

United States Senate  
WASHINGTON, DC 20510

October 5, 2021

The Honorable Michael S. Regan  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20004

Dear Administrator Regan,

We are writing to inquire about the proposed action of the Environmental Protection Agency (EPA) to rescind the Clean Data Determination for Yuma, Arizona.

Over the past 30 years, the Yuma area has taken steps to reduce Particulate Matter (PM) 10 emissions. Agriculture Best Management Practices have been developed, distributed, and widely adopted by Yuma-area growers because the agriculture industry is essential to the economic vitality of the community. Agriculture is the largest industry in Yuma, providing a \$3.2 billion economic impact to the Arizona economy, and accounting for nearly 25 percent of the jobs in Yuma.

According to the National Ambient Air Quality Standards for Particulate Matter, “an exceptional event is an uncontrollable event caused by natural sources of particulate matter or an event that is not expected to recur at a given location. Inclusion of such a value in the computation of exceedances or averages could result in inappropriate estimates of their respective expected annual values. To reduce the effect of unusual events, more than 3 years of representative data may be used.” An example of an exceptional event is a “Haboob,” an intense sandstorm or dust storm caused by strong winds, where sand and dust are often lofted as high as 5,000 feet. These types of storms are commonplace in Yuma.

The exceptional events exception is meant to help control data between different areas that may vary drastically in climate and weather, and to determine the impact of factors outside of the population’s control.

Upon review of the information submitted by the Arizona Department of Environmental Quality (ADEQ), Yuma’s exceedance of the 24-hour national ambient air quality standard (NAAQS) occurred during high wind events. Other than high wind events, the Yuma Area would not have exceeded PM10 thresholds.

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Therefore, we respectfully request ask that the EPA review the monitor data from 2018-2020 and determine if any of these high wind events would qualify to develop an Exceptional Events Rule (EER) exemption. Without a Yuma EER for high wind events, the area will continue to exceed the standard due to issues beyond their control. This exemption will also give more accurate data for future consideration. Finally, I ask that you share your findings with the appropriate offices in the State of Arizona, including the Arizona Department of Environmental Quality and the Governor of Arizona.

In accordance with all existing agency rules, regulations, and ethical guidelines, we respectfully ask that you give this proposal full and fair consideration. Thank you for your consideration.

Sincerely,



Kyrsten Sinema

U.S. Senator



Mark Kelly

U.S. Senator