

**Daniel, Pat**

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**From:** odnewsletter@comcast.net  
**Sent:** Tuesday, March 11, 2008 2:26 PM  
**To:** Daniel, Pat

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Pat,  
Please don't allow more soot. Hold off on designating NWI in attainment.

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Mark Coleman  
9 Locust place  
Ogden Dunes, IN 46368

Thanks.

March 11, 2008

RECEIVED  
STATE OF INDIANA

MAR 17 2008

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY

Scott Deloney, Chief  
Programs Branch  
Office of Air Quality MC 61-50  
100 North Senate Avenue  
Indiana Department of Environmental Management  
Indianapolis, IN 46206-2251

Dear Mr. Deloney,

The Dunelands Group of the Hoosier Chapter of Sierra Club would like to go on record in support of the following Save the Dunes Council comment on the PM 2.5 re-designation and maintenance plan for Lake and Porter Counties.

We are also concerned with the impact of more use of woodburning stoves of any type for home heating as natural gas and electricity prices continue to rise. We would hope these would be required to use the latest technology to be as low in pollution as possible.

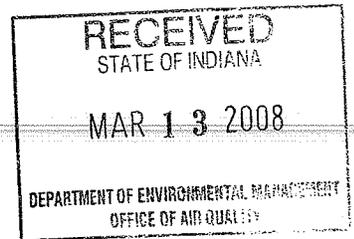
Sincerely,

*Sandy O'Brien*

Sandy O'Brien, group chair  
Dunelands Sierra Club  
5500 S. Liverpool Rd.  
Hobart, IN 46342

*encl. - Save the Dunes Council comment*

March 11, 2008  
819 N. Vigo St.  
Gary, IN 46403



Scott Deloney, Chief  
Programs Branch  
Office of Air Quality MC 61-50  
100 N. Senate Ave.  
Indiana Dept. of Environmental Management  
Indianapolis, IN 46206-2251

Dear Mr. Deloney:

I am writing to voice my opposition to the granting of the PM 2.5 attainment in Lake and Porter counties. There are just too many unresolved questions regarding increased air emissions at BP, as well as in other industries in northwest Indiana, in the near future. I am also very concerned that 2007 results from area speculation monitors are not examined in the application, especially since the one closest to where I live (Gary) showed a daily level above the standard of 35 micrograms.

Thank you for the opportunity to comment, but I hope that you study this further and do not grant attainment of PM 2.5 at this time.

Sincerely,

A handwritten signature in cursive script that reads "Karin Kirulis".

Karin Kirulis

219-938-0941

**Daniel, Pat**

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**From:** Michele Bonneau [mbonneau7@yahoo.com]  
**Sent:** Thursday, February 28, 2008 3:09 PM  
**To:** Daniel, Pat

**Follow Up Flag:** Follow up  
**Flag Status:** Green

Is there no one that will stand up for our future air quality? Not even those we elected to do this job for us? Who will your children blame?

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Never miss a thing. Make Yahoo your home page.  
<http://www.yahoo.com/r/hs>

**Daniel, Pat**

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**From:** DELONEY, SCOTT  
**Sent:** Tuesday, March 11, 2008 3:47 PM  
**To:** Daniel, Pat  
**Subject:** FW: Lake and Porter  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

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**From:** jpbiod@comcast.net [mailto:jpbiod@comcast.net]  
**Sent:** Tuesday, March 11, 2008 3:20 PM  
**To:** DELONEY, SCOTT  
**Subject:** Lake and Porter

Scott Deloney  
Office of Air Quality  
100 North Senate Avenue  
Indiana Department of Environmental Management  
Indianapolis, IN 4 6206-2 251

March 11, 2008

Re: Re-designating Lake and Porter Counties for Particulate Matter (PM) 2.5.

I strongly oppose the designation of Lake and Porter counties as "in attainment" of the PM2.5 standard. It is a move based on economic concerns, not public health.

There are many known health effects that are the result of exposure to fine particulate matter including premature death, hospital admissions, doctor's visits, lost time at work, etc.

This is off the website of the Union of Concerned Scientists. "PM 2.5 has a profound effect on public health. It can easily become trapped in the human body and can have negative consequences for a person's health. Over 2,000 peer-reviewed studies published since the current PM 2.5 standards went into effect in 1997 link fine particle pollution to strokes, heart disease, respiratory ailments, and premature death."

It continues, "A study funded by the EPA and the National Institutes of Health concluded that even an exposure level of 13.4 micrograms of PM 2.5 would put 11.5 million elderly Americans at increased risk of cardiovascular and respiratory disease. These findings provide compelling evidence that fine particle concentrations well below the national standard are harmful to the cardiovascular and respiratory health of our elderly citizens."

There is no good justification for changing the designation for Lake and Porter Counties. In fact, it is the direct result of political interference. The original decision of the EPA ignored the recommendations of its own staff scientists and skewed their recommendations.

