

**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



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.

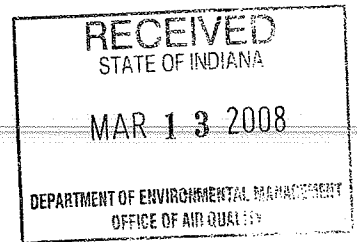
Sincerely,

*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 46206-2 251

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

3/13/2008

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  
Schererville, IN 46375  
219-322-7239

By fax and e-mail

3/13/2008

**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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It's Tax Time! [Get tips, forms and advice on AOL Money & Finance.](#)

3/13/2008



**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:

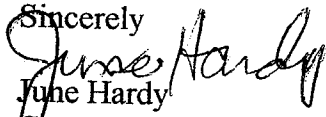
Thank you for the opportunity to comment upon the Indiana Dept. of Environmental Management's (IDEM) request to EPA to approve the Re-designation and Maintenance Plan for Lake and Porter Counties for Particulate Matter (PM) 2.5.

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 particulate 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>

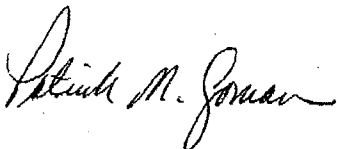
We suggest that IDEM incorporate this point more prominently in Section 3.3 of the Redesignation Petition. That section contains powerful evidence that the vast majority of emissions at the two nonattaining monitors in Cook County stem from local (and not regional) emissions. It makes this point in the 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.



**NUCOR**  
SHEET MILL-CRAWFORDSVILLE





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 COLLEGATE 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

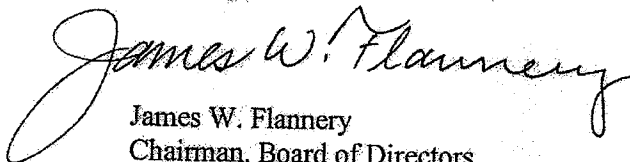
Page 3

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

3951 Meridian St, Ste 160  
Indianapolis, IN 46208-4062  
www.ikecoalition.org  
Fax: 866-234-8505  
317-902-3610  
mccabe@ikecoalition.org

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  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

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

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120  
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".

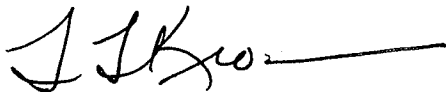
To further establish that emissions from Indiana are contributing to elevated PM2.5 levels at Washington High School, the Illinois EPA developed a "pollution rose" for this site, to illustrate the average PM2.5 concentrations at this location based on the wind direction occurring during times of elevated 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,



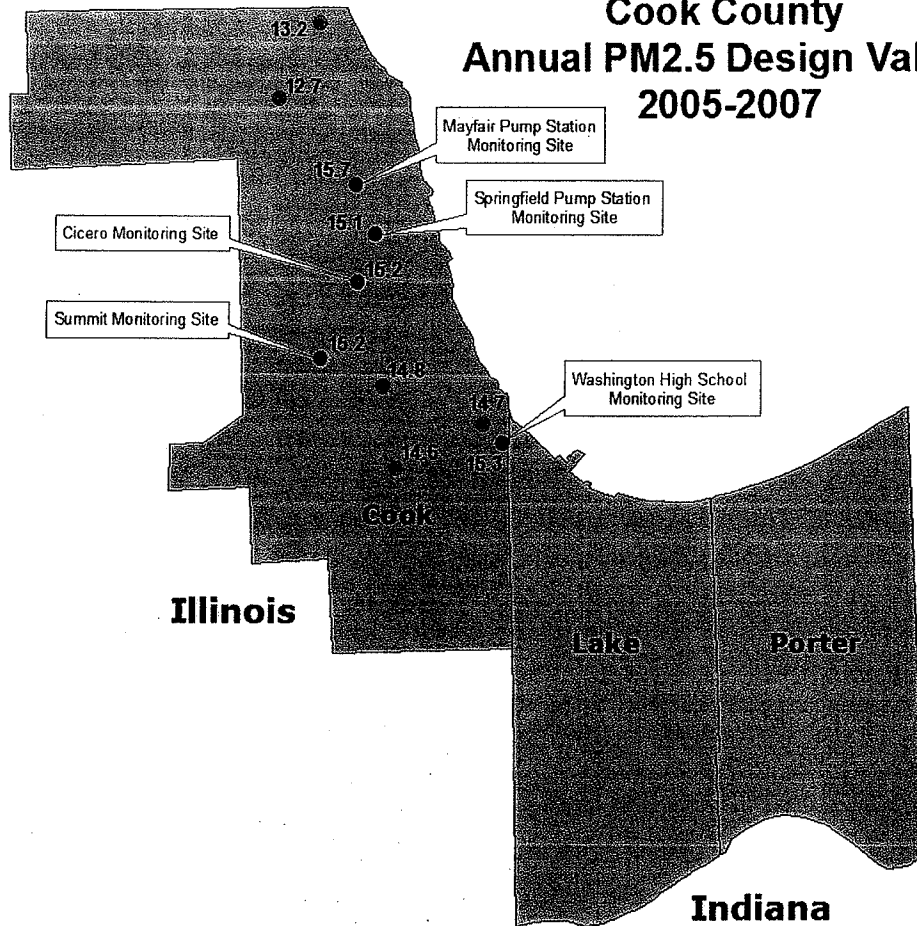
Laurel L. Kroack, Chief  
Bureau of Air

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

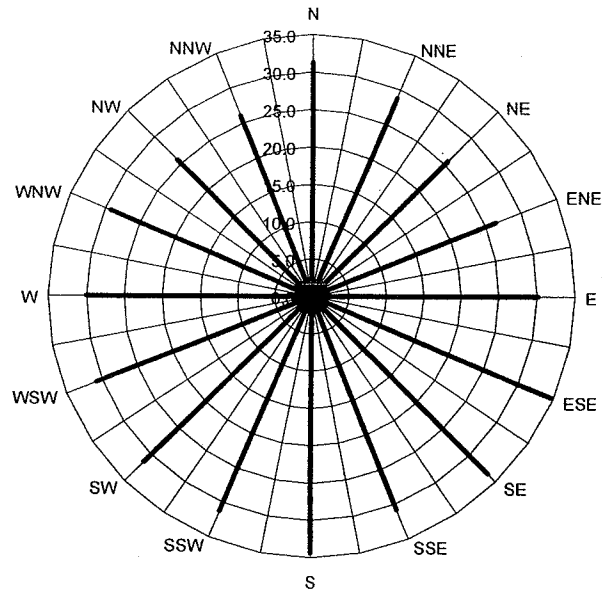
**FIGURE 1**

**Cook County  
Annual PM<sub>2.5</sub> Design Values  
2005-2007**



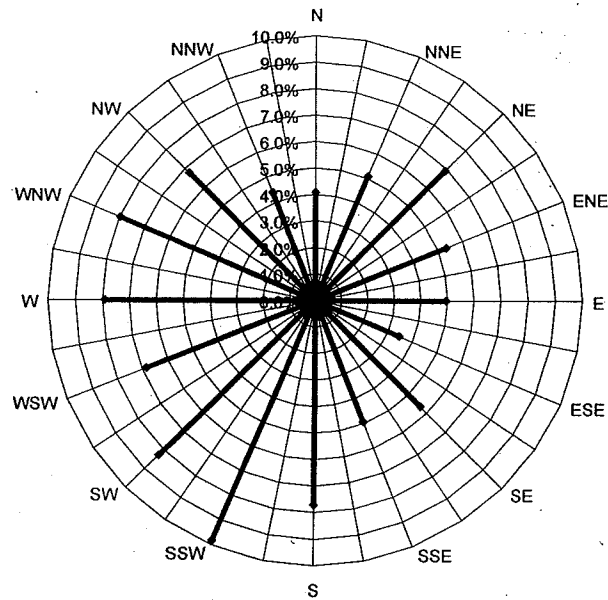
**FIGURE 2**

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



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

Dear Mr. Deloney:

Thank you for the opportunity to comment upon the Indiana Department 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.

