



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

October 20, 2008

Ms. Lynn Buhl
Regional Administrator
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3950

Re: Recommendations Concerning Air Quality
Designations for the 24-Hour Fine Particle (PM_{2.5})
National Ambient Air Quality Standard

Dear Ms. Buhl:

This letter is the State of Indiana's response to the United States Environmental Protection Agency's (U.S. EPA) August 18, 2008 letter to Governor Daniels concerning the Administrator's proposed modifications to the Governor's proposed air quality designation recommendations for the revised 24-Hour Fine Particle (PM_{2.5}) National Ambient Air Quality Standard (NAAQS). While not specifically stated in the letter, it appears to be the notification required by 107(d)(1)(B)(ii) of the Clean Air Act. The State of Indiana presents the following information to "demonstrate why the modification is inappropriate."

In addition to containing the State's 107(d)(1)(B)(ii) response, this letter requests that U.S. EPA use its authority under 107(d)(1)(B)(i) to extend the period for final designations until quality assured PM_{2.5} data for the calendar year 2008 is available. Based on monitoring data through August of 2008, all sites within Indiana currently meet the 24-hour standard for fine particles for the three year period ending in 2008. Since U.S. EPA has expressed its intent to factor 2008 monitoring data into boundary definitions prior to the effective date of designations, Indiana wishes to reserve the right to further supplement these recommendations based on quality assured monitoring data through 2008.

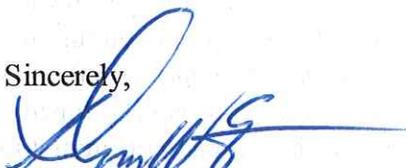
For the reasons discussed below and documented in the attachments to this letter, the State of Indiana respectfully requests that U.S. EPA reconsider its proposal to designate fourteen Indiana counties and five Indiana townships as nonattainment.

- 1) Indiana urges U.S. EPA to consider the most recent air quality data. 2005 was a very unusual PM_{2.5} year with measured PM_{2.5} values significantly higher than the years before and after 2005. Quality assured data through the August of 2008 verifies that all of Indiana may meet the 24-hour PM_{2.5} NAAQS for the 2006-2008 period--this most representative air quality data should be used by U.S. EPA to issue final designations.

- 2) U.S. EPA needs to make a documented reasoned determination concerning Indiana's exceptional events submittal for all PM_{2.5} data used to determine compliance with the 24-hour PM_{2.5} NAAQS. The repeated conclusion "Indiana did not fully establish a causal connection to the event and failed to meet the 'but-for' test" does not contain adequate information to understand U.S. EPA's conclusion and what specifically would need to be provided to change U.S. EPA's determination. The fact that U.S. EPA concurred with every exceptional event where the 24-hour concentrations were below 35 µg/m³, but rejected every event where the 24-hour concentration was above 35 µg/m³ appears arbitrary, especially when the rejected episodes all relate to significant wildfires that were widely reported in the news at the time as causing widespread air quality issues (which we indeed saw in our monitoring data).
- 3) U.S. EPA needs to reconsider its desire that the nonattainment areas for the 24-hour PM_{2.5} NAAQS match those for the annual PM_{2.5} NAAQS and the 8-hour Ozone NAAQS. As explained in Attachment A, both the Clean Air Act requirements concerning nonattainment designations and the observed PM_{2.5} air quality indicate that while there is a significant regional background, actual PM_{2.5} violations are a very local condition typically related to a limited number of local sources.
- 4) U.S. EPA needs to reconsider its determination that townships with high capacity power plants should be designated as nonattainment based upon the cause or contribute rationale. At a minimum, U.S. EPA should consider the size of the power plant and the emission controls it has implemented. For example, the only significant source in Madison Township in Jefferson County is IKEC's Clifty Creek power plant. Five of the six 217 MW units at this plant have SCRs and scrubbers are currently under construction for all six units with various start up dates in 2009. Unless there is a documented significant contribution from this plant (or township) to some nonattainment area, the entire designation and SIP process will accomplish nothing, but employ U.S. EPA and Indiana staff in a paperwork process which will not improve the environment at all.

Thank you for this opportunity to provide recommendations on this important matter. If you have any questions, please feel free to contact me at (317) 232-8611 or Assistant Commissioner Dan Murray at (317) 232-8222.

Sincerely,



Thomas W. Easterly
Commissioner

TWE/sad/skr

Attachments:

- Attachment A – Outline of Key Concerns
- Attachment B – Indiana PM_{2.5} Summary - Daily Standard
- Attachment C – NO_x Emissions Information
- Attachment D – Regional Assessment of Daily PM_{2.5} Standard and Technical Support Documents

Attachment E - LADCO Technical Support Document with Non-CAIR Modeling

cc: Cheryl L. Newton, U.S. EPA Region 5
John Mooney, U.S. EPA Region 5
John Summerhays, U.S. EPA Region 5
Dan Murray, IDEM-OAQ
Scott Deloney, IDEM-OAQ
Christine Pedersen, IDEM-OAQ
Sarah Raymond, IDEM-OAQ