Associated Industries of Missouri

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March 8, 2016

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OFFICE OF THE
EXECUTIVE SECRETARIAT

The Honorable Gina McCarthy
Administrator
United States Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, NW, Mail Code 1101A
Washington D.C. 20460

Re: 1 Hour National Ambient Air Quality Standard for Sulfur Dioxide

Dear Administrator McCarthy:

We understand that on February 17, 2016, the United States Environmental Protection Agency (USEPA) rejected the state of Missouri's recommendation that the Franklin County Missouri Area be classified as "unclassifiable" for the revised 1 Hour National Ambient Air Quality Standard for Sulfur Dioxide (1 Hour SO2 NAAQS) promulgated by USEPA. Instead, USEPA has proposed that the Franklin County Missouri Area be designated as non-attainment.

EPA's proposed decision is contrary to the overwhelming technical information, and the proposed decision violates the intent of the state of Missouri's decision, expressed through a vote of the general assembly and signature by the Governor, to require that any designation within its own borders be based upon the best available scientific information including actual monitored data. USEPA decision is arbitrary, wrong and must be reversed.

The 1 Hour SO2 NAAQS arises from the Clean Air Act and is more specifically defined in the code of federal regulations 40 CFR 50.17. The specific requirement is: 1-hour SO2 standard of 75 ppb. In 2015, the Missouri legislature enacted Senate Bill 445 which was signed into the law by Governor Nixon. SB 445 provides that designation decisions should be made with full consideration of the best available information including, if a source elects to install a monitoring network, actual ambient air quality data collected.

Two air monitors were installed in April, 2015 at locations around the Labadie Energy Center. The locations were chosen pursuant to EPA criteria. One monitor has operated continuously since installation. The other operated continuously until it was impacted by the Christmas flood but I understand it will resume operating this month. **There has not been a single reading on either monitor in which the 1 Hour S02 NAAQS was exceeded**. The highest measured values range

between 14 and 56 ppb, anywhere between 77% and 25% below the standard. A summary of the highest measured values is included in Attachment 1.

We believe that the EPA should use the best scientific data available to determine the quality of our air. Decisions regarding air classification should be factual rather than political.

For the people of Franklin County Missouri, this is a serious matter. A non-attainment designation will have long-term negative economic consequences. EPA's reliance on flawed science also has the long-term effect of eroding public confidence in the agency's credibility.

After full consideration of the best available information and actual data collected around the Franklin County Missouri Area, MDNR recommended to USEPA that the area be classified as "unclassifiable". In light of all the uncertainties around the air quality prediction model used by the regulators in these designation efforts and the almost one full year of **actual** monitored data that shows the air quality is far below the 1 Hour SO2 NAAQS, MDNR believed, correctly, that more information is needed before a correct designation decision could be made. There is no benefit to recommending an area as non-attainment if the modeling cannot be considered reliable (even USEPA believes the model is not reliable without corrections under certain circumstances), and if full consideration of actual data could very well demonstrate that the area actually **attains** the standard.

Instead of celebrating the collective, positive air quality information, including specifically the actual data trending towards attainment and modeling showing attainment when site specific variables are used rather than generic default options, the USEPA rejected MDNR's recommendation and instead proposed a designation of non-attainment.[1] In rejecting MDNR's strongly supported recommendation, USEPA has failed the state of Missouri and its residents. There is no excuse for USEPA's failure to consider the monitored data gathered to date, failure to consider its own admitted flaws of modeling over prediction and failure to honor the mandate of the state of Missouri that designation decisions be based on good and meaningful science.

USEPA's decision to designate the Franklin County Missouri Area as non-attainment is arbitrary and erroneous. We ask that USEPA make a science based decision and classify the Franklin County, Missouri Area as unclassifiable so that additional technically sound data can be gathered to make a correct designation.

Sincerely,

Ray McCarty
President/CEO
cc: The Honorable Sara Parker Pauley, Missouri Department of Natural Resources
EPA Docket Center

[1] The Agency also drew the jurisdictional boundaries to now include portions of Franklin County and portions of St. Charles County.

Ambient SO2 Concentration Data from Labadie Area Monitoring Sites

Valley Monitor

Highest measured values since April 2015

Date	Hour	Measured Concentration (ppb)	USEPA Standard (ppb)	Percent Below Standard
10/10/2015	1300	56	75	-25.3%
08/27/2015	1200	51	75	-32.0%
11/09/2015	1400	34	75	-54.7%
11/09/2015	1500	32	75	-57.3%
10/22/2015	1100	30	75	-60.0%
10/10/2015	1400	23	75	-69.3%
05/27/2015	1000	21	75	-72.0%
07/09/2015	1300	19	75	-74.7%
10/21/2015	1100	19	75	-74.7%
11/11/2015	2300	19	75	-74.7%
08/13/2015	1500	19	75	-74.7%
12/22/2015	800	18	75	-76.0%
08/27/2015	1300	18	75	-76.0%
10/08/2015	1200	17	75	-77.3%

Northwest Monitor

Highest measured values since April 2015

Date	Hour	Measured Concentration (ppb)	USEPA Standard (ppb)	Percent Below Standard
05/01/2015	1600	38	75	-49.3%
11/08/2015	1200	35	75	-53.3%
05/01/2015	1500	29	75	-61.3%
11/09/2015	1400	28	75	-62.7%
12/22/2015	800	26	75	-65.3%
11/09/2015	1300	20	75	-73.3%
05/01/2015	1700	19	75	-74.7%
11/08/2015	1300	18	75	-76.0%
08/15/2015	1300	15	75	-80.0%
10/10/2015	1300	15	75	-80.0%
10/10/2015	1200	14	75	-81.3%
12/15/2015	900	14	75	-81.3%
05/01/2015	1200	14	75	-81.3%
05/01/2015	1800	14	75	-81.3%

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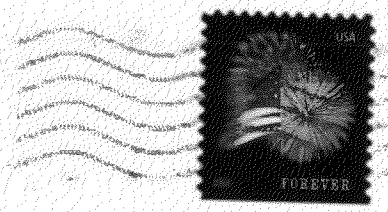

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