



WISCONSIN'S BUSINESS VOICE SINCE 1911

April 29, 201

Mike Friedlander
DNR Bureau of Air Management AM/7
PO Box 7921
Madison, WI 53707

Re: DNR Draft Technical Support Document containing Proposed Area Designation Options for National Ambient Air Quality Standard for Sulfur Dioxide

Dear Mike:

Wisconsin Manufacturers & Commerce (WMC) submits these comments on the Department of Natural Resources (DNR) draft technical support document (TSD) which contains an area designation option for the National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂).¹ We also comment on related "attainment" modeling discussed at the April 8 DNR briefing.

WMC is the state's largest business trade association, with nearly 4,000 members in the manufacturing, banking, health care, retail, energy, insurance sectors and service sectors of our economy. WMC is dedicated to making Wisconsin the most competitive state to do business, and toward that goal, we support consistent, cost-effective and market-driven regulatory approaches that recognize a balance between environmental protection and the competitiveness of Wisconsin's economy. WMC members have a substantial interest in the establishment or revision of Wisconsin ambient air quality standards, as well as related attainment or nonattainment boundary designations.

Our primary recommendations are that DNR change its preliminary position in two areas:

1. Recommend as attainment (not unclassified) all those counties with compliant monitors, including Brown County, with Green Bay's monitor at 74.0 ppb (68.0 for 2008-10), Dodge County, with the Horicon monitor at 11.7 ppb (8.7 for 2008-10), and Forest County, with the Potawatomi monitor at 8.3 ppb (7.0 for 2008-10).
2. Recommend as attainment (not unclassified) all those areas within Oneida County not modeled as nonattainment, which at this time would be the entire county except City of Rhinelander and the Towns of Crescent, Newbold, Pine Lake and Pelican.

We also have significant concerns with DNR's intention to recommend an unclassified designation for all other counties in Wisconsin. Of specific concern is the fact that DNR is

¹The draft TSD can be found on DNR's 2010 Sulfur Dioxide (SO₂) National Ambient Air Quality Standard (NAAQS) implementation web page; http://dnr.wi.gov/air/pdf/SO2_TSD.pdf.

advancing an alarming position that it will rely on modeling methodologies (rather than monitor data) to make future compliance determinations in those unclassified areas, and cites language in the preamble to the SO2 NAAQS rule as the basis for doing so. WMC does not believe language appearing in the preamble to a rule necessarily creates an enforceable regulatory obligation, and in the absence of further guidance or rules promulgated by EPA, we believe it is premature for DNR staff to discuss the extent to which the agency intends to move forward with modeling requirements for individual facilities.

Our experience is that such a modeling program will generate unnecessary and technically invalid compliance determinations. Considering the significant compliance burdens associated with nonattainment designations, we instead urge DNR to continue reliance upon actual monitored air quality to determine compliance status with air quality standards. This is a matter that may better be debated in the context of pending EPA guidance, but it is unlikely we would modify our stance in light of decades of experience with technically flawed modeling using corrupt protocols to address “margins of safety” and other “conservative” assumptions that invariably, if not by design, grossly overstate compliance problems.

For example, DNR staff worked closely with the Lake Michigan Air Directors Consortium (LADCO) in 2006 to produce modeling associated with Wisconsin’s ozone attainment demonstration SIP. That modeling predicted Sheboygan County and the Milwaukee-Racine CMSA would not meet the 1997 8-hour ozone standard of 84 ppb by 2012, even after implementation of a series of oppressive control strategies. In reality, and in stark contrast to the modeling, all Wisconsin counties are monitoring air quality well below the 84 ppb standard, and have done so continuously since 2008 without the implementation of LADCO’s draconian control measures.

The ability of modeling to accurately predict future air quality has been a demonstrated failure, and therefore should not be used as a basis to burden Wisconsin communities with the costly and uncompetitive regulatory requirements associated with a nonattainment designation. We therefore request that the Department begin a dialogue with EPA OAR to aggressively push back against any future modeling requirements to determine compliance with the SO2 standard, and urge EPA to reconsider its discussion of maintenance SIP requirements in the preamble to the SO2 NAAQS rule.

I. PROPOSED ATTAINMENT/NONATTAINMENT DESIGNATIONS

The key deadlines noted by DNR include:

- June 2, 2011: States submit designation recommendations
- June 1, 2012: U.S. EPA issues attainment/nonattainment/unclassifiable designations
- Jan. 1, 2013: States have new SO2 monitoring operational
- June 2, 2013: States submit CAA Section 110(a) State Implementation Plans
- Feb. 2014: States submit CAA Section 172(c) State Implementation Plans
- August 2017: All areas are required to attain the SO2 standard

DNR’s starting point for the designations is the following 2007-09 SO2 design values (we added the preliminary 2008-10 design values for ease of reference):

- Rhinelander: 196.0 ppb (2008-10 = 153.5)
- Green Bay East HS: 74.0 ppb (2008-10 = 68.0)
- Horicon: 11.7 ppb (2008-10 = 8.7)
- Potawatomi: 8.3 ppb (2008-10 = 7.0)
- Milwaukee WDNR SERHQ: Not enough data available to calculate.