Save the Dunes Council takes this application very seriously. According to the Environmental Protection Agency (EPA), severe health effects are associated with exposure to excess levels of airborne fine particulate matter (PM<sub>2.5</sub>), including tens of thousands of premature deaths and hospital admissions, and hundreds of thousands of doctor visits, work and school absences and respiratory illnesses yearly.

Fine particles are also a major source of haze that reduces visibility in our landscape, and it "affects vegetation and ecosystems by settling on soil and water, upsetting delicate nutrient and chemical balances." (Environmental Protection Agency, *Particle Pollution Report*, 2003, p. 3.) For example, in the article *Seepage Measurements from Long*

*Lake, Indiana Dunes National Lakeshore*, the authors indicate that the Indiana Dunes National Lakeshore has the "highest nitrate and sulfate levels in precipitation of any monitored park in the country." (*Seepage Measurements from Long Lake, Indiana Dunes National Lakeshore, Environmental Geology*, September 1996, p. 99.)

A careful review of the data provided by IDEM as well as EPA indicates that this important pollutant is on a downward trend. Nevertheless, it must be stated that Save the Dunes' Board of Directors supports the 2006 position of the Union of Concerned Scientists that the average annual standard currently promulgated by EPA at 15 micrograms still is not low enough to protect human health and should instead be at 13 to 14 micrograms.

([http://www.ucsus.org/scientific\\_integrity/interference/epa-particulate-matter.html](http://www.ucsus.org/scientific_integrity/interference/epa-particulate-matter.html))

As a result, it is our belief that, while this application is very thorough, it is simply too premature and violates the spirit of the Lake Michigan Air Directors Consortium (LADCO). Furthermore, there appears to be conflicting data, there are many questions that need to be answered, some of the documentation or wording is unclear, and more work needs to be done on the Maintenance Plan.

This 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.

Determining the chemical make-up of a particle - known as "speciation" - is an important part of the effort to reduce PM 2.5 levels, and is accomplished largely through data generated by EPA's ambient air speciation monitoring program. We are also very concerned that 2007 results from area speciation monitors are not reflected in this application. While these results may not need to be considered in this application, it must be noted that a number of the readings were above the daily standard of 35 micrograms at the Gary Iitri Speciation Monitor location. (<http://www.in.gov/idem/air/amb/ambient/summary/aqsummary.html>) This kind of data is vital to ensuring that pollution controls are implemented at the right sources and should not be ignored.

Furthermore, we are not clear that the emissions inventory and estimates include important potential future emissions from the following sources:

☐ Increased air emissions expected from the expansion of the BP Whiting Refinery as well as the BP Asphalt Plant.

- ☐ Increased emissions that could result from the expansion of the Gary-Chicago International Airport.
- ☐ Increased emissions resulting from an increase in the use of residential wood combustion devices such as hydronic heaters, also known as Outdoor Wood Furnace Boilers.

One of the major purposes of LADCO, as stated in a Memo of Agreement for Interstate Air Pollution Study and Control signed in 2004 by former IDEM Commissioner Laurie Kaplan, is the development of multi-state, multi-pollutant planning "to support the development of effective control plans to address regional pollution problems such as ozone, fine particles, regional haze and air toxics." IDEM's determination that "emissions from Lake and Porter Counties do not affect the downwind area's ability to attain the fine particles standard" violates the spirit of that Memo of Agreement. In your public response to these comments, we request that Illinois EPA's reaction to this re-designation application be included.

While trying to demonstrate Indiana's lack of culpability in impacting the Chicago nonattainment area you used February 3, 2005 as an example of a monitored day higher than the daily standard of more than 35 micrograms. It is interesting to note that the Ogden Dunes monitor was not operational that day, as indicated on Table 3.5 of the application. This begs the following question: How often do any of the monitors not report results, and how are those non-reporting values factored into the annual average?

Under the 3.5 Continued Monitoring Section, you indicate



that the existing monitoring network could potentially be changed with EPA's approval. We would strongly object to any changes that might be made in the network since monitor changes could potentially be implemented to make the outcomes look more favorable.

Your application must be presented in a manner that demonstrates that attainment was achieved based on permanent and enforceable emission reductions. This application needs to demonstrate more clearly that favorable weather conditions during the design value years did not heavily influence emissions reductions. This is because weather patterns can contribute to yearly differences in PM 2.5 concentrations from area to area.

On page 25 of the application, you indicate that utilities can meet their budget for nitrous oxide (NOx) emissions by purchasing emissions credits. How many credits were actually purchased and how much impact do these credit purchases actually have on the reduction of regional NOx emissions?

Vehicle age distribution is an important consideration when projecting transportation conformity budgets and travel demand forecasts. Considering that the economy in this area is most likely in recession, people and companies will most likely hold onto their cars and fleet vehicles much longer, which means that it will take longer to phase in newer models that will have reduced emissions.

In the application, IDEM has committed to maintaining

certain control measures after re-designation, and those control measures are listed. IDEM should also provide a list of control measures that will no longer be required or utilized if this attainment status is granted.

In the Corrective Actions section of the application, you indicate that "if a new measure or control is already promulgated and scheduled to be implemented at the federal or state level, and that measure or control is determined to be sufficient to address the upward trend in air quality, additional local measures will be unnecessary." Can you please provide clarification on what criteria will be utilized to determine if a measure or control is sufficient? In addition, your contingency measures section is too vague and should be made clearer. For example, instead of providing examples of contingency measures that "may" be considered, you should instead provide a more comprehensive list of contingency measures that could be implemented.

Furthermore, it is our belief that your list of factors that will be considered for the selection of contingency measures is too vague and potentially subjective, especially where you say "Economic and social considerations and other factors IDEM deems appropriate."

In the list of potential contingency measures, you may want to consider having idle restrictions placed on trucks as well as diesel trains; and, instead of wood stove change-outs, you may want to implement residential wood combustion emissions reduction strategies. Residential and industrial

wet-vacuum street sweeping would help also. Another idea might be to work with area industries to evaluate their average truck-waiting times and implement more efficient gate operations.

