



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
FEB 06 2013

REPLY TO THE ATTENTION OF:

Ms. Karen R. Diver
Chairwoman
Fond du Lac Band of Lake Superior Chippewa Indians
1720 Big Lake Road
Cloquet, Minnesota 55720

Dear Chairwoman Diver:

I am writing to inform you of the U.S. Environmental Protection Agency's response to the Fond du Lac Band of Lake Superior Chippewa Indians' air quality designation recommendations for the 2010 revision to the primary National Ambient Air Quality Standard for sulfur dioxide (SO₂). Since air monitoring data do not show violations of the 2010 SO₂ standard in the Fond du Lac Reservation, EPA is not currently planning to designate any nonattainment areas in your area. As you may know, the Clean Air Act requires EPA to set National Ambient Air Quality Standards for pollutants considered harmful to public health and the environment. Reducing SO₂ emissions is an important part of EPA's commitment to a clean, healthy environment. Exposure to SO₂ can cause a range of adverse health effects, including difficulty breathing and increased asthma symptoms.

On June 3, 2010, EPA strengthened the health-based or "primary" standard for SO₂ by establishing a standard for 1-hour average SO₂ concentrations at a level of 75 parts per billion. The Clean Air Act requires EPA to complete the initial designations process within two years of promulgating a new or revised standard. If EPA has insufficient information to make these designations, EPA has the authority to extend the designation process by up to one year. On July 27, 2012, EPA announced that it had insufficient information to complete the designations for the 1-hour SO₂ standard within two years and extended the designations deadline to June 3, 2013.

At this time, EPA is proceeding with nonattainment designations for most areas where 2009-2011 monitoring data indicate violations of the 1-hour SO₂ standard. EPA intends to address the designations for all other areas in separate future actions. EPA's review of air quality data from 2009-2011 shows no violations of the 2010 SO₂ standard in any areas in the Fond du Lac Reservation. EPA is not yet prepared to propose designation action and is therefore currently deferring action to designate areas in the Fond du Lac Reservation.

With input from a diverse group of stakeholders, EPA has also developed a comprehensive strategy for implementing the 1-hour SO₂ standard that focuses resources on identifying and addressing unhealthy levels of SO₂. The strategy is available at: <http://www.epa.gov/airquality/sulfurdioxide/implement.html>. EPA will continue to work closely with our tribal and other partners to ensure health-protective, common sense implementation of the 1-hour SO₂ standard. EPA expects to be able to proceed with designation action in the Fond du Lac Reservation once additional data are gathered pursuant to our

comprehensive implementation strategy. In a separate future action or actions, EPA will notify you of our intended designations for these areas, and seek public comment on these actions, no later than 120 days prior to promulgating any final designations.

We look forward to a continued dialogue with the tribe as we work to implement the 2010 primary SO₂ standard. For additional information regarding initial designations on the SO₂ standard, please visit www.epa.gov/so2designations. If you have any questions, please contact me at 312-886-3000, or your staff may contact George Czerniak, Director of EPA Region 5's Air and Radiation Division, at 312-353-2212 or czerniak.george@epa.gov.

Sincerely,



Susan Hedman
Regional Administrator

cc: Wayne Dupuis
Environmental Program Manager
Fond du Lac Band of Lake Superior Chippewa Indians