WMC questions the use of 2007-09 SO2 design values, and asks that DNR provide the required quality assurance for the 2008-10 data that, based on preliminary results, produces a stronger argument for attainment recommendations. On this point, EPA states:

We expect that in providing their recommendations to EPA, states and tribes would review available SO2 monitoring data from 2008 through 2010.²

Even without use of the improved 2008-10 design values, 2007-09 monitored results produce compliance design values at three monitoring stations. Yet, DNR does not recommend these areas as in compliance. As described in its TSD, DNR proposes:

Nonattainment for a portion of Oneida County, including the City of Rhinelander and the Towns of Crescent, Newbold, Pine Lake and Pelican and unclassifiable for the remainder of Oneida County and all other Wisconsin counties.

WMC's general position is that counties with a compliant monitor(s) should be designated attainment, and that reliance on modeling methodologies instead of monitoring will generate unnecessary and invalid compliance determinations.

EPA's guidance confirms WMC's position that monitoring continues to be the starting and often ending point for compliance determinations. For example, EPA acknowledges that they "do not generally expect states to provide refined dispersion modeling information along with their initial designation recommendations."³ In addition, EPA "acknowledged that in some cases, monitoring data may be the more technically appropriate information for determining compliance with the 1-hour NAAQS."⁴ And at this point – initial designation recommendations – EPA states "the first step in making designation is to identify through monitoring or appropriate modeling areas violation the NAAQS."⁵

Both 2007-09 and 2008-10 (preliminary data) design values confirm monitored compliance for Brown County, with Green Bay's monitor at 74.0 ppb (68.0 for 2008-10), Dodge County, with the Horicon monitor at 11.7 ppb (8.7 for 2008-10), and Forest County, with the Potawatomi monitor at 8.3 ppb (7.0 for 2008-10). ***These counties are in compliance and should be designated attainment.*** Such an attainment recommendation is consistent with long standing designation practices for Wisconsin, and is consistent with the Clean Air Act and EPA guidance.

² Memo from Stephen D. Page, Director, Office of Air Quality Planning and Standards; Area Designations for the 2010 Revised Primary Sulfur Dioxide National Ambient Air Quality Standard (March 24, 2011); Pp. 3.

³ Id., memo at pp. 2.

⁴ Id., memo at pp. 2, citing 75 FR at 35552, n. 22, which, in part, states: EPA anticipates making the determination of when monitoring alone is "appropriate" for a specific area on a case-by-case basis, informed by that area's factual record, as part of the designations process.

⁵ Id., memo at pp. 3.

While DNR fails to use monitored results for attainment purposes, the nonattainment recommendation for the Rhinelander area relies upon monitored results. Using that design value derived from monitor data as the starting point for designation purposes is consistent with our overall position, and thus, WMC does not oppose a nonattainment recommendation based on those design values. However, WMC supports refinement of the nonattainment boundaries using modeling. In that regard, EPA's guidance document on SO2 designations sets forth "the expected application of dispersion models to support the designations process" as follows:

1. The use of modeling to inform the nonattainment boundaries for areas with violating ambient air quality monitors if the presumptive county boundaries are not used (either to expand the boundaries outside the county or shrink the boundary within the county); and
2. The use of modeling in areas without a violating monitor as evidence of attainment of the NAAQS (showing no violation or contributions to violations of the standard).⁶

Therefore, the narrowing of the Oneida County nonattainment areas through modeling is clearly consistent with EPA guidance. We believe, however, that any such analysis necessarily finds that those areas within the county not deemed in noncompliance though modeling should be considered attainment. We request, then, that DNR revise this option to identify all those areas within Oneida County as attainment; that is, ***all areas except City of Rhinelander and the Towns of Crescent, Newbold, Pine Lake and Pelican should be recommended for an attainment designation.***

Relevant to the Oneida County issue, we are in receipt of a white paper by Robert Paine (AECOM) and Ronald Petersen (CPP) entitled *Analysis and Resolution of Rhinelander's Monitored SO2 Concentrations Above the New One-Hour Standard* (April 18, 2011). The paper notes monitoring sites in Rhinelander that were located on Courtney Street and Sycamore Street. Both sites monitored compliance and were shut down, providing additional evidence of the limited geographic scope of the Oneida County compliance issue. In addition, the paper appears to show that better modeling methodologies would further narrow the Oneida County nonattainment areas, and that implementation of additional measures could eliminate exceedances of the standard altogether in the near future.

WMC requests that DNR fully consider this additional information, and to the extent justified, further narrow the geographic scope of the Oneida County nonattainment area.

II. UNCLASSIFIED DESIGNATION MODELING

The interplay between monitored results and modeling predictions is a key issue when developing SO2 designations in general, but it becomes a particular problematic issue with respect to unclassified areas. DNR appears to be heading down an alarming path that relies on modeling methodologies instead of monitoring to make future compliance determinations in all unclassified areas. As noted earlier, we oppose starting down that path even if it is not the primary issue before us today.