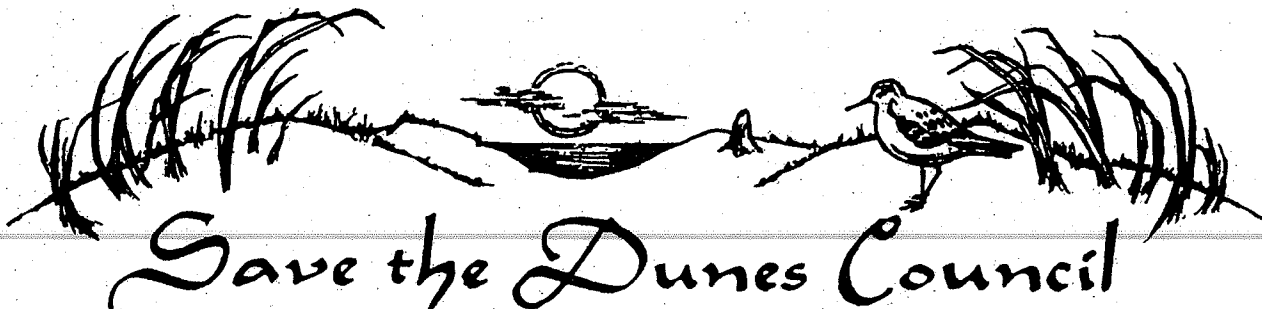
Finally, if and when Lake and Porter Counties are placed into attainment, Save the Dunes requests that you create a Stakeholder Advisory Committee that will help monitor the maintenance plan.

Again, thank you for the opportunity to comment on this application. It is our position that attainment of PM 2.5 in Lake and Porter Counties should not be granted at this time.

Sincerely,

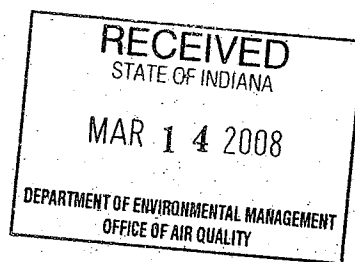
Debbie Chubb  
President

cc: Environmental Protection Agency



# Save the Dunes Council

444 Barker Road, Michigan City, IN 46360 • 219-879-3937 • [www.savedunes.org](http://www.savedunes.org)



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

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**Dedicated to Preservation and Protection of the Indiana Dunes Since 1952**



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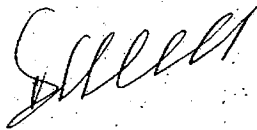
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Finally, if and when Lake and Porter Counties are placed into attainment, Save the Dunes requests that you create a Stakeholder Advisory Committee that will help monitor the maintenance plan.

Again, thank you for the opportunity to comment on this application. It is our position that attainment of PM 2.5 in Lake and Porter Counties should not be granted at this time.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debbie Chubb", with a stylized flourish at the end.

Debbie Chubb  
President

cc: Environmental Protection Agency

**Daniel, Pat**

---

**From:** Laura Demchuck [wzluna@hotmail.com]  
**Sent:** Wednesday, February 27, 2008 9:26 AM  
**To:** Daniel, Pat  
**Subject:** pending BP permit  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

Dear Pat,

NO MORE pollution of any kind from BP. First they tried the water, now they want to spew more pollutants into the air. I am unwilling to sacrifice my health for them - or the jobs I'm sure they will claim will be lost if not allowed to proceed. Please say NO to their permit request.

Sincerely,

Laura Demchuck  
7007 Forest Ave.  
Gary, IN 46403

---

Climb to the top of the charts! Play the word scramble challenge with star power. [Play now!](#)

3/13/2008



**Daniel, Pat**

---

**From:** Donna Norkus [dnorkus@ureach.com]  
**Sent:** Tuesday, February 26, 2008 8:56 PM  
**To:** Daniel, Pat  
**Subject:** BP Emissions

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

The Clean Air Act and/or Clean Water Act should not be usurped in favor of a non-governmental entity's desire to expand at low cost. It is possible to achieve expansion while honoring regulations currently in effect nationally. The only real barrier to doing so is the desire for even greater profits. Do not give in to this corporate greed. Protect the citizens of northwest Indiana, as well as the environment, to the best of your ability by telling BP no.

There is no reason to trade breathable air for jobs. BP can achieve its expansion while complying with existing regulations.

I believe your job is to protect the citizens and the environment of Indiana by ensuring compliance with existing law.

Please continue to do so.

Donna Norkus  
Beverly Shores

**Daniel, Pat**

---

**From:** leslie@leslienuss.com  
**Sent:** Tuesday, February 26, 2008 10:01 PM  
**To:** Daniel, Pat  
**Subject:** please have BP pay to treat its pollution

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

Hi, I am somewhat new to NWI and at first I thought Indiana was a great clean state and lately I am learning more and more about how lax the environmental regulations are and how polluted this state is and our water, air, etc.

Please don't cave in to corporate pressure. BP can afford to be environmentally responsible. Please do not let them spew their pollution into our air. We will all bear the costs if you give BP corporate welfare by letting them off the hook instead of treating their pollution responsibly.

In the late 80's I started the recycling programs for the University of Illinois at Urbana-Champaign. I know from my involvement there that we need good people with integrity to be leaders in calling for corporations to respect the health of the people who live where they have businesses.

If you work for IDEM, you must know about the dire state of planet earth. We need people who will fight for what is right and not cower under the dangling dollars and intimidation of corporations.

Please be that person.  
thank you,  
Leslie Nuss

## Daniel, Pat

---

**From:** jimgeorge [jig.ace@earthlink.net]  
**Sent:** Tuesday, March 11, 2008 2:41 PM  
**To:** Daniel, Pat  
**Subject:** Fw: correct email to IDEM

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

Mr. Daniel, I totally agree with the message below. NO MORE POLLUTION, PLEASE! Regards,  
Jim George, Ogden Dunes, In.

-----Forwarded Message-----

>From: odnewsletter@comcast.net  
>Sent: Mar 11, 2008 1:34 PM  
>To: odnewsletter@comcast.net  
>Subject: correct email to IDEM  
>  
> Sorry here's correct email:  
>  
>pdaniel@idem.in.gov  
>  
>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.  
>  
>  
>Include your name & address.  
>  
>  
>Thanks.

**Daniel, Pat**

---

**From:** jimgeorge [jg.ace@earthlink.net]  
**Sent:** Tuesday, February 26, 2008 3:32 PM  
**To:** Daniel, Pat  
**Subject:** BP

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

Dear Pat Daniel, Please do not allow BP to increase soot emmisions. Our air is dirty enough. We do not need more particulates of anything in our air. We should be decreasing, not increasing anything. C'mon, do the right thing for our sake. Thank you.  
Jim George

**Daniel, Pat**

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**From:** Charles Hensel [henselgary@att.net]  
**Sent:** Wednesday, February 27, 2008 9:39 AM  
**To:** Daniel, Pat  
**Subject:** NO  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

It is unconscionable to permit even more soot and other particulates into the air and lungs of the people of Northwest Indiana. Do not support this tragedy.

