



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

FEB 16 2016

REPLY TO THE ATTENTION OF:

The Honorable Rick Snyder
Governor of Michigan
P.O. Box 30013
Lansing, Michigan 48909

Dear Governor Snyder:

Thank you for your recommendations dated September 18, 2015 on air quality designations for the State of Michigan for the 2010 revision to the primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). Reducing levels of SO₂ pollution is an important part of the U.S. Environmental Protection Agency's commitment to a clean, healthy environment. Exposure to SO₂ can cause a range of adverse health effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms. This letter is to notify you of EPA's preliminary intentions regarding your recommended designations.

On June 3, 2010, EPA strengthened the health-based or "primary" standard for SO₂ by establishing a standard for 1-hour average SO₂ concentrations at a level of 75 parts per billion. Within one year after a new or revised standard is established, the Clean Air Act requires the Governor of each state to submit to EPA a list of all areas in the state, with recommendations for whether each area meets the standard. Through an interactive process, EPA considers the recommendations and then promulgates designations for all areas across the country. On July 25, 2013, EPA designated 29 areas in 16 states as nonattainment based on monitored violations, but did not at that time designate other areas. Pursuant to a March 2, 2015, court-ordered schedule,¹ EPA must complete the remaining SO₂ designations by three specific deadlines: July 2, 2016, December 31, 2017, and December 31, 2020.

This current round of designations, to be completed by July 2, 2016, addresses two groups of areas: (1) areas that have newly monitored violations of the 2010 SO₂ NAAQS based on the most recent three calendar years of certified monitored ambient air quality data, and (2) areas that contain any stationary source that had not been announced as of March 2, 2015, for retirement and that according to EPA's Air Markets Database emitted in 2012 either (i) more than 16,000 tons of SO₂ or (ii) more than 2,600 tons of SO₂ with an annual average emission rate of at least 0.45 pounds of SO₂/MMBTU.

¹ *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

After carefully considering Michigan's recommendations and other available technical information, EPA intends to designate as nonattainment or unclassifiable/attainment the following areas, including the following counties or portions of counties:

Intended Nonattainment Area

St. Clair County

Intended Nonattainment Counties

St. Clair County (p)

Intended Unclassifiable/Attainment Area

Lansing County

Marquette County

Ottawa County

Intended Unclassifiable/Attainment Area Counties

Eaton and Ingham Counties

Marquette County

Ottawa County

Intended Unclassifiable Area

Bay County*

Monroe County*

Intended Unclassifiable Area Counties

Bay County

Monroe County

The asterisk (*) indicates a modification to the designation that you have recommended. The (p) indicates only a portion of the county will be designated.

As discussed in more detail in the enclosed Technical Support Document, your state's recommendation for attainment designations for Bay and Monroe Counties relies on federal consent decrees requiring the shutdown of relevant sources by April 15, 2016. Our present intent to designate these areas as unclassifiable reflects the fact that the date by which these plants must be shut down has not yet passed. However, we anticipate that if the sources are shutdown as of April 15, 2016, we will subsequently be in a position to designate these areas as unclassifiable/attainment.

The enclosed Technical Support Document provides a detailed analysis that supports our intended designation decisions. If your state has additional information that EPA should consider prior to finalizing these designations, please submit it to us by April 19, 2016. We also will be publishing a notice in the *Federal Register* announcing a 30-day period for the public to provide input on EPA's intended designation decisions. We will promulgate the designations for these areas by July 2, 2016. We will designate all other previously undesignated areas in the state on a schedule consistent with the prescribed timing of the court order, i.e., by December 31, 2017, or December 31, 2020.

We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO₂ standard. For additional information regarding

designations under the SO₂ standard, please visit our website at www.epa.gov/so2designations. Should you have any questions, please do not hesitate to call me, or have your staff contact me at 312-886-3000, or George Czerniak, Director, Air and Radiation Division, at 312-353-2212 or czerniak.george@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert A. Kaplan". The signature is fluid and cursive, with a large initial "R" and "K".

Robert A. Kaplan
Acting Regional Administrator

Enclosure

cc: Keith Creagh, Director
Michigan Department of Environmental Quality

Lynn Fiedler, Chief
Air Quality Division
Michigan Department of Environmental Quality