



October 15, 2009

Mr. Bharat Mathur
Acting Regional Administrator
U.S. Environmental Protection Agency
Region 5 (RA-19J)
77 West Jackson Boulevard
Chicago, IL 60604

RE: Governor's Letter Recommending Designations for Lead (Pb)

Dear Mr. Bharat Mathur:

Pursuant to Section 107(d) of the Clean Air Act, and following promulgation of the revised lead (Pb) National Ambient Air Quality Standard (NAAQS) on October 15, 2008, (73 FR 66964), the Governor of Minnesota recommends that three (3) areas of the state be designated as "unclassifiable", one area be designated as "nonattainment", and the remainder of the state be designated as "attainment" with the lead NAAQS. Minnesota also requests special consideration for the proposed nonattainment area. This recommendation does not include areas within the state that are under tribal jurisdiction.¹

Minnesota recommends that all areas of the state be designated as in "attainment" with the exception of the areas around Grede Foundries Inc., St Cloud Foundry, Stearns County; Dotson Company Inc. in Mankato, Blue Earth County, and Federal Cartridge Corporation in Anoka, Anoka County; and the area around Gopher Resources Corporation in Eagan, Dakota County.

This designation recommendation is based on three consecutive years of air sampling data collected at 13 lead Federal Reference Method (FRM) Total Suspended Particulate (TSP) monitors throughout the State. The summary data are provided in tables of the maximum three month rolling average value for the three years 2006-2008 at each monitoring site and for Eagan monitor 465 (see enclosed table). Quality assured lead monitoring data for Minnesota have been submitted to the Air Quality System through July 31, 2009.

As required by the new NAAQS, the emissions inventory for lead for Minnesota was examined, corrected, and submitted to EPA Region 5. Following EPA Region 5 guidance, five facilities were identified with emissions near or above the threshold of 700kg/yr of lead. Dispersion modeling was conducted for these facilities to determine the predicted maximum concentration of lead in the ambient air. The modeling for one facility, US Steel Corporation, Minntac, showed that ambient concentrations of lead were well below the NAAQS. Modeling of three facilities- Grede Foundries Inc. (Stearns County); Dotson County Inc. (Blue Earth County); and Federal Cartridge Corp. (Anoka County) - projected ambient concentrations of lead above the standard. Without monitoring data, areas around these facilities must be designated "unclassifiable". Source-oriented lead total suspended particulates (TSP)

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monitors are scheduled to be in operation at these facilities by January 1, 2010. After one year of air sampling, a second designation request letter will address the status of each of these sites. According to EPA guidance from William Harnett, Director, Air Quality Policy Division, dated August 21, 2009, the designation request for the “remaining areas” is due by October 15, 2010. Maps are provided for each unclassifiable area that show an aerial view and dispersion modeling (enclosures).

Another source, Gopher Resources Corporation (GRC), in Dakota County, is in a “maintenance area” for lead that has been monitored with lead TSP sampling since 1983. Gopher Resources has exceeded the standard for lead (0.15 ug/m³) for the period 2006-2008, based on the new level and form of the standard (see enclosed table). The area around GRC was first designated as nonattainment for lead in January 1992, under the 1978 NAAQS. The area was redesignated as an attainment area in October 1994.

Minnesota recommends the “unclassifiable” areas based on the estimates of the emission inventory and dispersion modeling, and a “nonattainment” area based on monitoring data. A specific area is recommended for the non-attainment area associated with GRC (see enclosed map). This is the same area currently designated as a maintenance area by EPA on October 18, 1994, (59 FR 52431). The supporting data, rationale, and conclusions for the recommended designation area are provided as a technical support document (TSD) with this letter (enclosure).

Minnesota requests special consideration for the GRC area “nonattainment” designation due to significant measures undertaken by the facility to reduce air emissions in July and August of this year, as well as ongoing remediation of surficial soils. Details about these activities and limited monitoring data are provided in the TSD. We request that a “final” designation of this area be withheld for one year, when the second designation letter for the three “unclassifiable” areas is due. The four areas will then be designated based on one additional year of air monitoring data. There is reason to believe that the lead monitor at GRC may record concentrations of lead below the standard for 2010 due to completion of the air emissions reduction project. Final designation by EPA could include consideration of this additional data, similar to the areas designated “unclassifiable.”