(The Rev) Charles H. Hensel  
 8414 Oak Ave  
 Gary, IN 46403

3/13/2008

**Daniel, Pat**

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**From:** Kurt Oldenbrook [ktrader33@yahoo.com]  
**Sent:** Wednesday, March 19, 2008 5:09 PM  
**To:** Daniel, Pat  
**Subject:** BP Permit  
**Follow Up Flag:** Follow up  
**Flag Status:** Green

Dear Sir,

The permit for BP to continue polluting Northwest Indiana should not be granted, You and I both know that the public meeting was stacked with BP employees and their families. Most were probably paid to be there. This is and has been a common occurrence in Indiana for the last half century. In addition, you and I both know that the release of lead into the already toxic air of northern Indiana will cause more problems for the children of our area. Now you may not care, but we who live here do. You may not know, but I do, that sooner or later all the industry in this part and other parts of the state will eventually either clean up their pollution or die from it. It really is just a matter of when. Is 100 years enough to get the pollution under control? 200 years perhaps, or 500 more than that? If we begin now the clean-up will be easier and fewer people will die from cancer.

BP will not go out of business if forced to stop all pollution in the air, soil, and water of our home environment. They will not shut the plant. They will comply if and when we get smart about the damage being caused and find the political will to do the right thing and stop poisoning our nests.

Thank you,  
Kurt Oldenbrook

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3/27/2008

**Daniel, Pat**

---

**From:** JohnDefauw@aol.com  
**Sent:** Wednesday, March 19, 2008 3:45 PM  
**To:** Daniel, Pat  
**Subject:** IDEM wants to designate NWI in "attainment" for soot potentially allowing more  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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.

John Defauw  
5865 Dunes Highway  
Ogden Dunes, In 46368

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3/27/2008

## Daniel, Pat

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**From:** Nina Klooster [ninaklooster@mac.com]  
**Sent:** Wednesday, February 27, 2008 9:53 AM  
**To:** Daniel, Pat  
**Subject:** Polution in NWIndiana

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

I am seriously concerned about the incident of diseases like cancer and neurological problems in areas like Hobart and Gary. IDEM please wake up and get the facts about childhood cancer. Please stop pretending to be interested in the environment and protect the citizens from these health hazards. Nina Klooster 1438 W 700 N Lake Village, IN 46349



**Northwest Indiana Redesignation Request and Maintenance Plan in  
Association with the Annual Standard for Fine Particulate Matter  
(PM<sub>2.5</sub>)**

**Summary/Response to Comments Received at Public Hearing**

On February 27, 2008, the Indiana Department of Environmental Management (IDEM) conducted a public hearing concerning the draft redesignation request of the annual fine particulate matter (PM<sub>2.5</sub>) standard for Lake and Porter counties, Indiana. Comments were made by the following parties:

Karen Kroczek, Concerned Citizen  
Mark Coleman, Concerned Citizen  
Lisa George, Resident  
Karin Kirulis, Resident  
Mark Strimbu, NiSource  
Jim Alexander, U.S. Steel

Kroczek  
Coleman  
George  
Kirulis  
NiSource  
U.S. Steel

**Following is a summary of the comments received and IDEM's responses thereto:**

Comment: Commenter asked how permitting the emission of larger quantities of toxic soot could help IDEM to meet their mission to encourage and aid businesses and citizens in protecting and improving Indiana's environment. (Kroczek)

**Petitioning U.S. EPA to redesignate the area to attainment and reclassifying the area to maintenance means that IDEM is committed to ensuring that air quality that meets the annual fine particle standard is maintained. As such, new and expanding businesses would be required to demonstrate that their emissions would not cause or contribute to a re-violation of the standard.**

Comment: Commenter referenced an article from Argonne National Laboratory that warned of health, environmental and aesthetic risks of soot. The commenter summarized how soot particles are formed, the health effects and the environmental damage of soot, particularly fine particles. (Kroczek)

**IDEM agrees with the commenter on the potential health and environmental effects of exposure to elevated levels of fine particles and strives to assure that communities in Indiana comply with the health based standards as expeditiously as possible.**

Comment: Commenter encouraged IDEM to establish and enforce laws and regulations that promote good stewardship, health, wealth and competitiveness. (Kroczek)

**IDEM acknowledges comments provided.**

Comment: The commenter opposed designating or redesignating Lake and Porter counties to attainment status. Commenter stated that it is unreasonable and illogical to designate the area to attainment since the area was designated as the worse and most unhealthy place to live by at least two nationally distributed magazines. (Coleman)

**Lake and Porter counties have measured air quality that meets the annual fine particle standard since 2003 and many of the other health based air quality standards, as well. Air quality in the region has improved significantly over the past ten years. The criteria used for the assessment referred to are based on factors that are not comparable to air quality standards. IDEM's assessment is based on evaluation methods set by the U.S. EPA to measure compliance with the standards and air quality in the area is in compliance.**

Comment: Commenter stated that the methods the state uses to determine attainment are flawed. Congress has voted on a resolution to stop a permit issued by the state to BP (Amoco) which would allow more pollution into Lake Michigan. (Coleman)

**The state uses the evaluation methods established by U.S. EPA to measure compliance. The resolution passed by Congress was in conjunction with a water permit, not air quality attainment status.**

Comment: Commenter stated that it appears that the reason IDEM wants to redesignate Lake and Porter counties to attainment status is, according to the newspapers, to make it okay for expanding businesses and new businesses to add more pollution into the already polluted air. (Coleman)

Comment: The commenter asked "Why do we need to redesignate to pollute more? Why couldn't we just shift the amount of pollution? If you want new companies to come in and to be able to pollute why can't you take some of the allocation that you have from U.S. Steel and other polluters...reduce the amount that they can pollute so that new businesses can pollute?" (George)

**In response to the two comments above, IDEM is petitioning U.S. EPA to redesignate the areas to attainment because air quality in Lake and Porter counties is in compliance with the annual fine particle standard and should be redesignated back to attainment.**

**Large projects that may represent emissions increases beyond normal expected growth would be subject to the new source review permitting program for attainment areas known as Prevention of Significant Deterioration (PSD). New major sources or major modifications of existing sources must install best available control technology and demonstrate that the resulting emissions would not cause or contribute to a violation of any national ambient air quality standard. These permits are subject to public review, comment and the opportunity for a public hearing to help ensure that these requirements are satisfied.**

Comment: Commenter asked if the level of pollution would get worse than it is today.  
(George)

**If the area is redesignated to attainment and classified to maintenance for the annual fine particle standard, IDEM has committed to assuring that air quality is maintained. The Clean Air Act requires that areas with maintenance plans ensure that there's no backsliding with regard to measured air quality. Precursor emissions that contribute to fine particle concentrations cannot increase over time.**

**The document addresses future year modeling with national, regional and local emission control strategies already in place and strategies to be implemented in the next few years. Air quality is projected to improve over the next ten years and continue to attain the current annual fine particle standard. Future year modeling takes into account projected emissions increases from industry and population growth, as well as emissions control strategies.**

Comment: Commenter asked "If air quality is getting better, why do you have to change the designation?" (George)

**Lake and Porter counties have measured air quality that complies with the annual fine particle health based standards since 2003. Therefore the area is eligible for its air quality status to be classified consistent with other counties in the nation that measure air quality that meets the standard.**

Comment: Commenter stated that she doesn't trust the numbers that IDEM has. She lives in the area, breathes the air and smells it. She doesn't think it's healthy no matter what the numbers say and no matter what EPA says. (George)

**Methodology used in the document to demonstrate attainment of the standard, as well as certified quality assured monitoring data is readily available and verifiable in U.S. EPA guidance documents.**