As noted above, Wisconsin has extensive experience with the unreliability of modeling through the LADCO/DNR modeling programs that modeled violations of the ozone standard that had

⁶ Id., Attachment 3 (Modeling Guidance of SO2 NAAQS Designations), Pp. 2.

little to do with reality. Yet, these “black box” protocols were routinely used in attempts to impose draconian regulatory mandates that were never needed to reach attainment. In essence, we simply do not believe that models in the hands of regulators produce an accurate or fair assessment of an area’s compliance status. Rather, we believe that using modeling as a basis to predict future compliance with the SO2 NAAQS will only result in costly and unnecessary regulatory controls that make it harder for Wisconsin businesses to compete as we seek to emerge from an economic recession.

While other states appear to be taking a very cautious approach to compliance modeling, if not rejecting it outright, WMC is troubled by the DNR’s apparent eagerness to rely upon black box modeling to determine the regulatory fate of Wisconsin businesses. We hope the Department will rethink this position, and work with other Region 5 states to urge EPA to reconsider maintenance SIP obligations for the SO2 standard.

Thank you for your thoughtful consideration of these comments. Please feel free to contact me if you have any questions, or if I can provide you with additional information.

Sincerely,



SCOTT MANLEY
Director of Environmental & Energy Policy



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April 29, 2011

Michael Friedlander
Wisconsin Department of Natural Resources
Bureau of Air Management (AM/7)
101 S Webster St, Madison, WI 53703

Submitted electronically: michael.friedlander@wisconsin.gov

Dear Mr. Friedlander,

Re: Comments of Wisconsin Power & Light Company on the Draft Technical Support Document and Area Designation Option - National Ambient Air Quality Standard (NAAQS) for Sulfur Dioxide (SO₂)

Wisconsin Power and Light Company (WPL) is an electric and gas public utility serving over 450,000 electric customers and 175,000 natural gas customers with an installed generating capacity of 1,835 megawatts in the state of Wisconsin.

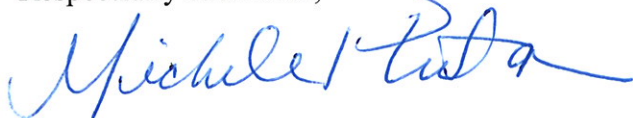
WPL respectfully submits the following comment regarding the proposed draft technical support document and area designation option for the new 1-hour SO₂ NAAQS. WPL appreciates the approach taken by the Wisconsin Department of Natural Resources (WDNR) given the U.S. Environmental Protection Agency (EPA) has yet to issue final rules that provide clarity on the implementation requirements for the new 1-hour SO₂ NAAQS. Furthermore, that EPA's designation approach currently intends to use a combination of monitoring and modeling to establish area designations, while the necessary refined air quality dispersion modeling programs and protocols also remain under development and validation.

In light of the above concerns, WPL provides the following comment on this matter. WPL supports that areas be designated as "unclassifiable" or "attainment" until such time that scientific data verifies or other substantiated evidence clearly supports designation as "non-attainment". To this end, WPL emphasizes preference for quality assured ambient monitoring data over air quality dispersion modeling in making these determinations. Assessments using air quality dispersion models must carefully consider the limitations and predictive nature of these tools, as well as, understand the implications of the input assumptions that are often based on conservative estimates versus actual data. Thus, prudent application of air dispersion modeling is very important to ensure that areas are not subject to the unintended consequence of being prematurely designated "non-attainment" status without fully vetted analyses demonstrating that this is an appropriate determination.

Lastly WPL understands that it will be necessary to adopt this new federal standard now that is now effective into the corresponding Wisconsin rules under NR404 and NR484. However, WPL urges the WDNR to recognize the permitting implications and acknowledge that there remains a gap until the EPA has issued final rules on the associated implementation requirements. WPL understands that while it may be necessary to amend the new NAAQS itself into the state rules, there is discretion with respect to the timing for the associated permitting and that this does not need to be effective immediately. Therefore, WPL supports that WDNR would delay the associated permitting requirements until EPA adoption of the associated Wisconsin state implementation plan (SIP) provisions. This common-sense approach would prevent permits from getting caught in between SIP approvals.

WPL appreciates this opportunity to provide input to the designation process. If you have further questions, please contact me at (608) 458-3345.

Respectfully submitted,



Michele Pluta, P.E.
Alliant Energy Corp.

CC: Jeff Hanson



April 28, 2011

VIA E-MAIL and U.S. MAIL

Mike Friedlander
Wisconsin DNR, GEF II
101 S. Webster Street
Madison, WI 53703
michael.friedlander@wisconsin.gov

Re: 1-Hour SO₂ Designations

Mr. Friedlander,

These comments are submitted on behalf of the Sierra Club and its members in Wisconsin. Thank you for the opportunity to provide these comments. We are also copying these to the United States Environmental Protection Agency, Region 5.

EPA promulgated a new National Ambient Air Quality Standard (NAAQS) for sulfur oxides expressed as a 1-hour standard. This new standard was necessary to protect public health from the serious health threats posed by short-term exposure to sulfur compounds. The health data relied upon by EPA overwhelmingly indicated that increased asthma attacks and hospital visits area are attributable to spikes in short term sulfur compound concentrations in the air. The first step in addressing these health threats is to designate areas of the state as either attaining or not attaining the standard. Those areas that are not attaining the standard get increased scrutiny under the Clean Air Act which, in turn, provides more certain progress towards clean air for the state's residents.