From the UCS, "When considering safe levels of pollution in the air that we breathe, the EPA is only allowed to consider health effects. Nothing else can be considered, including economic, or even environmental, effects. According to its own scientific advisors, the EPA did not use the best available public health science in issuing the new standards."

I am convinced that this redesignation is the result of an organized effort of the USEPA and the IDEM to promote increased industrial production in northwest Indiana. It is unethical and it may be illegal. (The timing is

interesting too considering the pending permits for the BP refinery in Whiting and US Steel in Gary.)

It is my position that "attainment of PM 2.5" in Lake and Porter Counties is a sham should be rejected.

Jim Sweeney  
1773 Selo Dr  
Scherville, IN 46375  
219-322-7239

By fax and e-mail

**Daniel, Pat**

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**From:** Lou Gagliardi [lgagliardi@worldwidewirelessinc.com]  
**Sent:** Wednesday, March 12, 2008 12:11 PM  
**To:** Daniel, Pat  
**Subject:** Attainment application

**Follow Up Flag:** Follow up  
**Flag Status:** Green

Mr. Daniels,

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Lou Gagliardi  
2 Shore Drive  
Portage, IN 46368

Thanks.

**Daniel, Pat**

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**From:** Buckpr@aol.com  
**Sent:** Wednesday, March 12, 2008 5:19 PM  
**To:** Daniel, Pat  
**Subject:** attainment application  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

It is our understanding that IDEM wants to designate NWI in "attainment" for soot, potentially allowing more soot to be pumped into our air. Although we did not write the following we agree whole heartedly that we want less soot in the air we breathe rather than more!

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Please inform us of your action on this issue.

Thank you.

Sincerely,  
Patricia and Richard Gonzales  
Gary, IN  
[buckpr@aol.com](mailto:buckpr@aol.com)  
219/939.9946

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**Daniel, Pat**

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**From:** DEAN SQUIRE [squire1943@msn.com]  
**Sent:** Wednesday, March 12, 2008 6:13 PM  
**To:** Daniel, Pat  
**Subject:** RE: BP  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

As a resident of NW IN (Ogden Dunes), I am concerned both about the air quality and the water quality--particularly that of Lake Michigan and its tributaries. Please do not allow US Steel and BP Amoco to spew pollution into our already contaminated air and destroy the water quality of Lake Michigan. These are precious resources and the only tourist draw for this area (aside from the Casino boats) are the dunes and Lake Michigan. Don't spoil a potential source of revenue by rushing to grant variances to these industrial giants.

Thanks, Susan Squire, 17 Bittersweet, Portage, IN 46368

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

3/13/2008

**Daniel, Pat**

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**From:** jean smith [jagsmith@earthlink.net]  
**Sent:** Wednesday, March 12, 2008 1:29 AM  
**To:** Daniel, Pat  
**Subject:** NWI Attainment Application

**Follow Up Flag:** Follow up  
**Flag Status:** Green

Dear Mr. Deloney,

This attainment application is too premature for several reasons.

First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Sincerely,

Jean Smith  
18 Cedar Court  
Ogden Dunes, IN 46368

**Daniel, Pat**

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**From:** Lynda Jorgensen [lyndajorgensen@verizon.net]  
**Sent:** Thursday, March 13, 2008 12:50 PM  
**To:** Daniel, Pat  
**Subject:** No More Soot PLEASE!!! think of our children!!!

To whom it may concern:

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Best,

Lynda Jorgensen  
4 The Thumb  
Portage, IN 46368

**Daniel, Pat**

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**From:** Joanne Lehmann [jlehmann@portage.k12.in.us]  
**Sent:** Thursday, March 13, 2008 11:56 AM  
**To:** Daniel, Pat  
**Subject:** Attainment Application

I am against the attainment application as I believe it is too early to accurately assess the impacts of the Clean Air Interstate Rules.

I thank you for allowing me to voice my opinion.

Regards,

J.C. Lehmann  
110 Hillcrest  
Portage, IN

**Daniel, Pat**

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**From:** valronstudios@comcast.net  
**Sent:** Saturday, March 15, 2008 6:22 PM  
**To:** Daniel, Pat

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Ron Wennekes  
215 Davis Dr.  
Beverly Shores IN 46301

**Daniel, Pat**

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**From:** Ms RANDI LIGHT [randilight@verizon.net]

**Sent:** Tuesday, March 11, 2008 7:59 PM

**To:** Daniel, Pat

**Subject:** attainment

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Thank you very much for attending to this urgent matter. There is already way too many pollutants in North West Indiana's air. Every child and adult has to be poisoned on a daily basis. IDEM never seems to look at the cumulative effect of the particulates from all the industry. We have some of the highest cancer rates in the world right here as well as serious asthma problems. Quit acting like it's ok for the people you are supposed to be protecting to get plenty more pollution. Stop this insanity. Now.