The Commissioner of the Minnesota Pollution Control Agency is authorized to submit this letter on behalf of the Governor. If you have questions or comments on this submission, please contact Gordon Andersson of my staff at 651-757-2197.

Sincerely,

Paul Eger
Commissioner

GA/PE:jrh

Enclosures

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cc: Cheryl Newton, Director, Air and Radiation Division, EPA Region V
Jay Bortzer, Chief Air Programs Branch, EPA Region V
John Mooney, Chief, Criteria Pollutants Section, EPA Region V
Andrew Chang, EPA Region V
John Summerhays, EPA Region V

¹ Environmental Protection Agency (EPA) has stated that it will not delegate to any state the operation of federal environmental programs on Indian lands, including Indian reservations. In Minnesota, EPA has taken the position that the Mille Lacs Indian Reservation near Lake Mille Lacs encompasses approximately 61,000 acres and includes the townships of Kathio, South Harbor and Isle Harbor in Mille Lacs County. The State of Minnesota's position is that the Mille Lacs Indian Reservation is comprised of only Indian trust land (approximately 2,000-3,000 acres) within these townships.

This disagreement over the boundary of the Mille Lacs Indian Reservation is not, however, well-suited for resolution in an administrative forum, which does not allow for adequate presentation of the complex historical evidence fundamental to an analysis and review of Indian treaty disputes. Thus, the Minnesota Pollution Control Agency (MPCA) has agreed to cooperate with EPA and has allowed EPA to continue to operate federal environmental programs within the area that EPA describes as the Mille Lacs Indian Reservation with the explicit written understanding that MPCA's cooperation does not constitute a concession that EPA's position on the boundary is correct nor a waiver of the State's right in the future to seek resolution of the boundary dispute in an appropriate forum.

Enclosures (7):

Table of Lead Concentrations (ug/m3) for Minnesota
Table of Lead Concentrations (ug/m3) for Eagan (465) – Gopher Resources Corp.
Maps (3) of Unclassifiable Areas
Map of Nonattainment Area
Technical Support Document (TSD)

Lead Concentrations (ug/m3) for Minnesota 2006-2008

Site	2006-2008	Standard
Bayport (446)	0.003	0.15
Duluth (7555)	0.006	0.15
Eagan (465)	0.697	0.15
FHR 420	0.099	0.15
FHR 423	0.005	0.15
FHR 442	0.016	0.15
Minneapolis (966)	0.007	0.15
Minneapolis (907)	0.009	0.15
Minneapolis (963)	0.008	0.15
St. Louis Park (250)	0.007	0.15
St. Paul (801)	0.013	0.15
St. Paul Park (435)	0.012	0.15
Virginia (1300)	0.006	0.15

Maximum Rolling 3-Month Average Concentrations (ug/m3) 2006-2008

MPCA ID	Bayport (446)	Duluth (7555)	Eagan (465)	FHR 420	FHR 423	FHR 442	Minneapolis (966)	Minneapolis (907)	Minneapolis (963)	St. Louis Park (250)	St. Paul (801)	St. Paul Park (435)	Virginia (1300)
AQS ID	27-163-0446	27-137-7555	27-037-0465	27-037-0020	27-037-0423	27-037-0442	27-053-0966	27-053-1007	27-053-0963	27-0553-2006	27-123-1003	27-163-0009	27-137-7001
2006	no data	0.006	0.369	0.099	0.005	0.008	0.007	0.009	0.008	no data	0.010	0.012	0.004
2007	0.003	0.005	0.697	0.010	0.004	0.006	0.007	0.006	0.006	no data	0.013	0.007	0.004
2008	0.003	0.005	0.430	0.012	0.005	0.016	0.005	0.005	0.007	0.007	0.009	0.007	0.006
2006-2008	0.003	0.006	0.697	0.099	0.005	0.016	0.007	0.009	0.008	0.007	0.013	0.012	0.006