Recently, Wisconsin has done a poor job of making nonattainment area designation recommendations to U.S. EPA. The neutral and science-based analysis has been sacrificed to political expediency. These events, most recently involving the 2006 PM_{2.5} standard, were publicized and are well known. In the end, Wisconsin sacrificed its reputation as an honest administrator of public health protections, and EPA made determinations based on the evidence and without regard to the prior Governor's ill-conceived recommendations. The new administration in Wisconsin has an opportunity to bring objective science back as the basis for making decisions affecting the health of Wisconsin's most susceptible populations.

Turning to the specific Technical Support Document for the 1-hour SO₂ standard, we are glad to see that the DNR has made some effort to follow the applicable legal guidelines. However, we are concerned that DNR has limited its analysis to the three existing monitors and has only used limited atmospheric modeling as a supplement to the proposed non-attainment area designation around the violating monitor in Oneida County. DNR's limited use of modeling ignores the fact that sulfur oxide impacts are localized and are expected to be highest around sulfur emitting facilities. Existing monitors only detect the highest sulfur dioxide concentrations in rare instances where they just happen to be located in the plume of a nearby facility. There are only three monitors in the state, but there are many point sources of sulfur pollution having localized impact. The three existing monitors are not representative of air quality anywhere other than their specific, pin-point location. For this reason, it has long been EPA and DNR's practice to analyze SO₂ impacts and assess attainment status for sulfur oxides primarily through modeling. Notably, EPA and DNR have historically designated sulfur oxide nonattainment areas based on modeling and not merely based on monitoring.

In the Federal Register notice for the final 1-hour SO₂ NAAQS, EPA notes that a "hybrid analytic approach" is necessary for designating nonattainment areas and assessing compliance with the 1-hour standard. This approach uses both modeling and monitoring, together, with *modeling being the primary* method of determining SO₂ concentrations. While EPA acknowledged that the initial nonattainment designations from states may need to rely primarily on monitoring, EPA specifically noted that final designations would require modeling. Moreover, SIP development will require modeling. Therefore, DNR should not postpone the inevitable modeling of the SO₂ impacts from sources.

Due to the fact that DNR has not modeled individual sources, despite the fact that modeling will be the primary method to both determine nonattainment areas and to develop SIP limits sufficient to prevent 1-hour SO₂ NAAQS violations, we undertook to model some of the largest SO₂ emission sources in the state. This effort was not complete, since we did not model every large emission source. However, for those sources that were modeled, the analysis clearly shows that there are numerous areas in violation or threat of violation of the 1-hour SO₂ standard.

We used AERMOD and followed U.S. EPA's guidance on modeling 1-hour SO₂ impacts. However, we isolated the modeled sources and did not model all nearby contributing sources. This understates the modeled impacts, but necessarily shows the impacts attributable specifically to each of the modeled sources. We also used existing meteorological data from DNR, rather than meteorological data that meet U.S. EPA's new standards. This further tends to understate the results of the modeled impacts. Put another way, if we had included nearby contributing sources and/or used the EPA's revised meteorological data requirements, the modeled results would be even higher than the model results provided herein.

The modeling used the facility's maximum hourly emission rate, unless noted in the results. Using the source's maximum permitted emission rate is consistent with DNR's analysis of the three sources it modeled for Oneida County impacts. It is also consistent with EPA guidance and with EPA's recent analysis of interstate impacts of a power plant on New Jersey air quality. 76 Fed. Reg. 19662 (April 7, 2011). To the extent that actual hourly emission data was readily available, we also used the source's

maximum hourly emission rate during 2008 to further assess the impacts if the source were limited to its highest hourly emission rate during 2008. Lastly, for sources that have announced possible unit retirements, and to assess potential retirement situations, we have modeled scenarios where some units are retired and no longer emitting sulfur compounds.

The result of this modeling is attached hereto. The modeling files, with inputs and outputs, are also being provided. The results clearly show that several of the largest SO₂ sources—power plants and a refinery—cause violations of the NAAQS at either their permitted rates, their maximum demonstrated 2008 emission rates, or both. For each source where modeling shows a violation of the NAAQS based solely on the facility's impacts, there is no question that the area must be designated as nonattainment. For sources with impacts above the NAAQS after adding a background design value, it is almost certain that those areas must also be designated as nonattainment.

The conclusion as to nonattainment designation is less clear for those sources where the modeling does not show a NAAQS violation. This is because, as noted above, the modeling did not include nearby sources and used meteorological inputs that tend to understate the impacts. If changes are made to the model to add nearby contributing sources and to use meteorological data meeting EPA's new standards, the model may show NAAQS violations. Therefore, it cannot be concluded from the modeling analysis that those facilities that have not modeled NAAQS violations are necessarily in attainment until more detailed analysis is done.