Comment: Commenter asked "if you find that the particles are more than they should be, what specifically do you do? Do you tell U.S. Steel to shut down for a couple of weeks?" (Kirulis)

**If emissions start increasing after the area is redesignated, or monitored exceedances occur, as part of the maintenance plan, IDEM commits to taking swift action in order to reverse the trend and take whatever action is necessary to ensure that air quality is re-attained as expeditiously as possible.**

Comment: The commenter provided suggestions to help IDEM clarify statements made in the document. The first comment was on page 7, where it references the design value. It refers to the air quality and design value for the area as the highest design value among all sites in the area. If the statement references Lake and Porter counties only, it should be revised to make that clear. On page 23, Section 3.4, it states that IDEM has

quality assured all data shown in the tables. One of the tables show information from out-of-state monitors and asked if that statement is truly correct or if IDEM is responsible for State of Indiana data only. (NiSource)

**IDEM appreciates the suggestions and will revise the document accordingly.**

Comment: Maybe a good corollary might be the coarse particulate matter regulations, PM10. Coarse particles have been regulated for a while, for which we are in attainment. There's a maintenance plan in place that if our company is found culpable in exceedance of that, we have to submit a 25 percent source wide reduction of our particulate matter within 180 days. So the position of U.S. Steel on this is that there are regulations in place that allow IDEM to seek attainment for counties that are in attainment of the Clean Air Act and of the standards. (U.S. Steel)

Comment: These standards went through a lot of scientific review. And I sympathize with the people that breathe it, it's me and my family also, and I know the damage that it causes. But these standards were set by scientists to designate healthy air. It's IDEM's job to regulate industry and point sources, and area sources and mobile sources to get us into attainment. Now, if we believe that 35, or in this case, the standard of 15 on an annual basis, is too high and what we need to do is to get that standard lowered from 15, not to attack the redesignation. (U.S. Steel)

Comment: If we do redesignate, not one limit at Gary Works is relaxed. It does not allow us to pollute more. It does change, in some cases, new source review for new and modified sources, but it makes it more difficult for us to modify or add, because you have to stay in attainment of the standards. (U.S. Steel)

**IDEM appreciates the preceding comments and the support to redesignate the area to attainment.**

#### **Summary/Response to Comments Received During Comment Period**

IDEM requested public comment on the draft redesignation request for Lake and Porter counties from January 28, 2008 through March 11, 2008. IDEM received comments from the following parties:

Sandy O'Brien, Dunelands Sierra Club  
Karin Kirulis,  
Michele Bonneau  
Jim Sweeney  
Lou Gagliardi  
Patricia and Richard Gonzales  
Dean Squire  
Jean Smith  
Lynda Jorgensen

Dunelands  
Kirulis  
Bonneau  
Sweeney  
Gagliardi  
Gonzales  
Squire  
Smith  
Jorgensen

Joanne Lehmann	Lehmann
Ron Wennekes	Wennekes
Randi Light	Light
Bessie Dent, The Calumet Project	Calumet
June Hardy	Hardy
Patrick M. Gordon, Indiana Steel Environmental Group	ISEG
James W. Flannery, The Northwest Indiana Forum	NWI Forum
Janet G. McCabe, Improving Kids Environment	IKE
Laurel L. Kroack, IL Environmental Protection Agency	IL EPA
Debbie Chubb, Save the Dunes Council	SAVE
Laura Demchuck	Demchuck
Donna Norkus	Norkus
Leslie Nuss	Nuss
Jim George	JGeorge
Charles Hensel	Hensel
Kurt Oldenbrook	Oldenbrook
John Defauw	Defauw
Nina Klooster	Klooster

**Following is a summary of comments received and IDEM's responses thereto:**

Comment: The commenter expressed concern with the impact of more use of wood burning stoves of any type for home heating as natural gas and electricity prices continue to rise. Users should be required to use the latest technology to be as low in pollution as possible. (Dunelands)

**This is an issue of national concern. The Environmental Protection Agency has launched a voluntary partnership program to reduce air pollution from outdoor wood-fired boilers and has implemented a program to certify new wood stoves and fireplaces as energy efficient. Emissions from wood combustion sources were included in the base-year inventory and expected growth is reflected in the future year inventories.**

Comment: Commenter expressed opposition to the granting of PM<sub>2.5</sub> attainment to Lake and Porter counties. There are too many unresolved questions regarding increased air emissions at BP, as well as other industries in northwest Indiana, in the near future. (Kirulis)

**Potential developments, that we're aware of, were considered as part of the maintenance plan when we estimated economic growth and the corresponding increase in emissions. Emissions are expected to be lower in ten years than they are now. There are additional emissions controls "on the books" that have not been fully implemented yet, and these will help offset area growth. In addition, major new sources will be subject to new source review permitting under the Prevention of Significant Deterioration rule requiring best available control technology and a**

**demonstration that the emissions will not cause or contribute to a violation of any NAAQS.**

Comment: Commenter expressed concern that the 2007 results from monitors are not examined in the application, especially the Gary monitor with a level above the standard of 35 micrograms. (Kirulis)

**As stated in the introduction section of the document and in the public notice for this hearing, an addendum was added to the document and placed on the website prior to the public hearing containing an analysis of the 2007 monitoring data. It shows that all of Indiana's annual population-exposure monitoring sites continue to demonstrate attainment from 2005 - 2007.**

Comment: Commenter asked "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?" (Bonneau)

**IDEM intends to continue cooperating and working with other states through the Lake Michigan Air Directors Consortium on regional planning initiatives. IDEM has participated in regional planning and modeling of projected future emissions, including proposed controls on large utilities, on and off road vehicles, and fuels, and has determined that the standard will be met by an increasing margin of safety in the coming years.**

Comment: Commenter strongly opposes the designation of Lake and Porter counties as "in attainment" of the PM<sub>2.5</sub> standard. Commenter believes the move is based on economic concerns, not public health, and that the redesignation is the result of an organized effort of the U.S. EPA and IDEM to promote increased industrial production in northwest Indiana. (Sweeney)

**The NAAQS are based upon multiple studies developed by independent scientists to be protective of public health and the environment. It was determined that the current standards are protective of public health. Ambient annual fine particle levels measured in Lake and Porter Counties meet these standards.**

Comment: The commenter mentions the known health effects that are the result of exposure to fine particulate matter and cited several studies with findings that provide evidence that fine particle concentrations below the national standard are harmful to the cardiovascular and respiratory health of elderly citizens. (Sweeney)

**IDEM agrees that there are known health effects associated with exposure to elevated levels of fine particles. However, the federal ambient air quality standards are set at levels that are determined to be protective of human health. The standards are reviewed every five years to determine whether the standards are sufficient to protect public health. In 2006, the U.S. EPA determined that the current annual standard for fine particles is sufficient to protect public health. As studies continue**

**into the future, that information will be used to determine if the air quality standards remain the same or need to be changed.**

Comment: Several commenter provided comments that the attainment application is premature. The commenter noted that IDEM used data from 2004, 2005 and 2006 as the design values in the application; the commenters requested that the 2007 data be added to the application prior to submittal to U.S. EPA. (Gagliardi) (Gonzales) (Squire) (Smith) (Jorgensen) (Wennekes) (Light) (Hardy) (SAVE) (Defauw)