**Eagan (465) - Gopher Resources Corporation
Monthly Concentration Averages by Year (ug/m3) 2006-2009**

	January	February	March	April	May	June	July	August	September	October	November	December
2006	0.147	0.259	0.052	0.133	0.179	0.225	0.159	0.501	0.285	0.323	0.109	0.255
2007	0.252	0.197	0.515	0.316	0.517	0.216	0.666		0.728	0.310	0.670	0.116
2008	0.287	0.221	0.740	0.062	0.486	0.413	0.302	0.173	0.228	0.290	0.118	0.133
2009	0.167	0.363	0.229	0.104	0.200	0.092	0.425	0.160	0.160*			

*average based on data through September 16, 2009

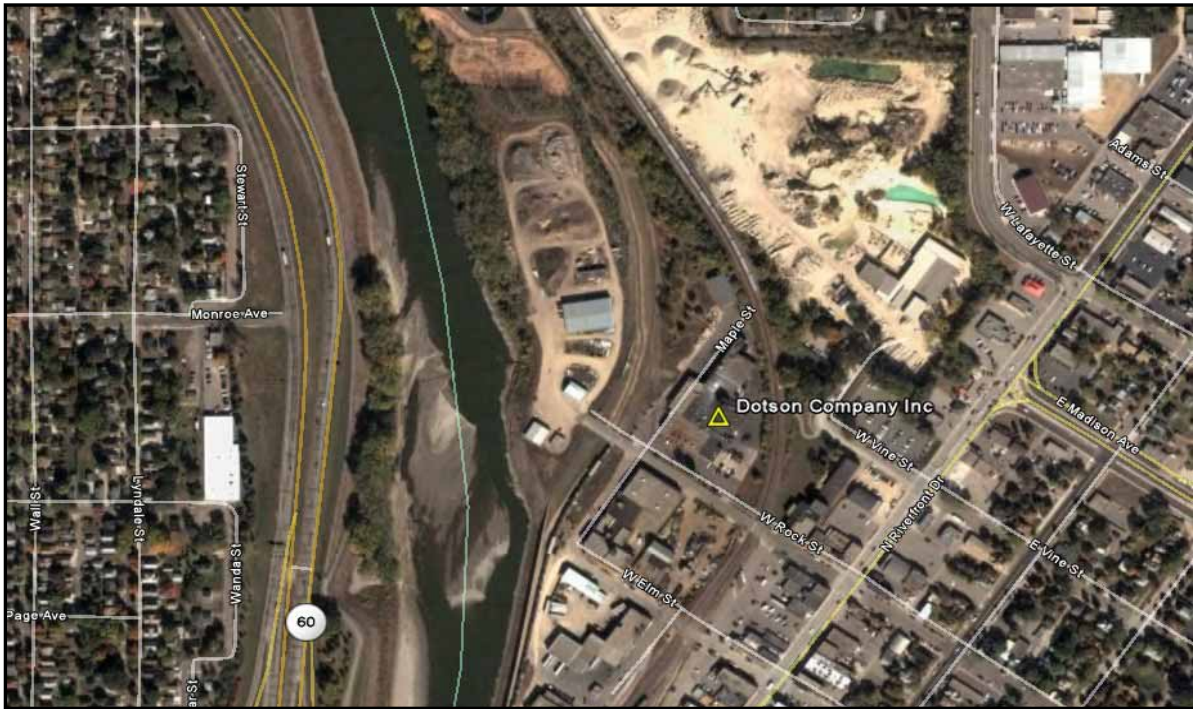
Maximum Rolling 3-Month Average Concentrations by Year (ug/m3) 2006-2009