Consistent with EPA's Federal Register Notice, and the past practice of both EPA and DNR, final nonattainment designations must be made based primarily on modeling data. The only modeling data available to date is are the data that we are providing with these comments. Those data clearly show that several areas of the state, surrounding large sulfur emission sources, are not attaining the 1-hour Sulfur Oxides NAAQS.

Thank you for this opportunity to comment on the Technical Support Document. We look forward to DNR and EPA's final designation determinations because they will provide a needed protection for public health and welfare.

Sincerely,



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cc: Dr. Susan Hedman, Regional Administrator
U.S. EPA Region 5
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Facility: Wisconsin Public Service Corporation, Weston Plant, Rothschild, WI

Emission Rates	Averaging Period	Meteorological Site	Meteorological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	Mosinee	1998-2002	978.7	21.7	1000.4	195	No
Allowable	1-hour	Mosinee	1998-2002	1189.0	21.7	1210.7	195	No

WDNR ID	Weston Boiler	Maximum (lbs/hr)	Allowable (lbs/hr)
S01	Unit 1	605.0	763.6
S02	Unit 2	875.0	890.0
S03	Unit 3	3130.0	4687.2
S04	Unit 4	466.0	466.0

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:
 USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.
 AERMOD modeling files from 2009 provided by WDNR on April 12, 2010.
 Allowable emissions taken from the WDNR preliminary determination for Title V Permit #737009020-P02, June 16, 2006.
 Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camdataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select
 Unit 4 rates are based on controlled allowable rate. Predicted impacts would be higher if the uncontrolled scrubber maintenance rate allowed in permit was used.
 Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>
 The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.
 The facility impact does not include off-site sources which may increase the predicted concentrations.
 The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.
 If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Wisconsin Public Service Corporation, J. P. Pulliam Generating Station, Green Bay, WI

Units Evaluated	Emission Rates	Averaging Period	Meteorological Site	Meteorological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
7 & 8	Maximum	1-hour	Green Bay	1998-2002	155.7	192.4	348.1	195	No
	Allowable	1-hour	Green Bay	1998-2002	573.9	192.4	766.3	195	No
5, 6, 7, 8 & 32	Maximum	1-hour	Green Bay	1998-2002	241.2	192.4	433.6	195	No
	Allowable	1-hour	Green Bay	1998-2002	902.2	192.4	1094.6	195	No

Pulliam Unit	WDNR ID	Maximum (lbs/hr)	Allowable (lbs/hr)
5	S12B24	554.8	2,295.0
6	S12B25	782.3	2,897.5
7	S13B26	906.4	3,308.1
8	S14B27	1,345.5	5,000.2
32	S32	39.8	58.2

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:
 USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.
 AERMOD modeling files from 2009 provided by WDNR on March 28, 2011.
 Original modeling files were the basis of WDNR Memorandum, Roth to Pyle, Air Dispersion Analysis for Wisconsin Public Service Pulliam - Green Bay, February 9, 2009.
 Allowable emissions taken from the February 9, 2009 WDNR memorandum.
 Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camddataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select
 Background concentration is USEPA, 2007-2009 Design Value for Brown County is 74 ppb or 192.4 ug/m3, <http://www.epa.gov/airtrends/values.html>
 The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.
 The facility impact does not include off-site sources which may increase the predicted concentrations.
 The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.
 If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: We Energies, Pleasant Prairie Power Plant, Pleasant Prairie, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	Milwaukee	1998-2002	51.9	21.7	73.6	195	Yes
Allowable	1-hour	Milwaukee	1998-2002	790.4	21.7	812.1	195	No

Stack ID	Boiler ID	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
	B20		7,738.8	1.2	6,449
	B21		7,738.8	1.2	6,449
S11	Total	1,000.4	15,477.6		

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:

USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.

AERMOD modeling files from an 2008 modeling analysis obtained from WDNR on April 1, 2011.

Allowable emissions based on emission limits and heat input from Title V Permit #230006260-P10 issued December 8, 2010.

Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camdataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select

Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>

The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.

The facility impact does not include off-site sources which may increase the predicted concentrations.

The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.

If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Dairyland Power Cooperative, Genoa Generating Station, Genoa, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	La Crosse	1998-2002	493.6	21.7	515.3	195	No
Allowable	1-hour	La Crosse	1998-2002	757.9	21.7	779.6	195	No

WDNR ID	Maximum (lbs/hr)	Allowable (lbs/hr)
S10	10,739.5	16,490.0

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:
 USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.
 ISC3 modeling files from 2003 provided by WDNR on June 30, 2010.
 Modeling files were updated for AERMOD incorporating NAD83 UTM coordinates, terrain elevations and re-evaluating downwash.
 Allowable emissions taken from the WDNR preliminary determination for Title V Permit #663020930-P20, July 15, 2008.
 Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camddataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select
 Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>
 The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.
 The facility impact does not include off-site sources which may increase the predicted concentrations.
 The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.
 If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: We Energies, Valley Power Plant, Milwaukee, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	Milwaukee	1998-2002	212.2	21.7	233.9	195	No
Allowable	1-hour	Milwaukee	1998-2002	682.3	21.7	704.0	195	No

WDNR ID	Valley Boiler	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
Stack 11	Unit 1	767.0	2,774.9	3.28	846
	Unit 2	1121.1	2,774.9	3.28	846
		1888.1	5549.76		
Stack 12	Unit 3	758.5	2,774.9	3.28	846
	Unit 4	802.0	2,774.9	3.28	846
		1560.5	5549.76		

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:

USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.