Thanks.  
Randi Light  
37 Shore Drive  
Portage, IN 46368

3/12/2008



**CALUMET PROJECT**

6819 Indianapolis Blvd.  
Hammond, IN 46324  
(219) 845-5008  
Fax (219)845-5032  
EMAIL: [info@calproject.org](mailto:info@calproject.org)  
[www.calproject.org](http://www.calproject.org)

417



March 11, 2008

Scott Deloney, Chief  
Programs Branch  
Office of Air Quality MC 61-50  
100 North Senate Avenue  
Indiana Department of Environmental Management  
Indianapolis, IN 46206-2251

Re-Designation and Maintenance Plan for Lake and  
Porter Counties for Particulate Matter (PM) 2.5.

Dear Mr. Deloney:

The Calumet Project support the comments submitted on the Designation and Maintenance Plan for Lake and Porter Counties for Particulate Matter (PM) 2.5 to your office from Debbie Chubb, President of Save The Dunes Organization.

Sincerely,

Bessie Dent  
Program Coordinator

March 11, 2008

Scott Deloney, Chief  
Program Branch  
Office of Air Quality MC 61-50  
100 North Senate Avenue  
Indiana Dept. of Environmental Management  
Indianapolis, IN 46206-2251

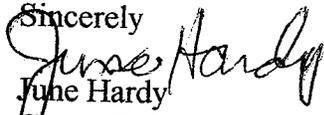
Dear Mr. Deloney:

Thank you for the opportunity to comment upon the Indiana Dept. of Environmental Management's (IDEM) request to EPA to approve the Re-designation and Maintenance Plan for Lake and Porter Counties for Particulate Matter (PM) 2.5.

Since I am a member of Save the Dunes this application is of great concern to me. According to the EPA severe health effects are associated with exposure to excess levels of airborne fine particulate matter (PM2.5).

I am convinced that this application is too premature to be adequately studied. It also appears to be too vague and potentially subjective. Save the Dunes takes the position that attainment of PM 2.5 in Lake and Porter Counties should not be granted at this time.

Thank you for allowing me to comment. I appreciate your consideration.

Sincerely  
  
June Hardy  
Crown Point, IN  
Member Save the Dunes

Indiana Steel  
**Environmental**  
Group

STATE OF INDIANA

MAR 13 2008

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY

9305 Calumet Avenue, Suite F-1  
Munster, Indiana 46321  
Tel: 219-836-1000  
Fax: 219-836-4100

March 11, 2008

Lake and Porter Counties Fine Particulate Matter (PM<sub>2.5</sub>)  
Redesignation Petition and Maintenance Plan  
Scott Deloney, Chief  
Programs Branch  
Office of Air Quality MC 61-50  
100 North Senate Avenue  
Indianapolis Indiana 46204

**Subject: Comments In Support of Redesignation of Lake and Porter Counties as Attainment for PM<sub>2.5</sub>**

Dear Mr. Deloney:

The Indiana Steel Environmental Group is a coalition of Indiana steel companies established to focus on environmental matters of concern to its members. The Indiana Steel Environmental Group (ISEG) consists of membership from ArcelorMittal Indiana Harbor, LLC, United States Steel Gary Works, United States Steel Midwest Plant, ArcelorMittal Burns Harbor LLC, and Nucor Steel Crawfordsville.

The Indiana Steel Environmental Group strongly supports the Indiana Department of Environmental Management's (IDEM's) draft petition for the redesignation of Lake and Porter Counties as attainment for fine articulate matter (PM<sub>2.5</sub>) and provides the following comments.<sup>1</sup>

The three-year design values for all monitors used to determine attainment in Lake and Porter Counties have uniformly met U.S. EPA's annual PM<sub>2.5</sub> standard for the 2002-2004, 2003-2005 and 2004-2006 periods. The only remaining question is whether Lake and Porter Counties still somehow "contribute to" nonattainment in Cook County – the only county that is still in actual, direct nonattainment in the entire metropolitan statistical area.

Due to their physical location, Lake and Porter Counties can only theoretically "contribute" to violations at the Cook County monitors at Cicero and Wilson Avenue when the wind is blowing one finite direction – from the southeast. EPA's own wind rose analysis in northwest Indiana indicates that prevailing winds blow away from the violating monitors more than 90% of the time. See Supplemental Risk Assessment of Potential Air Emissions at 5-7 (Dec. 2006) ("EPA Wind Rose Analysis") available at <http://www.epa.gov/region5/sites/indianaharbor/>.

<sup>1</sup> While there is serious question regarding whether U.S. EPA properly classified Porter County as a nonattainment area in the first instance, the monitoring data and detailed analysis in IDEM's draft Redesignation Petition helps rectify that initial classification error. As you may know, the State of Indiana and ArcelorMittal Burns Harbor have both appealed U.S. EPA's original designation of Porter County as nonattainment for PM<sub>2.5</sub> to the D.C. Circuit Court of Appeals. That proceeding is currently in the briefing stage and will likely be argued during late summer or early fall of 2008. Submission of the proposed redesignation request for Lake and Porter Counties is fully consistent with that appeal and will only further assist in lifting the regulatory burdens associated with EPA's initial nonattainment designation.

