



JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

December 18, 2007

Mary Gade
Regional Administrator, R-19J
US EPA, Region 5
77 West Jackson Boulevard
Chicago, IL 60604

Subject: Designation of PM 2.5 Nonattainment Areas in Wisconsin

Dear Administrator Gade:

I am sending this letter in compliance with section 107(d)(1)(A) of the federal Clean Air Act, which requires the Governor of each state to submit a recommendation as to nonattainment designations within one year from the date of promulgation of new federal standards.

I recognize that the fine-particle (PM 2.5) standard is a key component to protecting the public health both in Wisconsin and throughout the country. In Wisconsin we have taken this seriously and have promulgated a set of new regulations (described below) designed specifically to protect the citizens of Wisconsin. Therefore, I am hereby recommending that all counties in Wisconsin be designated as attainment for the PM 2.5 standards. This recommendation is based on the scientific analysis made by the Wisconsin Department of Natural Resources (DNR).

All but three of our counties presently attain the standards and according to a September, 2006 analysis by EPA*, all of Wisconsin will be attaining both the federal annual and 24-hour PM 2.5 standards by 2015. The analysis demonstrates that Wisconsin will be attaining the standards for PM 2.5 in 2015 without implementing any additional control programs beyond those already on the books. It is for this reason that I am recommending that all counties in Wisconsin be designated as attainment for the PM 2.5 standards.

In addition to the above EPA conclusion, please be aware that in 2007, Wisconsin promulgated two additional rules that will significantly improve air quality, including PM 2.5:

- The Clean Air Interstate Rule (CAIR) and the Reasonable Available Control Technology; and
- NO_x Reasonable Available Control Technology rule (NO_x RACT).

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As you know, NO_x emissions are a key contributor to elevated PM 2.5 levels. Due to this connection Wisconsin focused the above rules on reducing NO_x emissions. In total, these rules are estimated to reduce NO_x emissions in Wisconsin by more than 15,000 tons annually or more than 60% from 2003 levels. These critical rules build on Wisconsin's existing regulations and control programs for sulfur dioxide and nitrous oxide emissions from industry and utilities, as well as, the state's mobile source emission control programs for reformulated gasoline and vehicle inspection maintenance.

Per the attached analysis, EPA and LADCO have concluded that Wisconsin's current on the books regulations will result in compliance with the standard. Furthermore, the State has also promulgated additional significant regulations as part of the CAIR and NO_x RACT rules. Therefore, the Wisconsin DNR is recommending against development of a State Implementation Plan and subjecting Wisconsin utilities, businesses, and citizens to additional regulatory requirements associated with PM 2.5 nonattainment designations at this time.

Lastly, the Wisconsin DNR has identified a discrepancy in PM 2.5 monitoring data at Mayville in Dodge County. In 2004 and 2005, the Wisconsin DNR performed daily sampling at the Mayville site, when only one sample every third day was required. In addition to being a key monitor for the EPA required PM 2.5 program in Wisconsin, the Wisconsin DNR uses Mayville as a research site and the daily sampling was conducted to examine the covariance between ozone and fine-particles as well as to meet other research objectives. However, federal regulations require sites that sample more than once every three days, to calculate the design value in a manner that prohibits biasing the value by over-sampling. EPA should consider the annual sampling at Mayville to be part of the standard operation at this research site. Using this more reasonable approach, one calculates a design value for Mayville to be 33 $\mu\text{g}/\text{m}^3$, which is less than the 24-hour PM2.5 standard.

Please contact Kevin Kessler, Director of the Bureau of Air Management in the Wisconsin DNR, if you have any questions related to my recommendations. Thank you for the opportunity to submit the State of Wisconsin's recommendations on this important air quality matter.

Sincerely,



Jim Doyle
Governor

* See documents on EPA's website under www.epa.gov/pm/pdfs/20061025_graphsmaps.pdf

cc: Senator Mark Miller, Chair, Senate Environment & Natural Resource Committee
Representative Scott Gunderson, Chair, Assembly Natural Resource Committee
Matt Frank, Secretary, Department of Natural Resources
Al Shea, Administrator, Air & Waste Division, Department of Natural Resources
Kevin Kessler, Director, Bureau of Air Management, Department of Natural Resources