ISC3 modeling files from 1998 provided by WDNR on April 4, 2010.

Modeling files were updated for AERMOD incorporating NAD83 UTM coordinates and terrain elevations.

Allowable emissions based on emission limitations and heat input from Title V Permit #241007800-P20, February 4, 2011.

Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camddataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select

Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>

The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.

The facility impact does not include off-site sources which may increase the predicted concentrations.

The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.

If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Murphy Oil USA, Inc., Superior, WI

Emission Rates	Averaging Period	Meteorological Site	Meteorological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Allowable	1-hour	Duluth	1998-2002	554.7	21.7	576.4	195	No

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:

USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.

AERMOD modeling files from a 3-hour average SO2 analysis provided by WDNR on April 1, 2011.

Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>

The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.

The facility impact does not include off-site sources which may increase the predicted concentrations.

The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.

If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Alliant Energy, WPL Edgewater Generating Station, Sheboygan, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	Manitowoc	1998-2002	149.2	21.7	170.9	195	Yes
Allowable	1-hour	Manitowoc	1998-2002	481.2	21.7	502.9	195	No

Stack ID	Boiler ID	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
S11	Unit 3 (B23)	585.4	3,435.1	4.07	844
	Unit 4 (B24)	2,618.9	14,363.0	4.07	3,529
	Total	3,204.3	17,798.1		
S12	Unit 5	4,223.5	5,239.2	1.2	4,366

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:

USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.

AERMOD modeling files provided by WDNR on April 12, 2010.

Allowable emissions based on limitations and heat input from Title V Permit #460033090-P20 issued October 23, 2009.

Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camdataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select

Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>

The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.

The facility impact does not include off-site sources which may increase the predicted concentrations.

The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.

If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Manitowoc Public Utility, Manitowoc, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	Manitowoc	1998-2002	376.6	21.7	398.3	195	No
Allowable	1-hour	Manitowoc	1998-2002	460.2	21.7	481.9	195	No

Stack ID	Boiler ID	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
S10	B09 (Unit 9)	2006.5	2080.0	3.2	650
	B26 (Unit 6)	Not Modeled			
	B27 (Unit 7)	Not Modeled			
S20	B28 (Unit 8)	509.1	864.0	3.2	270

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:

USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.

AERMOD modeling files for an 2008 modeling analysis obtained from WDNR on April 1, 2011.

Allowable emissions based on heat input from WDNR preliminary determination for Title V Permit #436035930-P20 dated July 13, 2010.

Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camdataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select

Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>

The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.

The facility impact does not include off-site sources which may increase the predicted concentrations.

The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.

If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Wisconsin Power & Light, Columbia Energy Center, Pardeeville, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	Madison	1998-2002	192.7	21.7	214.4	195	No
Allowable	1-hour	Madison	1998-2002	432.6	21.7	454.3	195	No

WDNR ID	Columbia Boiler	Maximum (lbs/hr)	Allowable (lbs/hr)
S10	B20	92.5	95.5
S11	B21	5899.1	18831.7
S12	B22	6021.2	7061.9

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:
 USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.
 AERMOD modeling files provided by WDNR from modeling for Title V Permit #111003090-P21, May 22, 2009.
 Allowable emissions taken from the WDNR preliminary determination for Title V Permit #111003090-P21, February 25, 2009.
 Analysis does not include emergency generators 1 (Stack S23) and 2 (Stack S24) which would increase the predicted concentrations.
 Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camdataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select
 Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>
 The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.
 The facility impact does not include off-site sources which may increase the predicted concentrations.
 The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.
 If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Alliant Energy, WPL Nelson Dewey Generating Station, Cassville, WI

Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
Maximum	1-hour	La Crosse	1998-2002	335.2	21.7	356.9	195	No
Allowable	1-hour	La Crosse	1998-2002	353.1	21.7	374.8	195	No

Stack ID	Boiler ID	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
	B21		4,032.0	3.2	1,260
	B22		4,032.0	3.2	1,260
S11	Total	7655.3	8,064.0		

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:

USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.

AERMOD modeling files from 2007 NED Unit 3 project obtained from WDNR.

Allowable emissions based on emissions limits and heat input from Title V Permit #122014530-P11 issued October 20, 2008.

Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camddataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select

Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>

The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.

The facility impact does not include off-site sources which may increase the predicted concentrations.

The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.