**As stated in introduction section of the document and the public notice for this hearing, an addendum was added to the document and placed on the website prior to the public hearing containing an analysis of the 2007 monitoring data. It shows that all of Indiana's population-exposure monitoring sites continue to demonstrate attainment from 2005 - 2007.**

Comment: Several commenters also noted that although many regulations exist, such as the Clean Air Interstate Rule (CAIR), which will help reduce PM<sub>2.5</sub>, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, they believe it is too early to fully assess the impacts of these regulations. (Gagliardi) (Gonzales) (Squire) (Smith) (Jorgensen) (Lehmann) (Wennekes) (Light) (SAVE) (Defauw)

**Lake and Porter County monitors have shown attainment for several years, since 2003, which reflects the impact of federal and state rules which are currently in effect. Modeling shows that future reductions resulting from the new rules will continue to further reduce PM<sub>2.5</sub> levels.**

Comment: Several commenters support the comments submitted by Save the Dunes Organization. (Dunelands) (Calumet) (Hardy)

**IDEM acknowledges receipt of the comment.**

Comment: Commenters strongly support IDEM's draft petition for redesignation of Lake and Porter counties as attainment for fine particulate matter. (ISEG) (NWI Forum)

**Thank you for your support.**

Comment: Commenters point out that 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 indicates that prevailing winds blow away from the violating monitors more than 90% of the time, <http://www.epa.gov/region5/sites/indianaharbor/>. The commenters suggest that IDEM incorporate this point more prominently in Section 3.3 of the redesignation petition. (ISEG) (NWI Forum)

**IDEM appreciates the comments and will review the document to determine if the points in this section can be further clarified.**

Comment: The commenters concur with IDEM's conclusion that since the area attained the standard 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. (ISEG) (NWI Forum)

**IDEM appreciates the support. It should be noted that the majority of major sources for NO<sub>x</sub> within Lake and Porter counties are subject to the NO<sub>x</sub> SIP Call, thereby meeting RACT requirements for NO<sub>x</sub>. Therefore, any reductions to be gained through the applicability of NO<sub>x</sub> RACT for Lake and Porter counties would be negligible.**

Comment: The commenter opposes IDEM's intent to seek redesignation of Lake and Porter counties for the fine particle health standard. The commenter states that redesignation of these counties is not the best way to achieve public health and economic goals of the region, and will undermine the 15 year commitment among the Lake Michigan states to work collectively to solve regional air quality challenges. (IKE)

**IDEM contends that the area and the associated petition meets the requirements for redesignation contained in the Clean Air Act, and therefore, it should be redesignated to attainment. IDEM intends to continue working cooperatively with LADCO and the other LADCO states to address regional air quality issues, and that cooperation is not dependent on the designation status of Lake and Porter counties.**

Comment: The commenter states that 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. (IKE)

**Ambient air quality in Lake and Porter counties has measured annual fine particle levels in compliance with the standard since 2003. Furthermore, IDEM has conducted an analysis to determine Indiana's culpability on downwind monitors and has determined that Lake and Porter counties do not primarily impact monitored violations in the Chicago area and additional controls in Lake and Porter counties will not provide for attainment of the standard in the Chicago area.**

Comment: The commenter states that 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 standard and that 2005-2007 monitoring data show five monitors in violation. (IKE)

**Please see response above.**



Comment: Commenter mentions that Lake and Porter counties are part of a multi-state nonattainment area. Granting Indiana's request would require U.S. EPA to redesignate a portion of a nonattainment area before the entire area has attained. Based on conversation with U.S. EPA Region V staff, the agency has never approved such a request. (IKE)

**IDEM is aware of the fact that by approving this redesignation petition, U.S. EPA will be setting precedent. Nevertheless, Lake and Porter counties have attained and maintained air quality that is in compliance with the annual fine particle standard, and thereby eligible for redesignation, based on Section 107(d) of the Clean Air Act.**

Comment: Like ozone in some respects, PM<sub>2.5</sub> is a regional pollutant. The main sources of emissions in the SO<sub>2</sub> and NO<sub>x</sub> 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. Because of the concentration of large and numerous point sources as well as significant emissions from motor vehicles, U.S. EPA guidance treats large metropolitan areas (even if they are multi-state) as a single nonattainment area. (IKE)

**IDEM has evaluated monitoring data on a case-by-case basis and determined that monitored concentrations throughout the region are closely representative of background levels, with the exception of a few monitoring sites in Cook County, Illinois. IDEM has determined that Lake and Porter counties are not primary contributors to measured levels at those sites. A number of monitoring sites located between and/or around the site locations with values above the standard measure air quality below the standard. If Lake and Porter counties were primary contributors to monitored violations in Northwest Illinois, these sites would maintain values above the standard as well. IDEM believes that the sites that measure air quality above the standard are affected by localized urban excess that is not attributable to Lake and Porter counties. LADCO modeling shows that EGU and mobile source emissions from Lake and Porter counties impact Cook county monitors at levels less than 0.1 ug/m<sup>3</sup>.**

Comment: The commenter noted that several monitors in Lake County do not meet the recently revised PM<sub>2.5</sub> daily standard of 35 micrograms per cubic meter, based on 2005-2007 data. These counties are very likely to be designated as nonattainment under the revised standard and it will serve little purpose to redesignate them now to attainment for the annual standard. The commenter contends that doing so would likely confuse the regulated industry and the public about whether air quality does or does not meet health standards and what permitting rules apply. (IKE)

**This document only addresses the annual fine particle standard. Designations have not been made for the revised 24 hour (daily standard) for fine particles. There are only two monitors in Northwest Indiana that currently do not meet the revised daily PM 2.5 daily standard of 35 micrograms per cubic meter, based on 2005-2007 data. Those two monitors are the East Chicago (35.5 ug/m<sup>3</sup>) and Gary Burr Street (36.9).**

**The Gary Burr Street monitor is a source oriented monitor and is intended to reflect air quality in a relatively small geographic area directly influenced by a specific source or sources of air pollution. This monitor is not used to determine attainment with the annual fine particle standard, but U.S. EPA determined it could be compared to the daily standard. IDEM considers these to be hot spots and not reflective of the overall air quality in the area.**

**The East Chicago monitor in Lake County is slightly above the 24-hr PM standard, however, photochemical modeling results show that by 2009 the monitor will be in attainment.**

**Comment:** The states of Illinois, Indiana, Wisconsin, Michigan and Ohio have worked cooperatively for many years to improve air quality throughout the region. Although air quality has greatly improved as a result of our joint efforts, violations of the annual PM<sub>2.5</sub>NAAQS are still occurring in our region. We believe that emissions from Lake and Porter counties contribute significantly to ongoing violations of the annual PM<sub>2.5</sub> standard. Therefore, IL EPA strongly opposes Indiana's redesignation petition. (IL EPA)

**IDEM has conducted an analysis to determine Indiana's culpability on downwind monitors and has determined, as summarized in this document, that Indiana's portion of the nonattainment area does not primarily contribute to monitored violations of the standard within the Illinois portion of the nonattainment area.**