	Nov-Jan	Dec-Feb	Jan-Mar	Feb-Apr	Mar-May	Apr-Jun	May-Jul	Jun-Aug	Jul-Sep	Aug-Oct	Sept-Nov	Oct-Dec
2006	0.147	0.203	0.153	0.148	0.121	0.179	0.187	0.295	0.315	0.369	0.239	0.229
2007	0.205	0.235	0.322	0.343	0.449	0.350	0.466	0.441	0.697	0.519	0.570	0.365
2008	0.358	0.208	0.416	0.341	0.430	0.321	0.400	0.296	0.234	0.230	0.212	0.180
2009	0.139	0.221	0.253	0.232	0.178	0.132	0.239	0.226	0.200			

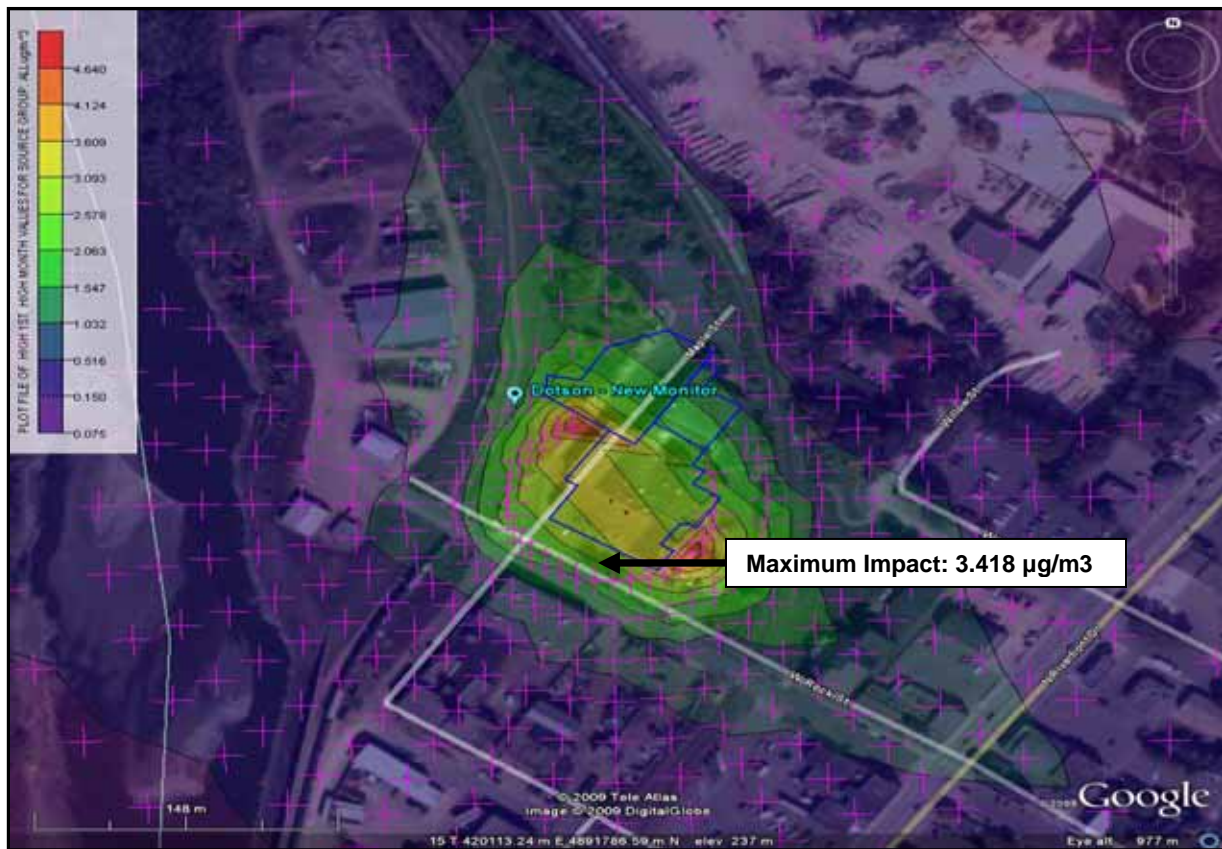
Design Value

2006-2008 0.697

Dotson Company, Inc. aerial view



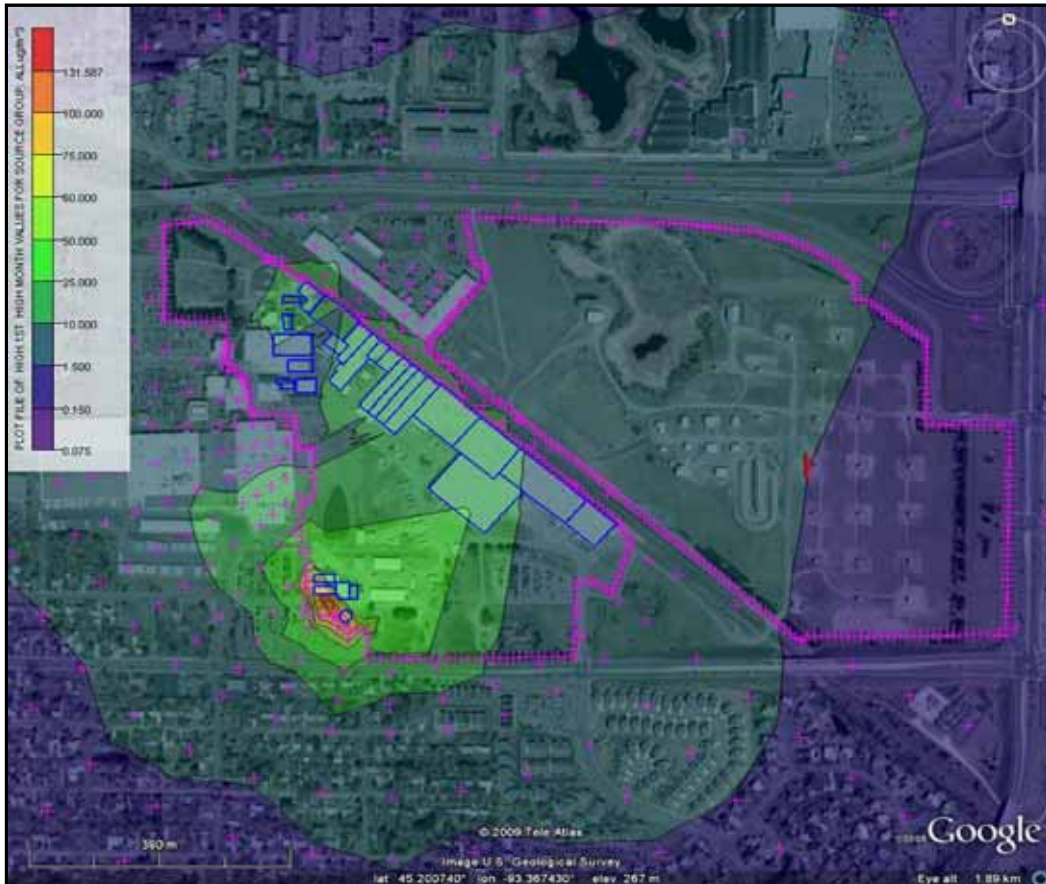
Modeled maximum monthly average lead concentration contours for Dotson Company, Inc.