If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

Facility: Dairyland Power Cooperative, Alma Station, Alma, WI

Units Evaluated	Emission Rates	Averaging Period	Meterological Site	Meterological Years	Impact 99th Percentile (ug/m3)	Background 99th Percentile (ug/m3)	Total 99th Percentile (ug/m3)	NAAQS 99th Percentile (ug/m3)	Complies with NAAQS
B20 to B25	Maximum	1-hour	LaCrosse	1998-2002	240	21.7	261.7	195	No
	Allowable	1-hour	LaCrosse	1998-2002	283.21	21.7	304.91	195	No
B23 to B25	Maximum	1-hour	LaCrosse	1998-2002	168.6	21.7	190.3	195	Yes
	Allowable	1-hour	LaCrosse	1998-2002	211	21.7	232.7	195	No
B25	Maximum	1-hour	LaCrosse	1998-2002	101.6	21.7	123.3	195	Yes
	Allowable	1-hour	LaCrosse	1998-2002	185.7	21.7	207.4	195	No

Stack ID	Alma ID	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
	B20	918.0	1,084.2	3.2	338.8
	B21	689.0	1,084.2	3.2	338.8
	B22	1,324.0	1,088.0	3.2	340
Subtotal	B20 to B22	2,931.0	3,256.3		
	B23	1,557.0	2,026.6	3.2	633.3
	B24	2,518.0	3,007.4	3.2	939.8
Subtotal	B23 to B24	4,075.0	5,033.9		
S10	B20 to B24	7,006.0	8,290.2		

Stack ID	J.P. Madgett Unit	Maximum (lbs/hr)	Allowable (lbs/hr)	Allowable (lbs/mmbtu)	Heat Input (mmbtu/hr)
S11	B25	4,162.3	4,867.0	1.2	4055.8

Notes:

Modeling procedures, including the use of 99th percentile concentrations, is based on the following guidance:
 USEPA, Area Designations for the 2010 Revised Primary SO2 NAAQS, Attachment C, Modeling Guidance for SO2 NAAQS Designations, March 24, 2011.
 AERMOD modeling files from 2009 provided by WDNR on March 29, 2010.
 Original modeling files were the basis of WDNR Memorandum, Sims to Pyle, Air Dispersion Analysis for Dairyland Power Alma, November 24, 2009.
 Allowable emissions based on Title V Permit #606034110-P21 issued September 25, 2009.
 Maximum emission rates based on peak hourly rates reported for 2008 in the USEPA, Clean Air Markets - Data and Maps, Part 75 Prepackaged Data Sets, http://camddataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.prepackaged_select
 Background concentration is USEPA, 2007-2009 Design Value for Forest County, <http://www.epa.gov/airtrends/values.html>
 The facility impact is based on the predicted average of the 99th percentile of daily maximum 1-hour concentrations averaged across the number of years modeled.
 The facility impact does not include off-site sources which may increase the predicted concentrations.
 The background concentration is based on the monitored design value from an existing monitoring station from the county where the facility is located.
 If no monitor is located in the county, the background is based on USEPA's less conservative approach using a design value from Wisconsin monitoring stations.

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April 29, 2011

VIA OVERNIGHT DELIVERY & E-MAIL

Mr. Mike Friedlander
Wisconsin DNR
Bureau of Air Management
101 S. Webster Street
Madison, WI 53707

Re: 2010 SO2 NAAQS
Wisconsin Designation Option
Oneida County
DNR Draft Technical Support Document

Dear Mr. Friedlander,

The Rhinelander Mill of Wausau Paper hereby submits comments on DNR's draft technical support document in the above-captioned matter. The draft document is intended to support DNR's proposal to the Governor of Wisconsin that a portion of Oneida County (certain parts of the City of Rhinelander and the Towns of Crescent, Newbold, Pine Lake and Pelican) be designated as a non-attainment area for the new 1-hour SO2 National Ambient Air Quality Standard (NAAQS). DNR is recommending that the remainder of Oneida County and all other Wisconsin counties be designated as "unclassifiable" for the new standard. The Governor is scheduled to transmit his recommendations to U.S. EPA in this matter by June 2, 2011.

Information on the Rhinelander Mill

Wausau Paper was established in 1899. It is the last paper manufacturing company headquartered in Wisconsin. The Rhinelander Mill employs 470 persons and has an annual payroll of \$40 million. The Mill has four paper machines, three super-calendars, and two silicone coaters. It's manufacturing focus is on food, liner and coated products.

White Paper Report by AECOM and CPP

Enclosed for filing in this matter is a copy of a report entitled "Analysis and Resolution of Rhinelander's Monitored SO2 Concentrations Above the New One-Hour Standard" [the "White Paper"]. The report was prepared for Wausau Paper by Robert Paine of AECOM and Ronald

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Peterson of CPP. The report contains a detailed technical evaluation of the current inability of the AERMOD air dispersion model to validly replicate the measured values of SO₂ recorded at DNR's ambient air monitor located at the Rhinelander water tower on High Street. We request that the White Paper report be incorporated by reference herein as part of Wausau Paper's comments on DNR's proposed SO₂ designation in this matter.

Representatives of Wausau Paper met with DNR staff on April 14 in Madison to review the findings and recommendations summarized in the White Paper. The Company and DNR discussed the details of the SO₂ modeling issues in this case and how to resolve the ambient SO₂ impacts at DNR's water tower monitor which are above the new 1-hour standard. Wausau Paper reiterates its commitment which it stated at the April 14 meeting. The Company will continue to work cooperatively with DNR to address these issues and to insure that SO₂ emissions from the Rhinelander Mill meet the requirements of the new standard. This work will be done expeditiously. We expect to have a plan developed by the end of 2011 for the resolution of the local SO₂ issue. That will make a final, formal designation of non-attainment for the new SO₂ standard unnecessary for any areas in Oneida County.