**Lake and Porter counties are subject to the most stringent group of emission controls within the state of Indiana. This collection of permanent and enforceable controls is as equally stringent as those that apply elsewhere within the nonattainment area, and in some cases, more stringent. Indiana believes that the monitoring sites in Cook County, Illinois that currently measure fine particle concentrations above the standard are affected by localized "urban excess", mostly attributable to localized mobile and fugitive sources.**

**IDEM intends to continue working cooperatively with LADCO and the other LADCO states to address regional air quality issues, and that cooperation is not dependent on the specific designation of Lake and Porter counties.**

**Comment:** As Indiana's petition notes, PM<sub>2.5</sub> concentrations exceeding the level of the annual NAAQS were measured in northeastern Illinois during the 3-year period, 2004-2006, used in your analysis. Based on the most recent 3-year period, 2005-2007, a violation of the annual PM<sub>2.5</sub> NAAQS has been measured at the Illinois monitoring station at the Washington High School. This monitoring station is the closest Illinois monitor to Lake County, Indiana. (IL EPA)

**Analyses performed by IDEM show that background concentrations and local sources have much greater impact on the Cook County, IL monitors than sources in NW Indiana.**

Data for 2005-2007 indicates that a total of five sites in Cook County have exceeded the annual NAAQS. This includes the site closest to Indiana, 170310022, 3535 E. 114th Street, Chicago. This site is classified as a population-exposure site. Its three year design value is  $15.3 \mu\text{g}/\text{m}^3$ .

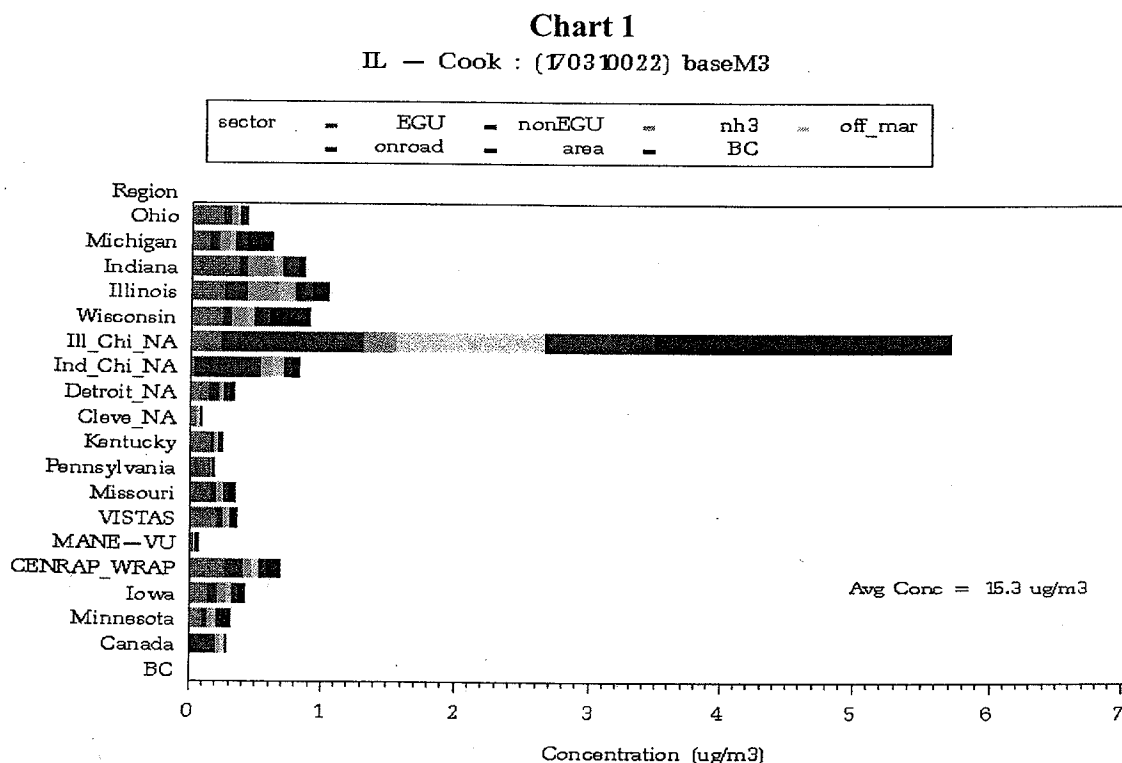
There are two additional monitoring sites in close proximity to 170310022, one at 103rd and Luella Streets in Chicago (170310050) and one at Robertsdale in Hammond (180892010). Site 170310050 has a 2005-2007 design value of  $14.7 \mu\text{g}/\text{m}^3$ . Site 180892010 has a design value for the same time period of  $14.0 \mu\text{g}/\text{m}^3$ . Indiana believes local impacts, primarily from fugitive sources are the reason the Washington High School monitor is exceeding the standard, since there isn't a similar regional pattern among the monitors in close proximity.

Comment: To further establish that emissions from Indiana are contributing to elevated  $\text{PM}_{2.5}$  levels at Washington High School, the Illinois EPA developed a "pollution rose" for this site, to illustrate the average  $\text{PM}_{2.5}$  concentrations at this location based on the wind direction occurring during times of elevated  $\text{PM}_{2.5}$  levels. Please note the high average contributions occurring at Washington High School when winds are from easterly through south-southeasterly wind directions. It is also noted that southerly through westerly wind directions also contribute to elevated  $\text{PM}_{2.5}$  levels, but these directions are consistent with the climatological frequency of winds throughout the year. It is obvious that elevated  $\text{PM}_{2.5}$  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  $\text{PM}_{2.5}$  violations at Washington High School. (IL EPA)

A summary of the data from 2005 through 2007 indicates that on the higher  $\text{PM}_{2.5}$  days, surface and upper air winds came from every direction. The majority of the winds on the higher  $\text{PM}_{2.5}$  days came from the south, west and east directions. The back trajectories show that a majority of the previous day's air came from the south, west and southwest with more stagnant conditions when the air was re-circulated over the area. This information suggests that the Illinois monitors are impacted from all surrounding areas and local emissions appear to be the difference between sites attaining or not attaining the NAAQS.

To further demonstrate this point, LADCO conducted annual  $\text{PM}_{2.5}$  particulate source apportionment (PSAT) modeling for the Illinois monitoring sites. This modeling shows the regional and emission sources that impact a  $\text{PM}_{2.5}$  monitoring site. The PSAT results show that the Illinois monitors are overwhelmingly impacted from the Chicago, Illinois portion of the Illinois  $\text{PM}_{2.5}$  nonattainment area, with a large portion of the impact from area, marine/airplane/rail, mobile and non-EGU emission sources. Lake and Porter County emissions have lesser impacts than Wisconsin, Illinois and boundary conditions.

Chart 1 below shows the PSAT results for the Washington High School PM<sub>2.5</sub> monitoring site. While Lake/Porter counties have some impact, the monitor is impacted by all surrounding areas.



**Comment:** For its Clean Air Interstate rulemaking, U.S. EPA considered a 0.2 ug/m3 contribution from an entire state a significant contribution for PM<sub>2.5</sub>. 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 PM<sub>2.5</sub> 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. (IL EPA)

Indiana has adopted the Clean Air Interstate Rule, which is intended to address power plant contributions to downwind nonattainment areas. Indiana is also analyzing other stationary source control measures that could address additional downwind contributions. Such measures are not limited to Lake and Porter sources, and do not require a nonattainment designation in Lake and Porter counties in order for the state to adopt them. Indiana commits to maintain all emission control measures that have been implemented in Lake and Porter counties, including the vehicle inspection and maintenance program.