Federal Cartridge Company-Anoka aerial view



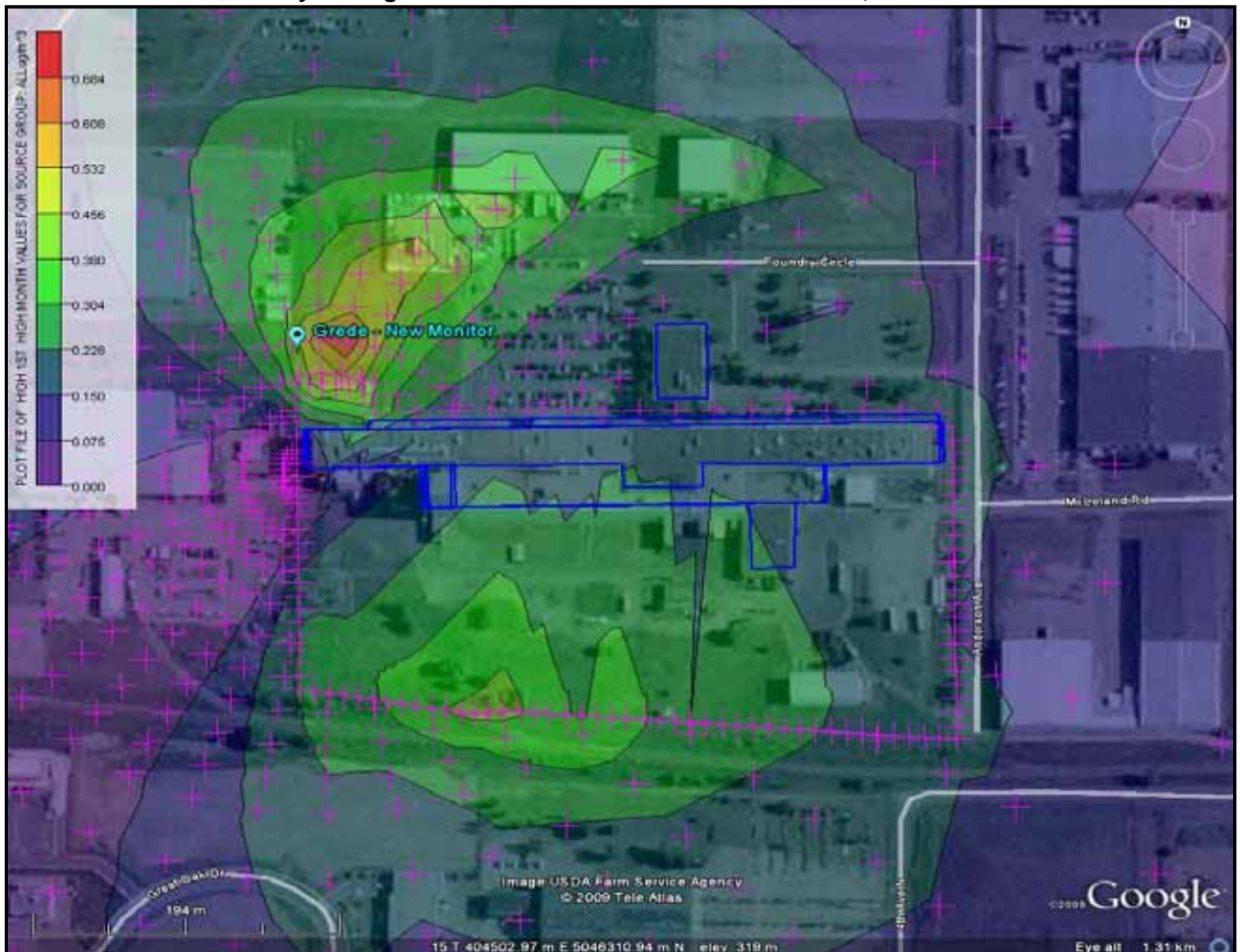
Modeled maximum monthly average lead concentration contours for Federal Cartridge



