



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

January 7, 2011



David Conroy, Chief, Air Programs Branch
U.S. Environmental Protection Agency, Region 1
5 Post Office Square – Suite 100 (Mail Code OEP05-2)
Boston, MA 02109-3912

Re: Request to Withdraw a Portion of Connecticut's PM_{2.5} Infrastructure Adequacy Determination

Dear Mr. Conroy: ^{Date}

Section 110(a)(1) and (2) of the Clean Air Act (CAA) requires all states to submit plans to implement, maintain and enforce all new and revised national ambient air quality standards (NAAQS), including the fine particulate matter (PM_{2.5}) NAAQS adopted by the United States Environmental Protection Agency (EPA) in 2006. Resultantly, on September 18, 2009, the Connecticut Department of Environmental Protection (DEP) submitted an adequacy determination demonstrating that Connecticut's State Implementation Plan (SIP) fully satisfies 13 of the 14 required CAA Section 110(a)(1) and (2) infrastructure elements for the 2006 PM_{2.5} NAAQS (September 2009 Adequacy Determination).

The State of Connecticut has taken extraordinary steps to reduce in-state emissions of primary PM_{2.5} and precursors to PM_{2.5}. Connecticut was one of the first states to adopt annual limits for both nitrogen oxides and sulfur dioxide emissions from power plants and other large industrial sources. Connecticut has also adopted motor vehicle emission standards for light and medium duty vehicles that are more stringent than the federal standards. Our efforts notwithstanding, DEP recognizes and values our partnership with EPA; many federal programs have also furthered our clean air goals such as low sulfur fuel standards for gasoline and diesel fuel, and heavy duty diesel engine standards. Clearly our record demonstrates that Connecticut is a national leader in the pursuit of clean air. Unfortunately, we are a leader by necessity because of the impact of interstate transport of air pollution. Ultimately, it is up to EPA to address the damaging effects of interstate air pollution transport and to implement those provisions of the CAA intended to assure clean air for all of Connecticut's citizens.

Attachment A to this correspondence fulfills a commitment by DEP in the September 2009 Adequacy Determination to revisit our analysis of whether Connecticut's SIP prevents emissions from Connecticut that would otherwise significantly contribute to nonattainment or interfere with maintenance of the 2006 PM_{2.5} NAAQS in downwind states as required by the Clean Air Act. Based on Connecticut's efforts to reduce PM_{2.5} emissions described above, compliance with the NAAQS was achieved in 2009 throughout the New York-New Jersey-Connecticut (NY/NJ/CT) nonattainment area. We anticipate that 2010 air monitoring data, once fully quality assured, will continue to demonstrate that air quality complies with the 2006 PM_{2.5} NAAQS. Notwithstanding

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this belief and based on EPA's air quality modeling, Connecticut recognizes that emissions from Connecticut may still interfere with maintenance of this standard at several monitoring locations specified in Attachment A. Therefore by this letter, DEP is voluntarily withdrawing the portion of the PM_{2.5} SIP that addresses the CAA Section 110(a)(2)(D)(i)(I) interstate transport provisions. By doing so, DEP anticipates that EPA will work to expedite a rulemaking finalizing the much needed Transport Rule to reduce interstate transport of air pollution in the eastern United States.

Due to the health impacts associated with PM_{2.5} and the public health benefits associated with the implementation of a strong Transport Rule, please contact me immediately if DEP can be of any further assistance in helping EPA take steps towards sustaining our continued progress towards healthy PM_{2.5} and ozone air quality in Connecticut and other states which are heavily impacted by emissions from upwind areas.

Sincerely,



Anne Gobin
Chief, Bureau of Air Management

Enc(1)

Attachment A

Adequacy of Connecticut's PM_{2.5} SIP in Meeting the Clean Air Act's Transport Provisions

DEP's PM_{2.5} adequacy determination letter¹ fully addressed all but one of the 14 infrastructure elements required by CAA Section 110(a)(1) and (2). The remaining element, relating to the interstate transport provisions of CAA Section 110(a)(2)(D)(i)(I), was addressed by noting that EPA had previously approved DEP's Transport SIP submission for the 1997 PM_{2.5} NAAQS and by indicating DEP's intent to "revisit the analysis concerning Connecticut's significant contribution to any nearby state 24-hour PM_{2.5} nonattainment areas once EPA has made final nonattainment designations for the 2006 PM_{2.5} NAAQS." DEP fulfills its commitment to re-evaluate Connecticut's impact on downwind states in the discussion below.

EPA's technical modeling analysis², performed in support of the proposed Transport Rule³, indicates that Connecticut emissions sources significantly contribute to 24-hour PM_{2.5} nonattainment and/or maintenance concerns at three monitors in New York City and one monitor in northern New Jersey. Peak modeled impacts at those monitors from Connecticut emissions (0.7 µg/m³ or 2% of the NAAQS) were greater than the 1% (0.35 µg/m³) threshold used by EPA to identify a state's significant contribution to a downwind state's nonattainment and/or maintenance problems. EPA's future year modeling, including reductions from the proposed Transport Rule and other adopted federal and state measures, show implementation of these programs is essential to achieving significant improvements in PM_{2.5} air quality. Although EPA's analysis indicates the potential for residual nonattainment and/or maintenance issues in 2014 at two of the monitors impacted by emissions from Connecticut, actual monitoring data from 2007-2009 show compliance with the 24-hour PM_{2.5} NAAQS at those same monitors, as well as throughout the entire NY/NJ/CT nonattainment area. DEP anticipates that 2010 air monitoring data⁴, when fully quality assured, will remain compliant with the NAAQS, minimizing the potential for any future nonattainment and/or maintenance problems at the monitors of concern.

Measured compliance with the 2006 PM_{2.5} NAAQS has been achieved, in part, through state and federal regulations implementing the 2005 Clean Air Interstate Rule (CAIR) which was remanded to EPA by the D.C. Circuit Court in December 2008. As exemplified by the air quality improvements noted above, it is of critical importance to public health in Connecticut that these emission reductions be preserved through finalization of a strong interstate Transport Rule to replace CAIR.

¹ September 18, 2009 letter Amey Marrella (CTDEP) to Ira Leighton (EPA-1) on CTDEP website at http://www.ct.gov/dep/lib/dep/air/particulate_matter/pm25planning/sept09pm2_5_infrastructure_ltr_to_epa.pdf

² EPA Air Quality Modeling Technical Support Document for the Transport Rule (June, 2010), on EPA website at http://www.epa.gov/airquality/transport/pdfs/TR_AQModeling_TSD.pdf (see Appendix D tables at pages D-15 and D-23).

³ 75 Fed. Reg. 45210 (August 8, 2010), Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone; Proposed Rule

⁴ DEP recognizes that actual monitoring data reflects implementation of numerous state and federal air quality programs, including the 2005 Clean Air Interstate Rule (CAIR) and that EPA guidance precludes DEP from relying on emission reductions attributable to CAIR in its present analysis.