.5] nonattainment area . . . any area that the Administrator determines cannot practicably attain the national ambient air quality standard for [PM2.5] by the attainment date[.]”

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Attainment of the PM2.5 standard is based on a design value equal to the 3-year average of the annual 98th percentile concentration. 40 C.F.R. Part 50, Appendix N. The South Coast Air Quality Management District has indicated that the Los Angeles-South Coast Air Basin did not meet the 35 $\mu\text{g}/\text{m}^3$ standard in 2012, 2013, and did not likely meet the standard in 2014. *See* Draft Supplement to 24-hour PM2.5 State Implementation Plan for South Coast Air Basin 4 (January 2015), *available at* <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2015/2015-feb6-022.pdf?sfvrsn=2>. In order to demonstrate attainment, the 98th percentile of the 2015 24-hour PM2.5 readings in the South Coast, and specifically at the monitoring site at Mira Loma Van Buren, the area with the highest readings, must therefore be significantly below the 35 $\mu\text{g}/\text{m}^3$ standard in order to compensate for the high exceedances in 2013 and 2014.

Unfortunately for the health of Los Angeles-South Coast Air Basin residents, almost five months into 2015 the South Coast has already exceeded the 35 $\mu\text{g}/\text{m}^3$ standard, frequently exceeding the air pollution levels in Shanghai, China. According to California Air Resources Board data, as of April 29, 2015, Mira Loma Van Buren exceeded the 35 $\mu\text{g}/\text{m}^3$ standard on 17 days. This means that the 98th percentile of the 2015 24-hour PM2.5 readings is at least 46 $\mu\text{g}/\text{m}^3$, and there is no possibility that the Los Angeles-South Coast Air Basin will meet the 2006 PM2.5 standards by the applicable attainment date. *See* California Environmental Protection Agency, Air Resources Board, 2015 PM2.5 Daily Average Data for Mira Loma Van Buren, *available at* <http://www.arb.ca.gov/aqmis2/display.php?param=PM25HR&units=001&year=2015&report=SITE1YR&statistic=DAVG&site=3702&monitor=-&ptype=aqd>.

Despite the fact that the air quality of the Los Angeles-South Coast Air Basin shows no signs of actually being below the 2006 PM2.5 standard, the South Coast Air Quality Management District and California Air Resources Board recently voted to approve an air plan that proposes no new measures to clean up this dangerous fine particle pollution. *See* <http://www.aqmd.gov/home/library/meeting-agendas-minutes> and <http://www.arb.ca.gov/board/books/2015/021915/prores152.pdf>. The plan clearly has failed to do its job, and the longer EPA waits to require a new and realistic plan, the more residents will suffer. We respectfully request that the EPA Administrator step in and designate the Basin as a serious nonattainment area for PM2.5, so that more stringent measures can be put into place to protect the residents of the Los Angeles-South Coast Air Basin from harmful fine particle pollution.

Sincerely,



Elizabeth Forsyth
Adrian Martinez
Earthjustice

cc: Jared Blumenfeld, Regional Administrator, EPA Region 9