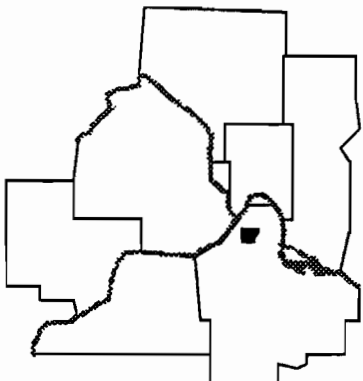
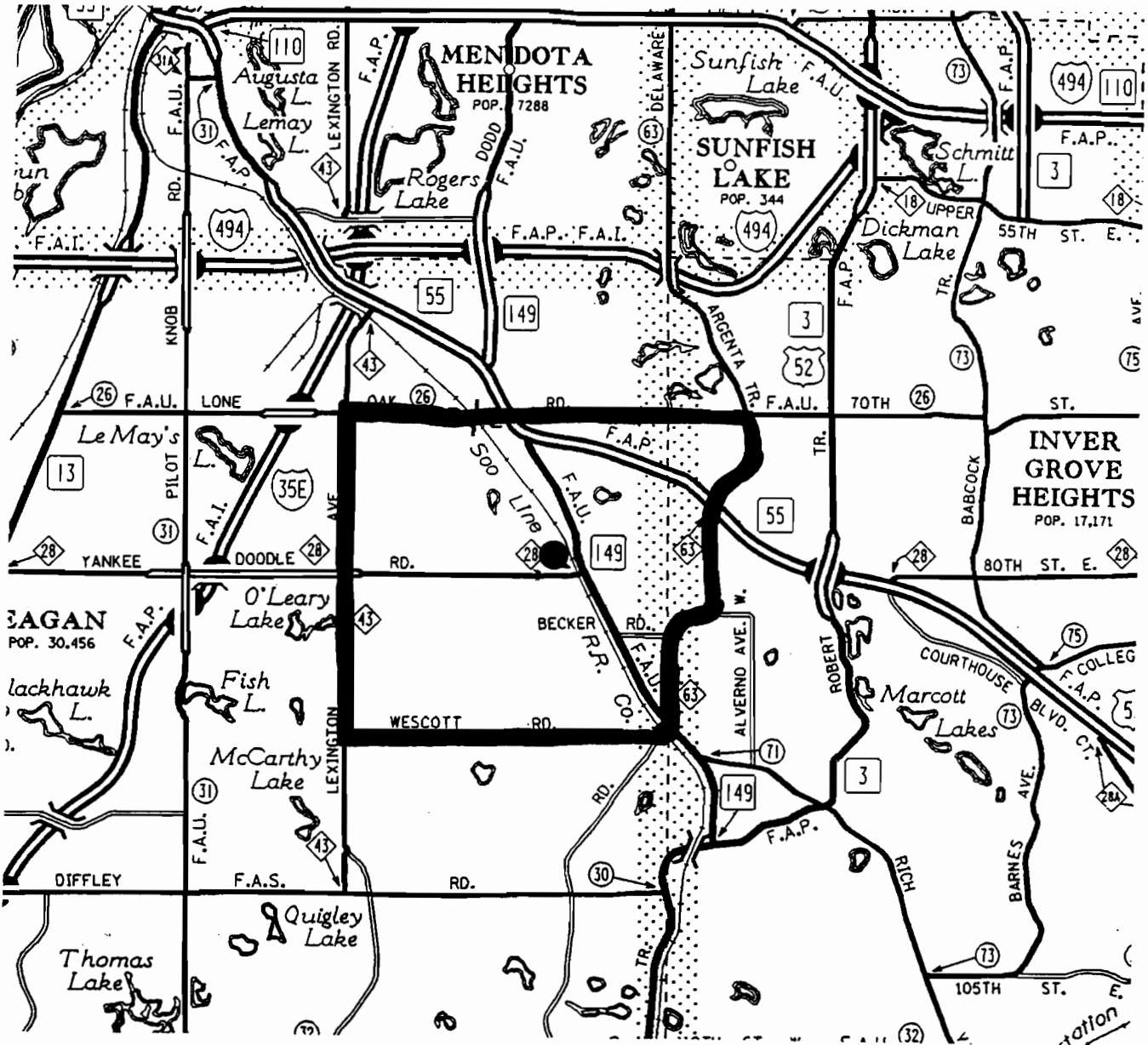
Grede, St. Cloud Inc. aerial view



Modeled Maximum Monthly Average Lead Concentration Contours for Grede, St. Cloud Inc.



Lead Nonattainment Area



January 1993

KEY -

● - Gopher Smelting & Refining

- A portion of the city of Eagan bounded by Lone Oak Road (County Road 26) to the north, County Road 63 to the east, Westcott Road to the south, and Lexington Avenue (County Road 43) to the west.