



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

July 15, 2004

Mr. Bharat Mathur, Acting Regional Administrator
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Dear Mr. Mathur:

The Clean Air Act, Section 181(a)(4) authorizes the Administrator of the U.S. Environmental Protection Agency (EPA), at the Administrator's discretion, to adjust the classification of an ozone nonattainment area to a higher or lower category if the design value for the area is five percent higher or lower than the level on which such classification is based. Two counties in West Michigan have design values that meet this five percent criterion. Michigan requests that the EPA adjust the classification for Muskegon and Cass Counties from moderate to marginal, and provides the supporting analysis as an attachment.

The Administrator is also given the discretion under Section 181(a)(4) to consider the number of exceedances of the standard, the level of interstate and intrastate transport, and the mix of pollutants in the area. Because the 8-hour ozone national ambient air quality standard is not an exceedance-based standard, it would be appropriate to look at air quality trends in the nonattainment area. Both Cass and Muskegon Counties are designated as attainment with the 1-hour ozone standard.

Abundant documentation of the overwhelming ozone transport that occurs in the Lake Michigan region is available from the numerous ozone studies that have been conducted over the past decade. These studies include the Lake Michigan Ozone Study (LMOS), the Lake Michigan Ozone Control Program (LMOP), the Ozone Transport Assessment Group (OTAG) study, and the Midwest subregional modeling. The West Michigan communities are the recipients of ozone formed over Lake Michigan and moved by prevailing winds to the shoreline of West Michigan. This transport phenomenon has been acknowledged by the EPA in its final approval of Muskegon's maintenance plan for the 1-hour ozone standard on August 30, 2000 (65 FR 52657). The classification for Muskegon County under the 1-hour ozone standard was bumped downward in 1991. Cass County, while included in the domain modeled by these studies, has never before been a classified ozone nonattainment county. Emissions and population are very low in this rural county, and local contribution to recorded ozone levels is negligible.

Both photochemical grid modeling and air quality data analysis support the conclusion that local emissions reductions will not effect the needed air quality improvements, as described in the emission analysis. Abatement of emissions contributing to this transported ozone will be accomplished through regional strategies for the 8-hour ozone

Mr. Bharat Mathur
Page 2
July 15, 2004

standard, just as past national and regional reduction measures resulted in attainment of the 1-hour ozone standard in both Cass and Muskegon Counties.

The classification adjustment to marginal for these two counties is appropriate. In addition to the levels of local contribution to nonattainment, it is also appropriate in terms of equity relative to the requirements under the Clean Air Act applied to adjacent communities, all of which are either attainment or Subpart 1/ Basic counties.

Michigan will continue to work toward attainment of the ozone standard and accomplishing regional attainment strategies through the highly effective partnership of the Lake Michigan Air Directors' Consortium.

Thank you for your consideration of these matters. If you need any further information, please contact Mr. G. Vinson Hellwig, Chief, Air Quality Division, at 517-373-7069, or you may contact me.

Sincerely,



Steven E. Chester
Director
517-373-7917

Attachment

cc: Governor Jennifer M. Granholm
U. S. Senator Carl Levin
U. S. Senator Debbie Stabenow
U. S. Representative Peter Hoekstra
U. S. Representative Frederick S. Upton
Mr. Dan Beattie, Governor's Washington Office
Mr. Dana Debel, Governor's Office
Mr. Sandeep Dey, West Michigan Shoreline Regional Development Commission
Mr. Terry Proctor, Cass County
Mr. Jim Sygo, Deputy Director, Michigan Department of Environmental Quality (MDEQ)
Ms. Carol Linteau, Legislative Liaison, MDEQ
Mr. G. Vinson Hellwig, MDEQ