



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

APR 12 2012

OFFICE OF  
AIR AND RADIATION

The Honorable Harold Frank  
Chairman  
Forest County Potawatomi Community  
P.O. Box 340  
Crandon, Wisconsin 54520

Dear Chairman Frank:

I am writing today to update you on the status of the U.S. Environmental Protection Agency's efforts to implement the 1-hour primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO<sub>2</sub>) promulgated in June 2010. As you may know, the EPA has not issued implementation guidance for the standard, and states and other stakeholders have identified a number of concerns in response to the draft guidance EPA published for comment last year.

The SO<sub>2</sub> NAAQS will reduce human exposure to high short-term SO<sub>2</sub> concentrations and provide increased health protection to millions of Americans. Meeting the standard will reduce cases of aggravated asthma and chronic bronchitis and will cut down on hospital admissions, emergency room visits and work days lost due to illness.

The promulgation of the SO<sub>2</sub> NAAQS in 2010 set in motion a series of steps required under the Clean Air Act (Act), including: (1) designating areas as meeting or not meeting the SO<sub>2</sub> standard, and (2) developing state implementation plans (SIPs) for implementation of the standard. Tribes are not generally required to participate in the designations process or submit implementation plans, though we welcome your participation. We would like to update you on actions we are initiating to address the steps identified above:

- We will move forward with the area designations process as soon as possible. We are continuing our work to analyze and respond to the recommendations that states and tribes made last June. In the near future, we expect to issue letters providing our intended area designations to tribes who submitted recommendations, or have authority under section 107(d) of the Act.
- Second, we will initiate focused stakeholder outreach in the near future to help us refine our approach for determining whether air quality in a given area is meeting the SO<sub>2</sub> NAAQS. In these discussions, we will ask stakeholders to provide the EPA with input on monitoring, modeling and implementation issues, particularly for areas that will be designated as "unclassifiable."

This parallel approach will ensure that we make progress toward cleaner air in areas with monitored violations of the standard, while we take the time necessary to address significant concerns that stakeholders have raised concerning our previously recommended implementation approach for currently unmonitored areas.

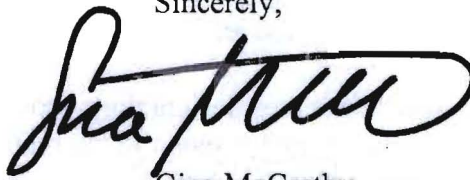
**Stakeholder Outreach:** We want to make sure we fully understand the views of the states, tribes, and other stakeholders, and have an opportunity to discuss workable approaches to implementation of the 2010 standard. In particular, we believe it would be helpful to discuss two main topics: (1) how best to assess compliance with the SO<sub>2</sub> NAAQS (e.g., by defining and establishing a robust, representative monitoring network for SO<sub>2</sub> across the country and/or by applying the appropriate modeling approach), and (2) how to implement the new approach (e.g., implementation options and SIP timelines for areas in which violations are identified). We believe that holding additional discussions with states, tribes, and other stakeholders will result in an improved approach that better addresses the many concerns that were raised on the EPA's draft guidance. We intend to move forward quickly with organizing these stakeholder meetings and would welcome participation by the Forest County Potawatomi Community. We will separately provide more details on this effort at:

<http://www.epa.gov/airquality/sulfurdioxide/implement.html>. Following these meetings, we will proceed expeditiously to issue revised guidance and/or undertake rulemaking, as appropriate. The EPA is also available to consult separately with interested tribes.

**Designations:** Finally, regarding area designations, the EPA intends to move forward with the designations process currently in progress as quickly as possible, focusing on areas with sufficient ambient air quality data. We are continuing our work to analyze and respond to the recommendations you made last June.

I appreciate your interest in this issue and welcome the opportunity to work with the Forest County Potawatomi Community in developing workable approaches to delivering the important public health benefits of reduced SO<sub>2</sub> across the country. For further information, please contact Laura McKelvey at [mckelvey.laura@epa.gov](mailto:mckelvey.laura@epa.gov) or 919-541-5497.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", written in a cursive style.

Gina McCarthy  
Assistant Administrator

cc: Natalene Cummings  
Air Resources Program Director