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Congress of the United States
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SUBCOMMITTEE ON TECHNOLOGY AND INNOVATION

October 1, 2010

Gina McCarthy
Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
Mail code: 6101A
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Assistant Administrator McCarthy:

I write to notify you that I will be convening a meeting next week to discuss the Environmental Protection Agency's (EPA) proposed rule on the PM-10 Nonattainment Area Plan for Maricopa County Arizona, and formally request that you attend this meeting. Representatives from the Maricopa Association of Governments (MAG), mayors from the region, officials from the Arizona Department of Transportation (ADOT) and the Arizona Department of Environmental Quality (ADEQ) will also be invited to attend and participate.

As you know, the EPA's proposed rule, the Approval and Promulgation of the Implementation Plans – Maricopa County (Phoenix) PM-10 Nonattainment Area; Serious Area Plan for Attainment of the 24-Hour PM-10 Standard; Clean Air Act Section 189(d) was published in the Federal Register on September 9, 2010.

However, interested parties only have until October 12, 2010 to submit any comments regarding this proposed ruling. Given the severe ramifications that this proposed ruling would have on Arizona should this ruling take effect, I believe that it is critical that state, county, and local stakeholders be given the opportunity to discuss this proposed ruling in-person, in a frank and candid manner before the comment period closes and the EPA works to finalize its ruling.

As a member of the House Committee on Transportation and Infrastructure and as a former mayor of Tempe, Arizona, I am deeply concerned about the impact the EPA's proposed ruling would have on our state.

According to the proposed ruling, should the EPA take final action disapproving Maricopa County's plan, a "conformity freeze" would take effect, under which new

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transportation projects would be halted in the Phoenix area. According to the Maricopa Association of Governments (MAG), this freeze would have serious consequences including blocking several projects from moving forward. In my Congressional district alone, this freeze would impact two critical projects: the construction of a streetcar in Tempe and the expansion of Light Rail in Mesa.

In addition to disputing the basis of the proposed ruling, I fail to comprehend how delaying vitally important transit projects, which could reduce the Valley's dependence on automobiles, would serve the EPA's goals. If anything, I would think the EPA would want to see these projects accelerated.

I strongly urge you to attend this meeting to discuss this critical issue and hear from stakeholders throughout Maricopa County. This meeting will occur on either Thursday, October 7 at 1:00 pm Arizona Time or Friday, October 8 at 10:00 am Arizona Time. Please contact my District Director, Robbie Sherwood, at (480) 946-2411 to discuss this request.

Thank you for your consideration.

Sincerely,

Harry E. Mitchell

Harry E. Mitchell
Member of Congress

Cc: Deputy Assistant Administrator Janet McCabe