

Message

From: Jones, Enesta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65B8E6C6E5CA4A7A9AE85D98A4C8EEDB-EJONES02]
Sent: 8/2/2018 7:31:10 PM
To: Jackson Danbeck [Ex. 6]
CC: Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
Subject: Re: WORT 89.9 FM

Jackson,

On background:

Why did the EPA change its assessment of nonattainment areas, from much of the southeast Wisconsin to a smaller strip near Lake Michigan?

As noted in the Designations Guidance Memorandum (February 25, 2016), once EPA notifies a state it intends to modify the state's recommendation, the state has up to 60 days to submit additional information for EPA to consider prior to making final designations. The State of Wisconsin submitted additional information during this time. The EPA considered all information received in establishing the final boundaries for areas in Wisconsin. The Technical Support Document (TSD) for Wisconsin contains EPA's analysis. The TSD is found at: https://www.epa.gov/sites/production/files/2018-05/documents/wi_tsd_final.pdf

When will the EPA publish its recommendation for the state of Wisconsin on how to reduce smog levels, for the revised nonattainment area?

The EPA does not publish recommendations for states on how to reduce pollution levels. As dictated by the Clean Air Act's approach to cooperative Federalism, states are required to develop and submit plans to EPA to address air quality that violates the ambient air quality standards. All the nonattainment areas in Wisconsin are classified as "Marginal" nonattainment areas. Marginal nonattainment areas are required to attain the NAAQS within three years, but the CAA does not specify strategies for attaining the NAAQS in Marginal classified areas. However, the CAA does require such areas to implement a New Source Review Permitting program to ensure that new and modified sources do not impede progress toward cleaner air.

Does the EPA agree with the assessment that smog levels in southeastern Wisconsin exist in large part because of smog blowing over from Illinois and northern Indiana?

Ambient ozone is formed through complex atmospheric processes. In urban areas, ozone is typically the result of a combination of emissions from local and distant sources. Section 107(d)(1) of the Clean Air Act requires areas that violate the NAAQS and any "nearby" areas that contribute to a violation of the NAAQS be designated nonattainment. The Technical Support Document (TSD) for Wisconsin addresses EPA's technical analysis for the counties in southeastern Wisconsin, which are the counties that EPA determined are "nearby" for purposes of the violating monitors.

Do you have any information on when the federal court in DC will hear the suit involving Clean Wisconsin and the EPA?

We do not have any information at this time. Once all the petitions for review of the designations rule have been filed, the Court will set the schedule for the parties to file briefs and for argument before the court in the case.

On Aug 1, 2018, at 3:53 PM, Jackson Danbeck <Ex. 6> wrote:

Just to confirm, the above sentence is the EPA's statement?

My questions:

Why did the EPA change its assessment of non attainment areas, from much of southeast Wisconsin to a smaller strip near Lake Michigan?

When will the EPA publish its recommendation for the state of Wisconsin on how to reduce smog levels, for the revised non attainment area?

Does the EPA agree with the assessment that smog levels in southeastern Wisconsin exist in large part because of smog blowing over from Illinois and northern Indiana?

Do you have any information on when the federal court in DC will hear the suit involving Clean Wisconsin and the EPA?

On Wed, Aug 1, 2018 at 2:47 PM Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Jackson,

“EPA is reviewing the recently-filed lawsuit (petition for review).” – EPA spokesperson

On Aug 1, 2018, at 3:40 PM, Jackson Danbeck <Ex. 6> wrote:

Hi Enesta,

Here is my email.

Best,

Jackson Danbeck