  
ArcelorMittal

**NUCOR**  
SHEET MILL - CRAWFORDSVILLE



If there is any "contribution" to area air quality problems in the region, it flows the other direction. Ambient  $PM_{2.5}$  levels steadily decline when moving south and east from central Cook County to Lake County and consistently further decline through Porter County. This illustrates that the prevailing winds cause Cook County's dominant emissions to travel south and east - not Lake and Porter's Counties' cleaner air to "swim upstream."<sup>2</sup>

We suggest that IDEM incorporate this point more prominently in Section 3.3 of the Redesignation Petition. That section contains powerful evidence that the vast majority of emissions at the two nonattaining monitors in Cook County stem from local (and not regional) emissions. It makes this point in the context of a detailed discussion of three particular "high monitor value" days (pp. 23-29). One of those three days, however, happened to occur during the rare instance when winds were blowing from the southeast. While IDEM's back trajectory analysis from that particular day forecloses a finding of contribution from Lake or Porter counties despite those winds, it would be useful to note that this wind direction makes the potential for contribution exceptionally rare.

IDEM should further support and clarify its contribution analysis by providing the statutory underpinnings that require EPA to apply a significance threshold. Congress selected the term "contributes" to define the concept of indirect nonattainment status in CAA §107(d)(1)(A)(i). Contribute is commonly defined as playing "a significant part in bringing about an end or result." WEBSTER'S NINTH NEW COLLEGATE DICTIONARY at 285. A minimal or immaterial addition of  $PM_{2.5}$  or precursors from Lake or Porter County does not "play a significant part in bringing about" nonattainment at the Cook County monitors. That conclusion is further reinforced by the Clean Air Act's structure. Nonattainment designations are used to drive State Implementation Plan ("SIP") amendments necessary to secure attainment status. Requiring such SIP amendments in the absence of a demonstrated causal relationship (e.g., in areas that do not play "a significant part" in nonattainment status) would impose an unnecessary burden on regulated entities.

Finally, we concur with IDEM's conclusion that "Since Lake and Porter counties attained the annual standard for fine particles prior to an Attainment or RACT SIP being due, and since the implementation rule for fine particles stipulates that states are only required to draft and implement RACT rules for the precursor emissions reductions necessary to attain the standard, no further RACT rules are required for this area." This position reflects EPA's standing "Clean Data Policy" and will avoid the imposition of additional regulations that are not needed to satisfy the  $PM_{2.5}$  NAAQS.

We greatly appreciate IDEM's efforts to secure redesignation of Lake and Porter counties. Should you have any questions regarding these comments, please feel free to contact me at (219) 836-1000.

Sincerely,



Patrick M. Gorman, P.E.  
Facilitator, Indiana Steel Environmental Group

<sup>2</sup> LaPorte County's monitored compliance with the  $PM_{2.5}$  standards (and its designation as an attainment area) further supports this view.





6100 Southport • Portage, IN 46368 • 219.763.6303 Phone • 219.763.2653 Fax

March 11, 2008

Lake and Porter Counties Fine Particulate Matter (PM<sub>2.5</sub>)  
Redesignation Petition and Maintenance Plan  
Scott Deloney, Chief  
Programs Branch  
Office of Air Quality MC 61-50  
100 North Senate Avenue

Re: Comments of NWI Forum In Support of Redesignation of Lake and Porter Counties as Attainment for PM<sub>2.5</sub>

Dear Mr. Deloney:

These comments are submitted by the NWI Forum in strong support of the Indiana Department of Environmental Management's (IDEM's) draft petition for the redesignation of Lake and Porter Counties as attainment for fine particulate matter (PM<sub>2.5</sub>).<sup>1</sup> The Northwest Indiana Forum is a membership based, not for profit regional economic development organization. Our membership of 123 and growing represents industrial and commercial businesses, financial entities, universities and municipalities within Lake, Porter and LaPorte counties – a diverse group. In total, our membership reflects \$40 Billion in commerce annually on behalf of the State of Indiana.

Redesignation of both counties is critically important to removing the additional regulatory hurdle of nonattainment status and its impediments to attracting investment, business and jobs to Lake and Porter Counties. For example, the nonattainment designation discourages companies from making significant capital investments to update or expand facilities in Lake or Porter Counties. That deterrent effect is primarily due to the additional burdens posed by New Source Review permitting, the requirement to obtain emissions offsets and the threat of further state-level requirements. Similarly, the nonattainment designations discourage investments for the development of new facilities. The prompt removal of that additional regulatory burden will help the companies who have already heavily invested in Lake and Porter Counties to make the changes necessary to compete in the global economy.

The three-year design values for all monitors in Lake and Porter Counties have uniformly met U.S. EPA's annual PM<sub>2.5</sub> standard for the 2002-2004, 2003-2005 and 2004-2006 periods. The only remaining question is whether Lake and Porter Counties still somehow "contribute to" nonattainment in Cook County – the only county that is still in actual, direct nonattainment in the entire metropolitan statistical area.

