

REFERENCE TITLE: EPA; regional offices; move

State of Arizona  
House of Representatives  
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## **HCM 2008**

Introduced by  
Representative Willoughby

### A CONCURRENT MEMORIAL

URGING THE PRESIDENT OF THE UNITED STATES AND THE DIRECTOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO MOVE ARIZONA FROM ONE EPA REGION TO ANOTHER OR TO MOVE THE REGIONAL OFFICE TO ARIZONA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the President of the United States of America and the Director of the  
2 United States Environmental Protection Agency:  
3 Your memorialist respectfully represents:  
4 Whereas, the United States Environmental Protection Agency (EPA),  
5 the mission of which is to protect human health and the environment, has  
6 ten regional offices; and  
7 Whereas, each regional office is responsible for the execution of  
8 EPA's programs within several states and territories; and  
9 Whereas, regional offices allow the EPA to address health and  
10 environmental concerns in a specific area of the country across a set of  
11 commonalities in that area, including environmental, economic, cultural  
12 and other conditions in common; and  
13 Whereas, Region 9 includes Arizona, California, Hawaii, Nevada, the  
14 Pacific Islands and 148 tribal nations, the regional office for which is  
15 in San Francisco; and  
16 Whereas, the Maricopa Association of Governments (MAG) and other  
17 public and private stakeholders in the Phoenix-Mesa nonattainment area in  
18 this state have experienced challenges in dealing with EPA administrators  
19 who are based out of the EPA Region 9 office in San Francisco; and  
20 Whereas, these challenges have included the EPA failing to recognize  
21 legitimate natural background sources of ozone precursors, such as from  
22 native species indigenous to the Southwest, and international transport of  
23 ozone and ozone precursors from other countries and states, including  
24 California, Mexico and China, which cannot reasonably be controlled and in  
25 the case of native plant species, including shade trees, should not be  
26 controlled; and  
27 Whereas, public and private stakeholders in Arizona have worked  
28 diligently over the past two decades to implement over 90 ozone control  
29 measures in this region, including robust regional multimodal  
30 transportation investments and expanded transit options, yet the  
31 stakeholders have continued to face increased scrutiny and unrealistic  
32 expectations from the EPA; and  
33 Whereas, modeling conducted by MAG has found that, even if this  
34 state were to remove all four million on-road vehicle engines in the  
35 Greater Phoenix Metropolitan area, this drastic, costly and unrealistic  
36 measure would not bring the Phoenix-Mesa nonattainment area into  
37 compliance with the 2015 ozone standard under the current design value;  
38 and  
39 Whereas, leadership at the EPA Region 9 office has not acted on the  
40 revised Maricopa County Air Pollution Control Regulations II – Rules 204  
41 and 205, which allow parties in the Phoenix-Mesa nonattainment area to  
42 earn nontraditional emission reduction credits for implementing reasonable  
43 emission precursor control measures on nontraditional sources and mobile  
44 sources, such light and heavy duty vehicles, which are the primary source  
45 of ozone emission precursors in some nonattainment areas; and

1           Whereas, the EPA Region 9 office is failing to meet the needs of and  
2 adequately recognize the circumstances in Arizona. Region 8, which  
3 includes Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and  
4 28 tribal nations, is a better fit for the concerns of Arizona.  
5 Wherefore your memorialist, the House of Representatives of the State of  
6 Arizona, the Senate concurring, prays:  
7           1. That the President of the United States and the Director of the  
8 United States Environmental Protection Agency do one of the following:  
9           (a) Move Arizona from EPA Region 9 to EPA Region 8.  
10           (b) Move the EPA Region 9 office from California to Arizona.  
11           2. That the Secretary of State of the State of Arizona transmit  
12 copies of this Memorial to the President of the United States and the  
13 Director of the United States Environmental Protection Agency.