



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 16 2016

REPLY TO THE ATTENTION OF:

The Honorable Scott Walker
Governor of Wisconsin
115 East Capitol
Madison, Wisconsin 53702

Dear Governor Walker:

Thank you for your recommendations dated September 16, 2015 on air quality designations for the State of Wisconsin for the 2010 revision to the primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). Reducing levels of SO₂ pollution is an important part of the U.S. Environmental Protection Agency's commitment to a clean, healthy environment. Exposure to SO₂ can cause a range of adverse health effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms. This letter is to notify you of EPA's preliminary intentions regarding your recommended designations.

On June 3, 2010, EPA strengthened the health-based or "primary" standard for SO₂ by establishing a standard for 1-hour average SO₂ concentrations at a level of 75 parts per billion. Within one year after a new or revised standard is established, the Clean Air Act requires the Governor of each state to submit to EPA a list of all areas in the state, with recommendations for whether each area meets the standard. Through an interactive process, EPA considers the recommendations and then promulgates designations for all areas across the country. On July 25, 2013, EPA designated 29 areas in 16 states as nonattainment based on monitored violations, but did not at that time designate other areas. Pursuant to a March 2, 2015, court-ordered schedule,¹ EPA must complete the remaining SO₂ designations by three specific deadlines: July 2, 2016, December 31, 2017, and December 31, 2020.

This current round of designations, to be completed by July 2, 2016, addresses two groups of areas: (1) areas that have newly monitored violations of the 2010 SO₂ NAAQS based on the most recent three calendar years of certified monitored ambient air quality data, and (2) areas that contain any stationary source that had not been announced as of March 2, 2015, for retirement and that according to EPA's Air Markets Database emitted in 2012 either (i) more than 16,000 tons of SO₂ or (ii) more than 2,600 tons of SO₂ with an annual average emission rate of at least 0.45 pounds of SO₂/MMBTU.

¹ *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

After carefully considering Wisconsin's recommendations and other available technical information, EPA intends to designate as unclassifiable/attainment the following area, including the following county:

Intended Unclassifiable/Attainment Area

Columbia County

Intended Unclassifiable/Attainment Area Counties

Columbia County

Because the March 2, 2015 consent decree directs EPA to evaluate data collected for the most recent 3 years, EPA initially identified Brown County as an area that would potentially be subject to an obligation for us to designate by July 2, 2016. Ambient air quality data for Brown County collected between 2012 and 2014 indicated a violation of the 2010 SO₂ NAAQS. However, your staff promptly evaluated Brown County's 2015 data and certified it as accurate on January 29, 2016. As a result, complete, quality assured, and certified data for 2013 to 2015 for Brown County, Wisconsin indicate compliance with the 2010 SO₂ NAAQS. Therefore, EPA intends to designate this area at a later date, by either December 31, 2017, or December 31, 2020.

The enclosed Technical Support Document provides a detailed analysis that supports our intended designation decisions. If your state has additional information that EPA should consider prior to finalizing these designations, please submit it to us by April 19, 2016. We also will be publishing a notice in the *Federal Register* announcing a 30-day period for the public to provide input on EPA's intended designation decisions. We will promulgate the designations for these areas by July 2, 2016. We will designate all other previously undesignated areas in the state on a schedule consistent with the prescribed timing of the court order, i.e., by December 31, 2017, or December 31, 2020.

We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO₂ standard. For additional information regarding designations under the SO₂ standard, please visit our website at www.epa.gov/so2designations. Should you have any questions, please do not hesitate to call me, or have your staff contact me at 312-886-3000, or George Czerniak, Director, Air and Radiation Division, at 312-353-2212 or czerniak.george@epa.gov.

Sincerely,



Robert A. Kaplan
Acting Regional Administrator

Enclosure

cc: Cathy Stepp, Secretary
Wisconsin Department of Natural Resources

Gail Good, Director
Bureau of Air Management
Wisconsin Department of Natural Resources