<sup>1</sup> While there is serious question regarding whether U.S. EPA properly classified Porter County as a nonattainment area in the first instance, the monitoring data and detailed analysis in IDEM's draft Redesignation Petition helps rectify that initial classification error. As you may know, the State of Indiana and ArcelorMittal Burns Harbor have both appealed U.S. EPA's original designation of Porter County as nonattainment for PM<sub>2.5</sub> to the D.C. Circuit Court of Appeals. That proceeding is currently in the briefing stage and will likely be argued during late summer or early fall of 2008. Submission of the proposed redesignation request for Lake and Porter Counties is fully consistent with that appeal and will only further assist in lifting the regulatory burdens associated with EPA's initial nonattainment designation.

Due to their physical location, Lake and Porter Counties can only theoretically "contribute" to violations at the Cook County monitors at Cicero and Wilson Avenue when the wind is blowing one finite direction – from the southeast. EPA's own wind rose analysis in northwest Indiana indicates that prevailing winds blow away from the violating monitors more than 90% of the time. See Supplemental Risk Assessment of Potential Air Emissions at 5-7 (Dec. 2006) ("EPA Wind Rose Analysis") available at <http://www.epa.gov/region5/sites/indianaharbor/>. If there is any "contribution" to area air quality problems in the region, it flows the other direction. Ambient PM<sub>2.5</sub> levels steadily decline when moving south and east from central Cook County to Lake County and consistently further decline through Porter County. This illustrates that the prevailing winds cause Cook County's dominant emissions to travel south and east – not Lake and Porter's Counties' cleaner air to "swim upstream."<sup>2</sup>

We suggest that IDEM incorporate this point more prominently in Section 3.3 of the Redesignation Petition. That section contains powerful evidence that the vast majority of emissions at the two nonattaining monitors in Cook County stem from local (and not regional) emissions. It makes this point in the context of a detailed discussion of three particular "high monitor value" days (pp. 23-29). One of those three days, however, happened to occur during the rare instance when winds were blowing from the southeast. While IDEM's back trajectory analysis from that particular day forecloses a finding of contribution from Lake or Porter counties despite those winds, it would be useful to note that this wind direction makes the potential for contribution exceptionally rare.

IDEM should also consider clarifying the various statements in the Redesignation Petition that attempt to convey the statutory threshold for "contribution." Several parts of the petition state (or infer) that redesignation is appropriate if EPA concludes that Lake and Porter Counties were not "significantly contributing" to the Cook County violations. See, e.g., p. 17 ("If emissions from Lake and Porter counties were significantly contributing..."), p. 22 ("it is evident that there is no significant impact from Northwest Indiana.") p. 29 ("significantly contributing to the violating monitors in Illinois"). Other parts of the Redesignation Petition potentially indicate a lower relevance threshold for "contribution" analysis. See, e.g., p. 22 ("while emissions from all surrounding areas may have small impacts"), p. 29 ("Indiana is confident that its contribution to this localized effect is negligible.").

IDEM should further support and clarify its contribution analysis by providing the statutory underpinnings that require EPA to apply a significance threshold. Congress selected the term "contributes" to define the concept of indirect nonattainment status in CAA §107(d)(1)(A)(i). *Contribute* is commonly defined as playing "a significant part in bringing about an end or result." WEBSTER'S NINTH NEW COLLIAGE DICTIONARY at 285. A minimal or immaterial addition of PM<sub>2.5</sub> or precursors from Lake or Porter county does not "play a significant part in bringing about" nonattainment at the Cook County monitors. That conclusion is further reinforced by the Clean Air Act's structure. Nonattainment designations are used to drive State Implementation Plan ("SIP") amendments necessary to secure attainment status. Requiring such SIP amendments in the absence of a demonstrated causal relationship (e.g., in areas that do not play "a significant part" in nonattainment status) would impose an unnecessary burden on regulated entities.

<sup>2</sup> LaPorte County's monitored compliance with the PM<sub>2.5</sub> standards (and its designation as an attainment area) further supports this view.

March 11, 2008

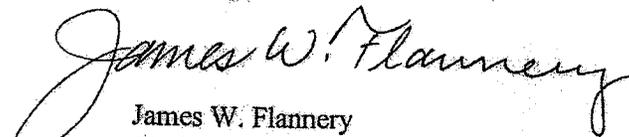
Page 3

While the Redesignation Petition provides ample justification to redesignate both Lake and Porter Counties, it is worth noting that the link between Porter County emissions and the violating Cook County monitors is even more tenuous. Emissions from Porter County would have to travel over not just numerous attaining Cook county monitors, but also over *all of Lake County* to "contribute" to nonattainment. If emissions in Porter County were actually contributing to nonattainment to the west, that impact would be most notable in immediately adjacent Lake County. The contrary steady decrease of ambient PM<sub>2.5</sub> levels from west to east demonstrates the absence of such an impact and provides further proof that Porter County is not "contributing." Thus, if U.S. EPA (improperly) refuses to redesignate both counties, IDEM should consider requesting separate treatment for Porter County due to this even more tenuous causal link to the violating monitors.