Wausau Paper Recommendation

For the reasons stated in the enclosed White Paper report and as set forth above, Wausau Paper requests that the Governor of Wisconsin make the following recommendation to U.S. EPA in this matter:

All of Oneida County should be designated as "unclassifiable" for the new SO₂ standard, conditioned on the development of a plan by Wausau Paper and DNR by the end of 2011 to resolve the local SO₂ issue. The final designation status of Oneida County should be revisited and updated for U.S. EPA in 2012. As indicated above, Wausau Paper will continue to work with DNR to resolve the modeling issues and to implement measures which will reduce the ambient impacts of SO₂ from the Rhinelander Mill to levels below the new 1-hour SO₂ standard.

If the Governor recommends that any portion of Oneida County be designated as a non-attainment area, the area should be substantially reduced in size from the area proposed by DNR in the technical support document. A smaller area has been defined by modeling performed by AECOM which is more technically supportable than the modeling analysis conducted by DNR (which is described in the technical support document). Details of how AECOM performed the modeling are contained in the White Paper and supporting modeling files will be provided to DNR. The smaller proposed non-attainment area is depicted at page 16 of the report. Wausau Paper will continue to work with DNR to validate the results of AECOM's enhancements to the AERMOD modeling which enable AERMOD to accurately predict the SO₂ values monitored at existing DNR monitors. The Company will also implement measures at the Rhinelander Mill designed to eliminate any ambient impacts of SO₂ above the new 1-hour standard. These actions will insure that AERMOD can be used to demonstrate modeled attainment for SO₂ throughout the area surrounding the Rhinelander Mill. If the Governor decides to proceed with a conditional, smaller nonattainment designation, the designation status of Oneida County should be revisited and updated for U.S. EPA in 2012.

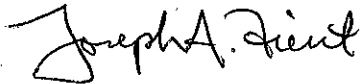
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Conclusion

Wausau Paper appreciates your consideration of our comments in this matter. Regardless of what decision is made with respect to the designations for the new standard, the Company fully intends to take steps that will result in full attainment of the 1-hour SO2 standard in the areas around our Rhinelander Mill. We will keep both DNR and U.S. EPA informed on the progress of our plans.

Yours truly,

WAUSAU PAPER



Joe Fierst
Vice President of Operations
Rhinelander Mill



April 29, 2011

Mr. Mike Friedlander, AM/7
Department of Natural Resources
P.O. Box 7921
Madison, WI 53707

Dear Mike:

The following comments are submitted on behalf of the members of the Wisconsin Paper Council regarding the department's recommendations to the Governor for SO₂ 1-hour standard area designations.

The department recommends a nonattainment designation for a portion of Oneida County, including the City of Rhinelander and the Towns of Crescent, Newbold, Pine Lake, and Pelican. We appreciate the department's effort to limit the geographic area of the nonattainment area to less than the full county. However, information provided to the Department by Wausau Paper indicates that the area the department is recommending for nonattainment could be even smaller. We support minimizing, to the extent possible, the size of any recommended nonattainment area.

Further, EPA's policy of utilizing modeling data, in addition to monitoring data, as a basis for areas designations may provide a unique opportunity to avoid the nonattainment designation altogether. The high quality modeling done for Wausau Paper, combined with wind tunnel testing that will be performed shortly, has the potential to identify steps that can be taken to, in effect, fix the SO₂ problem before it becomes a problem. This is an opportunity for the department to advocate an innovative approach developed by Wausau Paper. DNR should not miss this opportunity.

To be clear, we have serious general concerns about the use of modeling to make area designations. Our fear is that broad-based, overly conservative modeling (as opposed to the refined modeling undertaken for Wausau Paper) will result in areas being designated as nonattainment that subsequent monitoring shows to be in attainment. This would impose the significant burdens of nonattainment in areas that were never in actual violation of the standard. Wisconsin's experience with ozone in the Southeast portion of the state shows that this fear is well-founded.

DNR recommends that the remainder of the state outside of the nonattainment area be designated as unclassifiable. We oppose this recommendation. As an initial matter, the department has monitoring data showing compliance with the new 1-hour standard for Brown, Dodge, and Forest Counties. At a minimum, counties with monitoring data showing attainment should be recommended as attainment based on this data.

Regarding other areas of the state, we don't believe that EPA's policy regarding area designations warrants defaulting to an unclassifiable recommendation. Other states have

taken creative approaches regarding designation recommendations. For example, Ohio recommended 36 counties as attainment, even though there was no modeling data, based on a lack of sources emitting 100 TPY and a lack of smaller sources with the potential to cause or contribute to a violation. Also, Texas has made broad attainment recommendations using monitoring data as the basis for its recommendation.

We strongly recommend that the department explore some of these creative, but defensible approaches as a basis for recommending additional areas of the state as attainment.

Please contact us with any questions regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. Wilusz". The signature is fluid and cursive, with the first and last names being more prominent.

Edward J. Wilusz
Vice President Government Relations