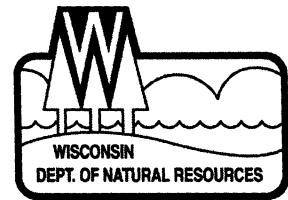


US EPA ARCHIVE DOCUMENT

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



February 29, 2012

Susan Hedman
U.S. Environmental Protection Agency (EPA) - Region 5
77 West Jackson Boulevard
Mail Code: R-19J
Chicago IL 60604

Subject: Re: Wisconsin's 120-Day Letter for Ozone Designations

Dear Regional Administrator Hedman:

Thank you for the opportunity to provide comments on the U.S. EPA's recently proposed air quality designations for the 2008 ozone National Ambient Air Quality Standards (NAAQS). These comments are in response to your letter dated December 9, 2011 to Governor Scott Walker. We anticipate providing additional comments in regard to Kenosha County in response to your letter dated January 31, 2012 within the required 120-day time period.

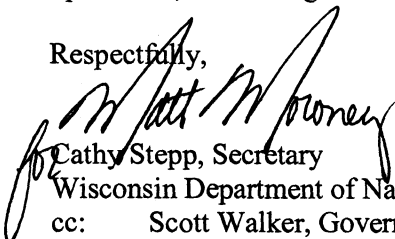
First, we agree with the "unclassifiable / attainment" designation for seventy of Wisconsin's seventy-two counties. Significant progress has been made in reducing ozone concentrations throughout Wisconsin and this designation acknowledges that achievement. Average statewide ozone design values have decreased from 77 parts per billion (ppb) to 66 ppb just over the last five years. Recognizing our improving air quality is important given the associated public health benefits and economic burdens associated with nonattainment designations.

Second, in regards to Sheboygan County, we recognize that the U.S. EPA proposed a "nonattainment" designation given their recorded design value of 78 ppb from 2008 – 2010. We appreciate that the U.S. EPA recognized in their technical support document that Sheboygan County and the adjacent counties all have "relatively low emissions" and furthermore, that "the low emission levels in the area indicate that longer range transport is the significant contributor to violations in the Sheboygan, WI area." Given the acknowledged low emissions in the area, imposing nonattainment status, along with its corresponding negative impacts on business and economic development, highlights a fundamental flaw in the regulatory structure contained in the Clean Air Act.

Finally, we ask the U.S. EPA to finalize all necessary ozone implementation guidance as soon as practicable. In addition, in accordance with the proposed implementation guidance, we request Sheboygan County be designated as a marginal nonattainment area since it only exceeded the standard by 3 ppb.

Thank you for consideration of these comments. If you have any questions please feel free to contact Bart Sponseller, Air Management Bureau Director, at (608) 264 – 8537 or Bart.Sponseller@wisconsin.gov.

Respectfully,


Cathy Stepp, Secretary
Wisconsin Department of Natural Resources

cc: Scott Walker, Governor, State of Wisconsin

Matt Moroney, Deputy Secretary, WDNR – AD / 8

Patrick Stevens, Air and Waste Division Administrator, WDNR – AD / 8

Bart Sponseller, Air Management Bureau Director, WDNR – AM / 7

Joseph Hoch, Regional Pollutant and Mobile Source Section Chief – AM / 7