Finally, we concur with IDEM's conclusion that "Since Lake and Porter counties attained the annual standard for fine particles prior to an Attainment or RACT SIP being due, and since the implementation rule for fine particles stipulates that states are only required to draft and implement RACT rules for the precursor emissions reductions necessary to attain the standard, no further RACT rules are required for this area." This position reflects EPA's standing "Clean Data Policy" and will avoid the imposition of burdensome additional regulations that are not needed to satisfy the PM<sub>2.5</sub> NAAQS.

We greatly appreciate IDEM's efforts to secure redesignation of Lake and Porter counties. Should you have any questions regarding these comments, please feel free to contact me at (219) 763-6303.

Sincerely,



James W. Flannery  
Chairman, Board of Directors  
Northwest Indiana Forum, Inc.

# Improving Kids' Environment

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Indianapolis, IN 46208-4062  
www.ikeycoalition.org  
Fax: 866-234-8505  
317-902-3610  
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March 11, 2008

Dan Murray, Assistant Commissioner  
Office of Air Quality  
Mail Code 61-50  
Indiana Department of Environmental Management  
100 N. Senate Ave.  
Indianapolis, IN 46206-2251

Re: Redesignation Petition and Maintenance Plan for Lake and Porter Counties Indiana

Dear Mr. Murray:

On behalf of Improving Kids' Environment, Inc., I am writing to express IKE's opposition to the Indiana Department of Environmental Management's intent to seek redesignation of Lake and Porter Counties, Indiana, to the status of maintenance counties for the fine particle health standard. Redesignation of the Indiana counties is not the best way to achieve public health and economic goals for the region, and will undermine the 15 year commitment among the Lake Michigan states to work collectively to solve regional air quality challenges. Improving Kids' Environment, Inc. is a not-for-profit organization that works to reduce environmental threats to children's health in Indiana. IKE appreciates the opportunity to provide these comments to you and Commissioner Easterly.

IKE shares IDEM's interest in lessening the economic development impacts of a nonattainment designation. However, it is premature for Indiana to seek to redesignate its counties in this multi-state, regional nonattainment area while monitors elsewhere in the region still violate the standard. Although I fully appreciate the state's desire to return counties to attainment status, I cannot support this particular request for two reasons.

First, the air quality data do not support this designation. Based on 2004-2006 data, two monitors in the nonattainment area continue to monitor violations of the annual health standard for PM2.5 and I understand that the 2005-2007 monitoring data show five monitors in violation. Granting Indiana's request would require USEPA to redesignate a portion of a nonattainment area before the entire area is in attainment. Based on a recent conversation with staff at the USEPA Region V office, the agency has never approved such a request.

Second, Lake and Porter Counties are part of a multi-state nonattainment area, designated as such in accordance with USEPA guidance. Like ozone in some respects, PM2.5 is a regional pollutant. The main sources of emissions in the SO2 and NOx inventories are point sources in Lake and Porter Counties, and nearly half of those emissions come from electric generating units, whose

emissions can travel regionally. See Appendices B and D. Because of the concentration of large and numerous point sources as well as significant emissions from motor vehicles, USEPA guidance treats large metropolitan areas (even if they are multi-state) as a single nonattainment area.

Finally, although not strictly relevant to this designation request, I note that several monitors in Lake County do not meet the recently revised PM<sub>2.5</sub> daily standard of 35  $\mu\text{g}/\text{m}^3$  based on 2005-7 data. These counties are very likely to be designated as nonattainment under the revised standard. It therefore will serve little purpose to redesignate them now to attainment for the annual standard and will likely confuse regulated industry and the public about whether air quality does or does not meet health standards and what permitting and other regulatory requirements apply.

It is more appropriate for Indiana to collaborate with Illinois on an attainment plan for the region than to seek redesignation at this time. Thank you for your consideration of these comments. Please do not hesitate to contact me if you have questions.

Very truly yours,



Janet G. McCabe  
Executive Director

Cc: IKE Board  
IKE Advisory Board  
Scott Deloney, OAQ Branch Chief



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
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ROD R. BLAGOJEVICH, GOVERNOR      DOUGLAS P. SCOTT, DIRECTOR

(217) 785-4140

March 10, 2008



Mr. Scott Deloney, Chief  
Air Programs Branch  
Office of Air Quality - Mail Code 61-50  
100 North Senate Avenue  
Indiana Department of Environmental Management  
Indianapolis, Indiana 46206-2251

Re: Lake and Porter Counties Fine Particulate Matter (PM2.5)  
Redesignation Petition and Maintenance Plan

Dear Mr. Deloney:

The Illinois Environmental Protection Agency (Illinois EPA) appreciates the opportunity to provide comments on the State of Indiana's draft document: "Request for Redesignation and Maintenance Plan Under the Annual National Ambient Air Quality Standard for Fine Particles - Lake and Porter Counties" (January 2008). The request seeks to redesignate two Indiana counties, Lake and Porter, as attainment for the annual PM2.5 National Ambient Air Quality Standard (NAAQS). As you know, the states of Indiana, Illinois, Wisconsin, Michigan, and Ohio have worked cooperatively for many years to improve air quality throughout the Lake Michigan region. Although air quality has greatly improved as a result of our joint efforts, violations of the annual PM2.5 NAAQS are still occurring in our region. We believe that emissions from Lake and Porter counties contribute significantly to ongoing violations of the annual PM2.5 standard. The Illinois EPA, therefore, strongly opposes Indiana's redesignation petition and will recommend to the United States Environmental Protection Agency (U.S. EPA) that this petition be denied, and that Lake and Porter counties remain designated as nonattainment until the annual PM2.5 NAAQS is achieved in the entire Lake Michigan region.