**If emissions deriving from Lake and Porter counties were significantly contributing to the violating monitors in Illinois, we would expect to see similar elevated values at the sites located between Lake and Porter counties and the Cicero and Wilson Ave., and in Lake and Porter counties.**

**The location of the two violating monitors in Northeast Illinois results in elevated concentrations representative of localized "urban excess", primarily attributable to localized mobile and fugitive source emissions. Indiana is confident that its contribution to this localized effect is negligible.**

**Comment:** 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. (IL EPA)

**Indiana's petition is to redesignate a portion of the interstate nonattainment area, not to revise the statistical boundaries, as allowed in Section 107 (d)(3) of the Clean Air Act.**

**Comment:** 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. (IL EPA)

**IDEM has demonstrated in its petition that it meets the requirements for redesignation contained in the Clean Air Act, and therefore, should be redesignated. However, redesignation does not bar IDEM from continued interstate efforts to improve air quality. IDEM intends to continue working cooperatively with the other LADCO states to address regional air quality issues.**

**Comment:** Determining the chemical make-up of a particle - known as speciation - is an important part of the effort to reduce PM<sub>2.5</sub> levels and is accomplished largely through data generated by EPA's ambient air speciation monitoring program. The commenter is concerned that 2007 results from area speciation monitors are not reflected in the application. While these results may not be needed to be considered in this application, it must be noted that a number of the readings were above the daily standard of 35 micrograms at the Gary IITRI monitoring location. (SAVE)

**Speciation data has not been reviewed for the Gary IITRI monitor. While some values may currently be above the revised daily PM standard of 35 micrograms per cubic meter, the 3-year design value is 34.7 and below the standard. Designations for the new daily fine particle standard have not been made. IDEM anticipates that if the designations are made in 2009, the area will have realized air quality benefits from recently implemented measures and may not be violating the daily standard when designations occur.**

Comment: Commenter noted that it was not clear that the emissions inventory and estimates include important potential future emissions from several sources, including the expansion of the BP Whiting Refinery, the BP asphalt Plant, the expansion of the Gary-Chicago International Airport and the increase in the use of residential wood combustion devices, such as outdoor wood furnace boilers. (SAVE)

**The purpose of the Redesignation Petition and Maintenance Plan is to demonstrate and ensure that compliance of the air quality standard will be maintained in the future. In making this demonstration, we have estimated emissions 10 years into the future and taken into account expected economic growth. Our estimates show that even with growth, declining emissions due to the Clean Air Interstate Rule, new engine and fuel standards and other measures will ensure that the annual fine particle standard will be maintained. We will continue to monitor emissions and fine particle values closely, and the maintenance plan has triggers that require IDEM to take action even before an actual violation of the standard would occur.**

**The Environmental Protection Agency has launched a voluntary partnership program to reduce air pollution from outdoor wood-fired boilers and has implemented a program to certify new wood stoves and fireplaces as energy efficient.**

Comment: One of the major purposes of LADCO, as stated in a Memo of Agreement for Interstate Air Pollution Study and Control, signed in 2004 by former IDEM Commissioner Lori Kaplan, is the development of multi-state, multi-pollutant planning to support the development of effective control plans to address regional pollution problems such as ozone, fine particles, regional haze and air toxics. IDEM's determination that "emissions from Lake and Porter counties do not affect the downwind area's ability to attain the fine particles standard violates the spirit of that Memo of Agreement. (SAVE)

**IDEM has demonstrated in its petition that it meets the requirements for redesignation contained in the Clean Air Act, and therefore, should be redesignated. However, redesignation does not bar IDEM from continued interstate efforts to improve air quality. IDEM intends to continue working cooperatively with LADCO and the other LADCO states to address regional air quality issues within the region.**

Comment: While trying to demonstrate Indiana's lack of culpability in impacting the Chicago nonattainment area you used February 3, 2005 as an example of a monitored day higher than the daily standard of more than 35 micrograms. It is interesting to note that the Ogden Dunes monitor was not operational that day, as indicated on Table 3.5 of the application. This begs the following question: How often do any of the monitors not report results, and how are those non-reporting values factored into the annual average? (SAVE)

**U.S. EPA issued the "Guideline on Data Handling Conventions for the PM NAAQS" in April 1999. These guidelines outline what states are required to do when there is missing data. U.S. EPA's monitoring guidance stipulates that a**

**minimum of 75% of the data per quarter must be available in order to determine if the design value represents attainment. If less than 75% of the data is valid, then the maximum quarterly value for that given quarter over the three-year period is substituted for all missing samples for that quarter. U.S. EPA also encourages states to explore alternative methods for evaluating the data, which Indiana has done for any monitor that has missing data.**

Comment: Under the 3.5 Continued Monitoring Section, you indicate that the existing monitoring network could potentially be changed with EPA approval. We would strongly object to any changes that might be made in the network since monitor changes could potentially be implemented to make the outcomes look more favorable. (SAVE)

**In October 2006, U.S. EPA issued final regulations concerning state and local agency ambient air monitoring networks. These regulations require states to submit an annual monitoring network review to U.S. EPA. Each year, IDEM will provide to U.S. EPA the framework for establishment and maintenance of an air quality surveillance system and will list any changes that are proposed to take place during the network season. IDEM discusses changes to monitoring networks with affected communities and the draft plan is placed on public notice prior to submittal to U.S. EPA.**

**In Indiana's 2008 Final Network Monitoring Plan there were several changes to the PM 2.5 monitoring network, including relocating 2 sites, discontinuing 7 sites and adding 3 sites. Indiana's 2008 Final Network Monitoring Plan can be viewed at [http://www.in.gov/idem/programs/air/amb/docs/2008\\_monitoring\\_plan.pdf](http://www.in.gov/idem/programs/air/amb/docs/2008_monitoring_plan.pdf)**

Comment: You application must be presented in a manner that demonstrates that attainment was achieved based on permanent and enforceable emission reductions. This application needs to demonstrate more clearly that favorable weather conditions during the design value years did not heavily influence emission reductions. (SAVE)

**Permanent and enforceable reductions of sulfur dioxides, direct PM<sub>2.5</sub>, and oxides of nitrogen have contributed to the attainment of the annual standard for fine particles. Some of these reductions were due to the implementation of the NO<sub>x</sub> SIP Call, and some were due to the application of tighter federal standards on new vehicles and fuels.**

**NO<sub>x</sub> emissions within the Northwest Indiana area are projected to decline by almost 42% between 2005 and 2020. Photochemical modeling supports the continued decrease in fine particle concentrations in Lake and Porter counties in the future. Please refer to Section 6.2 of the document for a summary of permanent and enforceable emissions reductions implemented in the region.**

Comment: On page 25 of the application, you indicate that utilities can meet their budget for nitrous oxide (NO<sub>x</sub>) emissions by purchasing emission credits. How many credits were actually purchased and how much impact do these credit purchases actually have on the reduction of regional NO<sub>x</sub> emissions? (SAVE)