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

DEC 0 9 2011

REPLY TO THE ATTENTION OF:

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

Dear Governor Walker:

This letter is to notify you of the U.S. Environmental Protection Agency's preliminary response to Wisconsin's air quality designation recommendations for the revised 2008 ozone National Ambient Air Quality Standards (NAAQS).

On March 12, 2008, EPA revised its NAAQS for ground-level ozone to provide increased protection of public health and the environment. EPA lowered the primary 8-hour ozone standard from 0.08 parts per million (ppm) to 0.075 ppm to protect against health effects associated with ozone exposure, including a range of serious respiratory illnesses and increased premature death from heart or lung disease. EPA revised the secondary 8-hour ozone standard, making it identical to the primary standard, to protect against adverse welfare effects, including impacts on sensitive vegetation and forested ecosystems.

History shows us that better health and cleaner air go hand-in-hand with economic growth. Working closely with the states and tribes, EPA is implementing the standards using a common sense approach that improves air quality and minimizes the burden on state and local governments. As part of this routine process, EPA is working with the states to identify areas in the country that meet the standards and those that need to take steps to reduce ozone pollution. Within one year after a new or revised air quality standard is established, the Clean Air Act (CAA) 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. As a first step in implementing the 2008 ozone standards, EPA asked states to submit their designation recommendations, including appropriate area boundaries, by March 12, 2009. In September 2009, EPA announced it was reconsidering the 2008 ozone standards. EPA later took steps to delay the designation process for the 2008 ozone standards pending outcome of the reconsideration. In September 2011, the Office of Management and Budget returned to EPA the draft final rule addressing the reconsideration of the 2008 ozone standards. On September 22, 2011, EPA restarted the implementation effort by issuing a memorandum to clarify for state and local agencies the status of the 2008 ozone standards and to outline plans for moving forward to implement them. EPA indicated that it would proceed with initial area designations for the 2008 standards, and planned to use the recommendations states made in 2009 as updated by the most current, certified air quality data from 2008-2010.

While EPA did not request that states submit updated designation recommendations, EPA provided the opportunity for states to do so. Pertinent to Wisconsin's designation, on December 7, 2011, Illinois submitted certified 2011 air quality data. Given the timing of Illinois' submittal, EPA was not able to

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consider the 2011 data in this letter and the enclosed Technical Support Document. We will respond to the implications of the 2011 data for the Chicago-Naperville-Michigan City, IL-IN-WI Combined Statistical Area, which includes Kenosha County in Wisconsin, as soon as possible and will notify you if the data affects any area in Wisconsin.

After considering Wisconsin's March 12, 2009 ozone designation recommendations and other relevant technical information, including 2008-2010 air quality data, EPA intends to modify Wisconsin's recommended area designation and boundary for the Sheboygan, WI area. The enclosed Technical Support Document provides a detailed analysis to support our preliminary decisions. EPA intends to designate all other areas of the state as unclassifiable/attainment.

EPA will continue to work with state officials regarding the appropriate boundary for the areas in Wisconsin. If you have additional information that you would like EPA to consider, please submit it to us by February 29, 2012. EPA will also make its preliminary designation decisions and supporting documentation available to the general public for review and comment. We will be announcing a 30-day public comment period shortly in the Federal Register. After considering additional information we receive, EPA plans to promulgate final ozone designations in spring of 2012.

EPA is committed to working with the states and tribes to share the responsibility of reducing ozone air pollution. Current and upcoming federal standards and safeguards, including pollution reduction rules for power plants, vehicles and fuels, will assure steady progress to reduce ozone-forming pollution and will protect public health in communities across the country. We look forward to a continued dialogue with you and your staff as we work together to implement the 2008 ozone standards. Should you have any questions, please do not hesitate to contact me at 312-886-3000, or Cheryl L. Newton, Director, Air and Radiation Division, at 312-353-6730.

Sincerely,

Susan Hedman,
Regional Administrator

Enclosure (1)

cc: Cathy Stepp, Secretary, and Bill Baumann, Acting Director
Wisconsin Department of Natural Resources