In 1991, the State of Indiana, in conjunction with the states of Illinois, Michigan, and Wisconsin, signed a Memorandum of Agreement (MOA) which committed the four states to work cooperatively to improve ozone air quality in the Lake Michigan region. The 1991 MOA established the Lake Michigan Air Directors Consortium (LADCO) to

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MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

coordinate technical and policy developments needed to meet this challenge. The level of cooperation between the LADCO states and the success of those efforts to improve air quality as a result of this multi-state agreement are unprecedented. The four states have reaffirmed this commitment a number of times since 1991, most recently in 2004, when a new MOA was signed by the four states to include the State of Ohio in the collaborative planning process. The 2004 MOA "reaffirms the cooperative effort by the states and the U.S. EPA to ... identify, evaluate, and implement sufficient emission reductions to provide for attainment of the NAAQS for 8-hour ozone *and PM2.5* and achieve the reasonable progress goals for regional haze throughout the five state regions." We urge Indiana to continue to work cooperatively with the other LADCO states until a control strategy that solves this problem has been identified and implemented.

This work is not completed. As Indiana's petition notes, PM2.5 concentrations exceeding the level of the annual NAAQS were measured in northeastern Illinois during the 3-year period, 2004-2006, used in your analysis. Significantly, based on the most recent 3-year period, 2005-2007, a violation of the annual PM2.5 NAAQS has been measured at the Illinois monitoring station located at the Washington High School (see Figure 1). This monitoring station is the closest Illinois monitor to Lake County, Indiana. It is noteworthy that monitors located further north and west of Indiana are recording lower PM2.5 concentrations, which suggests that local sources in Lake County are contributing to the annual PM2.5 violation at Washington High School. This new monitoring data completely contradicts the rationale provided on page 10 of the "Request".

To further establish that emissions from Indiana are contributing to elevated PM2.5 levels at Washington High School, the Illinois EPA developed a "pollution rose" for this site, to illustrate the average PM2.5 concentrations at this location based on the wind direction occurring during times of elevated PM2.5 levels (defined as exceeding  $25 \text{ ug/m}^3$ ). The results of this analysis are shown in Figure 2. Please note the high average contributions occurring at Washington High School when winds are from easterly through south-southeasterly wind directions (i.e., from Indiana). It is also noted that southerly through westerly wind directions also contribute to elevated PM2.5 levels, but these directions are consistent with the climatological frequency of winds throughout the year as shown in the wind rose in Figure 3. Comparing the two figures (Figures 2 and 3), it is obvious that elevated PM2.5 from the easterly wind directions are over-represented relative to the frequency of winds from those directions. Again, these results are suggestive of local impacts from sources in Lake and Porter counties to the measured PM2.5 violations at Washington High School.

For its Clean Air Interstate rulemaking, U.S. EPA considered a  $0.2 \text{ ug/m}^3$  contribution from an entire state a significant contribution for PM2.5. Recent modeling performed by LADCO demonstrates that Lake and Porter counties by themselves contribute amounts that are far greater than U.S. EPA's thresholds at monitors in Cook County that are exceeding the annual PM2.5 standard. There is no technical basis for Indiana to conclude that sources located in Lake and Porter Counties do not significantly contribute to nonattainment in adjacent states.

Lake and Porter counties are tied to the Illinois nonattainment counties geographically and economically, and reside in the same lakeshore environment. U.S.EPA guidance clearly states that these factors must be considered when the states recommend the boundaries of a nonattainment area (see "Designations for the Fine Particle National Ambient Air Quality Standards", April 1, 2003). U.S. EPA properly considered these factors in determining the reasonableness of the nonattainment area boundaries when the boundaries were finalized in 2005.

In summary, there is no technical or legal basis for Indiana's contention that emissions from Lake and Porter counties do not contribute significantly to ongoing violations of the annual PM2.5 standard in the region and that further emission reductions from these counties is not warranted. Redesignation of Indiana's Lake and Porter counties to attainment will exacerbate the problem in that it allows Indiana to avoid taking the necessary steps to address the regional emission problems and instead would allow the counties to comply with lesser standards that may lead to a worsening of air quality. We believe Indiana must provide emissions reductions beyond those currently contained in Indiana's State Implementation Plan (SIP). The Illinois EPA, therefore, strongly opposes Indiana's redesignation petition and will recommend to the U.S. EPA that this petition be denied. Indiana should withdraw its draft redesignation proposal and Lake and Porter counties should remain nonattainment until the annual PM2.5 air quality standard is achieved in the entire Lake Michigan region.

