



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

AUG 22 2017

The Honorable Mark Dayton
Governor
Office of the Governor, State of Minnesota
Veterans Service Building
20 West 12th Street, Room 116
St. Paul, Minnesota 55155

REPLY TO THE ATTENTION OF:

Dear Governor Dayton:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's intended designations for all of the remaining areas in Minnesota for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The designations for this NAAQS are an important part of EPA's commitment to a clean, healthy environment. These intended designations are a response to designations-related recommendations and information your state submitted in letters dated May 23, 2011, January 13, 2017, and August 2, 2017.

On July 25, 2013, EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016, and November 29, 2016. No areas in Minnesota were designated in these previous actions. Pursuant to a March 2, 2015, court-ordered schedule,¹ the agency must complete the remaining SO₂ designations by two specific deadlines: December 31, 2017, and December 31, 2020.² Accordingly, pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act, this letter is to notify you of EPA's assessment of your state's recommended designations for all the remaining undesignated areas in Minnesota. While we are in agreement with your recommendation for many of these areas, some areas warrant further discussion as explained below and in the accompanying technical support document. We stand ready to assist and hope to resolve any differences regarding the proper designation for these areas within this 120-day period provided by the Clean Air Act.

To this end, if you or your staff have additional information that EPA should consider prior to finalizing the designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at www.regulations.gov, and sending a copy to EPA Region 5. The EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on EPA's intended designations.

Minnesota has recommended a designation of attainment/unclassifiable for Goodhue County. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by Minnesota or by a third party. The air dispersion modeling data show either that Goodhue County may

¹ *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

² Minnesota does not have any areas affected by the 2020 deadline.

be violating the 2010 primary SO₂ NAAQS or contains sources that may be contributing to air quality in a nearby area that may be violating the 2010 primary SO₂ NAAQS, which would require a modification of the recommended designation. We invite Minnesota to review the available information and further discuss this issue with EPA in order to inform an appropriate final designation.

Area	Included Counties
Goodhue County*	Entirety of Goodhue County

An asterisk (*) indicates that EPA’s intended designation for this county represents a modification to the designation that you have most recently recommended.

Minnesota has recommended a designation of attainment/unclassifiable for the areas indicated below. EPA regulations for implementing the SO₂ NAAQS require Minnesota to characterize SO₂ air quality in each listed area. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by Minnesota or by a third party. Our review of this information indicates that it is consistent with your recommendation. EPA intends to designate each listed area as a separate unclassifiable/attainment area, as indicated.³

Unclassifiable/Attainment Area	Included Counties
Cook County	Entirety of Cook County
Itasca County	Entirety of Itasca County
Otter Tail County	Entirety of Otter Tail County
Sherburne County	Entirety of Sherburne County

The enclosure to this letter provides the information that supports the intended designation decisions for these areas in Minnesota.⁴

Finally, we intend to designate as unclassifiable/attainment all remaining areas of Minnesota that were not required to be characterized and for which EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. A list of these remaining areas is included in the final section of the enclosure.

The EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017. We are prepared to work with you to resolve any disagreements with respect to the available information or information gaps. Upon the completion of this designation action, there will be no remaining areas in Minnesota to be designated.

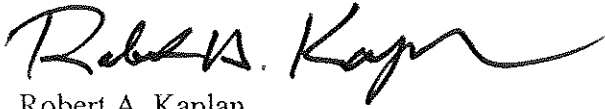
We share your goal to provide cleaner air for citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement

³ Our intended designated areas include all areas of Indian country located in each of the indicated areas.

⁴ The Enclosure is Chapter 20 of the Technical Support Document for the designations EPA plans to complete by December 31, 2017, that addresses areas in Minnesota. The Technical Support Document is also available at <https://www.epa.gov/sulfur-dioxide-designations>

the 2010 primary SO₂ NAAQS. For additional information regarding designations under the SO₂ NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact Ed Nam of my staff at 312-353-2192 or Nam.Ed@epa.gov.

Sincerely,



Robert A. Kaplan
Acting Regional Administrator

Enclosure

Cc John Line Stine, Commissioner, Minnesota Pollution Control Agency
David Thornton, Assistant Commissioner, Air Policy, Minnesota Pollution Control Agency