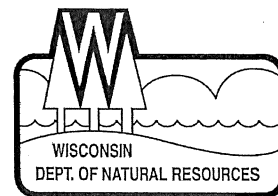


US EPA ARCHIVE DOCUMENT

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April 17, 2012

Susan Hedman
U.S. Environmental Protection Agency (EPA) - Region 5
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RECEIVED

APR 20 2012

U.S. EPA REGION 5
OFFICE OF REGIONAL ADMINISTRATION

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 a letter we received from the U.S. EPA on January 31, 2012.

National Consistency

Wisconsin recognizes that Illinois submitted 2011 certified ozone data to the U.S. EPA early and based on 2009 – 2011, the Chicago-Naperville-Michigan City, IL-IN-WI Combined Statistical Area (CSA) violated the ozone NAAQS based on a monitor located in Lake County, IL. Illinois made this decision in order to receive additional Federal Highway Administration (FHWA) Congestion Mitigation and Air Quality Improvement (CMAQ) funds, of which Kenosha County and the remainder of Wisconsin will receive no additional funds. From a simple standpoint of national consistency, the U.S. EPA should not allow individual CSA's to select the 3-year period that suits their individual situation best, as did the State of Illinois. The U.S. EPA should maintain its position of using the default data period for ozone designations (2008 – 2010). Kenosha County met the ozone NAAQS with a design value of 74 parts per billion (ppb) during that period; therefore, **Kenosha County should be designated as "unclassifiable / attainment."** Additional support for this position is provided below.

Emissions

Per analysis presented in the U.S. EPA's own technical support document (TSD) from January 2012, Kenosha County only contributed 1.72 percent and 1.89 percent of the total nitrogen oxide (NO_x) and volatile organic compound (VOC) emissions, respectively, in the Chicago CSA in 2008. Moreover, it is likely that Kenosha County's contribution has decreased further since emissions have continued to decline. The following was also noted in the TSD from the U.S. EPA:

"Kenosha County presents a more unique situation for this designation analysis. The VOC and NO_x emissions in Kenosha County are relatively low and similar to those for counties recommended for exclusion from the intended ozone nonattainment area. In addition, it is noted that Illinois' and Wisconsin's wind direction analyses for high ozone days indicate that Kenosha County emissions are probably downwind of the violating Zion, Illinois monitor on high ozone days. These conclusions would support the exclusion of Kenosha County (emphasis added) from the intended ozone nonattainment area."

Kenosha County should not be designated nonattainment for monitoring another state's air quality over which the State of Wisconsin has no control or authority. In addition, the U.S. EPA entirely ignores the fact that emissions from Kenosha County likely contribute extremely little to the violating monitor in Lake County, IL on high ozone days.

Population

The U.S. EPA's January 2012 TSD also recognizes that Kenosha County comprises only 1.7% of the total population of the Chicago CSA and that the county has a "moderately low 2010 population compared to those of higher populated counties in the [Chicago CSA]." When Kenosha County's moderate population density is coupled with its low total population, it strongly indicates that population-related emissions are not likely to significantly contribute to the violating ozone monitor in Lake County, IL or the ozone monitor in Kenosha County, WI.

Traffic and Commuting Patterns

Traffic and commuting patterns information in the U.S. EPA's TSD further support the fact that Kenosha County should be designated attainment as the vehicle miles traveled (VMT) for Kenosha County is only 1.9% of the total VMT for the entire Chicago CSA.

Deleterious Economic Impacts

Designation of Kenosha County as nonattainment would place undue economic burden through regulatory requirements, as existing sources have expended significant amounts of money to reduce their emissions over the past decade. In addition, there is a known, negative stigma for economic development associated with a nonattainment designation. Nonattainment would place the future of economic development in Kenosha County at risk. Why place the future of Kenosha County economic development at risk when it is clear that the primary culpability for ozone pollution in Kenosha County rests with the Chicago area?

Based on the factors discussed and analysis from the U.S. EPA, Kenosha County should be designated as unclassifiable / attainment for the 2008 ozone NAAQS.

The Chiwaukee Ozone Monitor

The Department does not believe the Chiwaukee ozone monitor (55-059-0019) located in Kenosha County near the city of Pleasant Prairie should be used for regulatory compliance for Kenosha County. This reiterates a position taken by the Department in a letter sent to Ms. Cheryl Newton on January 18, 2011. A U.S. EPA monitoring guidance document states that "for regulatory compliance, the principle objective is to measure the ozone concentrations in the high population density areas and the maximum downwind concentration from the urban region." The current Chiwaukee ozone monitor is not located in a high population density area of the county and is not downwind of any emission sources located within Kenosha County. Furthermore, as noted above, the U.S. EPA information indicates that less than 2% of NO_x and VOC ozone precursor emissions in the Chicago CSA come from Kenosha County.

Relocating the Chiwaukee ozone monitor would have little to no impact on the measurement of regional ozone concentrations, namely from the Chicago-Naperville-Michigan City CSA. The ozone concentrations measured at the Chiwaukee ozone monitor are redundant compared to those measured at the State of Illinois' Zion ozone monitor (17-097-1007) located at Illinois Beach State Park. The ozone monitoring sites are separated by a distance of only 2.5 miles. The redundancy finding is supported by a recent 5-year network assessment by Region 5 states under leadership from the Lake Michigan Air Directors Consortium (LADCO). As part of this network assessment, LADCO used correlation analyses conducted by the U.S. EPA. From 2006 through 2008, these two ozone monitoring sites had a correlation coefficient (r-value) of 0.97 and an average relative percent difference of only 0.070. Recent ozone monitoring data indicates a much higher degree of correlation between the sites than that indicated in the U.S. EPA's TSD, which considers data prior to significant NO_x control measures

in the region. The degree of correlation is the second highest for any other Illinois ozone monitoring site and the highest for any other Wisconsin ozone monitoring site.

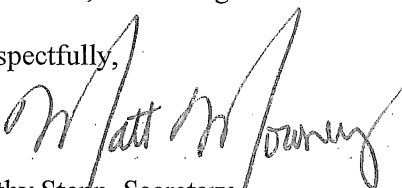
The U.S. EPA should provide Wisconsin express permission to relocate the Chiwaukee ozone monitor to an area of the county that more accurately measures ozone that is due, at least in part, to precursor emissions emitted in Kenosha County.

In the event that the U.S. EPA will not allow relocation of the Chiwaukee ozone monitor, data collected from that monitor should be used to determine compliance with the ozone NAAQS for only Illinois counties in the Chicago CSA, and not Wisconsin counties. This is consistent with the original rationale for placing the monitor in Chiwaukee.

In any event, during 2012, Wisconsin intends to identify an appropriate location in Kenosha County for an ozone monitor that will measure ozone concentrations more representative of general population exposure. Wisconsin will note this in its 2013 Monitoring Network Plan. Wisconsin intends to have the ozone monitor fully operational by the beginning of the 2013 ozone monitoring season.

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,



for Cathy Stepp, Secretary
Wisconsin Department of Natural Resources

cc: Patrick Stevens, Air and Waste Division Administrator – AD / 8
Bart Sponseller, Air Management Bureau Director – AM/7
Joseph Hoch, Regional Pollutant and Mobile Source Section Chief – AM / 7