Sincerely,



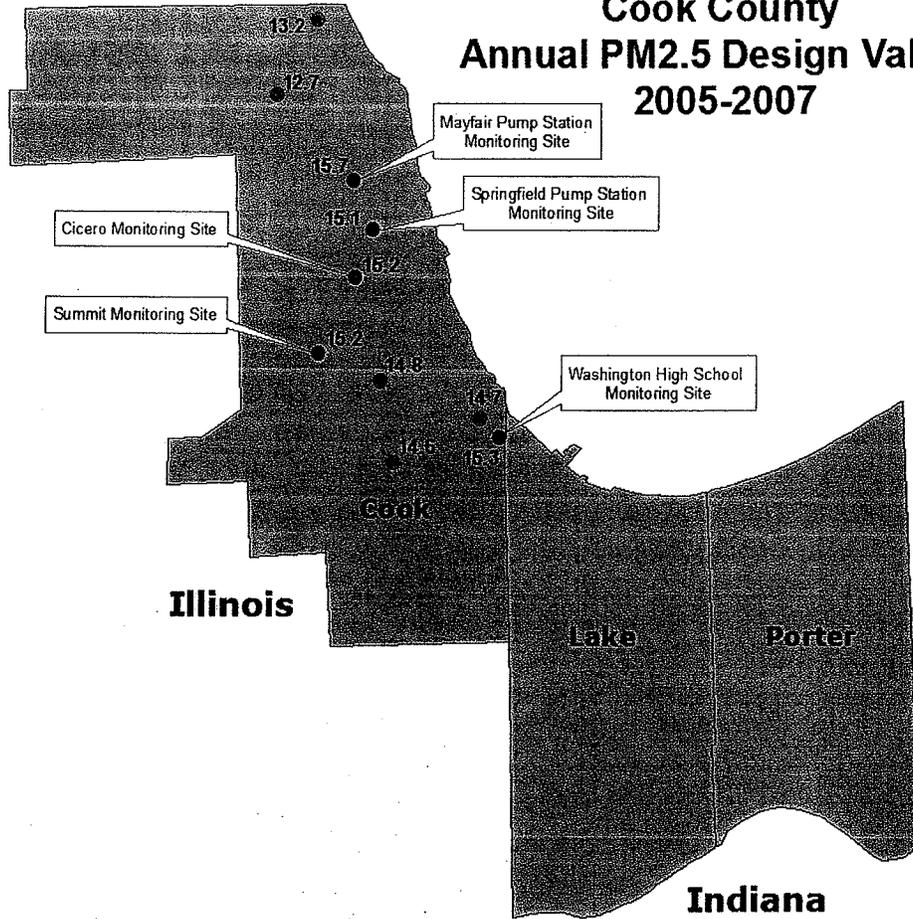
Laurel L. Kroack, Chief  
Bureau of Air

Enclosures

cc: Cheryl Newton, Acting Director, Air and Radiation Division, U.S. EPA Region 5  
Tom W. Easterly, Commissioner, IN-IDEM  
Kevin Kessler, Acting Director, Bureau Air Management, WI-DNR  
H. Vincent Hellwig, Chief Air Quality Division, MI-DEQ  
Robert Hodanbosi, Chief, Division of Air Pollution, OH-EPA

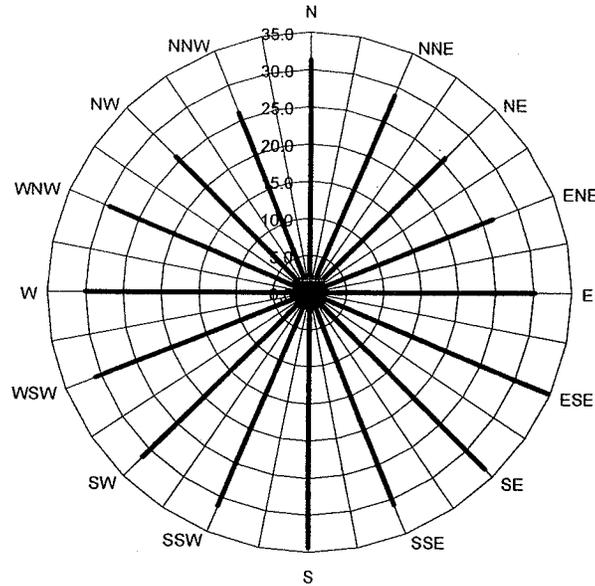
**FIGURE 1**

**Cook County  
Annual PM2.5 Design Values  
2005-2007**



**FIGURE 2**

**Pollution Rose Of Days > 25 ug/m<sup>3</sup>  
Chicago - Washington High School  
2005-2007**



**FIGURE 3**

**Wind Rose  
Alsip 4500 West 123rd Street  
2005-2007**

