

November 21, 2011

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

The purpose of this letter is to convey a series of concerns and recommendations from the environmental agencies of ten southeastern states. As chief administrators of these agencies, we are responsible for protecting human health and the environment and we have a solid record of doing so, as evidenced by consistently improving air quality in the Southeast and the significant resources that we dedicate to this effort. We present to you herein our thoughts regarding draft guidance the United States Environmental Protection Agency (EPA) released September 22, 2011. EPA has stated its intention to use this guidance in implementation of the 2010 sulfur dioxide (SO₂) national ambient air quality standard (NAAQS). These concerns and recommendations include the following:

- EPA's proposed implementation approach is inconsistent with its long-term policies and is extremely resource-demanding. State implementation plan (SIP) submittal deadlines are not likely achievable. We believe that EPA should abandon its current implementation approach and instead develop a more reasonable approach that is adequately protective of air quality but does not place unnecessary and unrealistic administrative, technical, and cost burdens on our states.
- EPA should use only ambient air quality monitoring data to make initial designations of nonattainment areas for the revised SO₂ NAAQS.
- EPA's current plan Section 110(a)(1) of the Clean Air Act to require modeling for the state implementation plans that are due by June 2013 is a serious concern to our states, and we question EPA's significant departure from the way previous NAAQS have been implemented. We acknowledge that modeling may be necessary and appropriate in some cases to demonstrate compliance and impact to SO₂ ambient concentrations. However, historically the Section 110(a)(1) requirements have focused on the general information and authorities that constitute the "infrastructure" of the air quality management program. This is outlined in more detail in the enclosed discussion paper.

Numerous other concerns and recommendations are included in the discussion paper enclosed. We appreciate your consideration of these matters and look forward to EPA's favorable response. We stand ready to work with you and your staff in a cooperative and constructive manner to address these issues. Please contact any of the undersigned if you need additional information.

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Best Regards,



Lance R. LeFleur, Director
Alabama Department of Environmental
Management



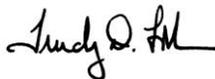
Jeffrey Littlejohn, PE, Deputy Secretary
Florida Department of Environmental
Protection



F. Allen Barnes, Director
Georgia Environmental Protection
Division



R. Bruce Scott, Commissioner
Kentucky Department for Environmental
Protection



Trudy Fisher, Executive Director
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Dee Freeman, Secretary
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Robert W. King, Jr., PE, Deputy Commissioner
South Carolina Department of Health
and Environmental Control



Robert J. Martineau, Jr., Commissioner
Tennessee Department of Environment
and Conservation



David K. Paylor, Director
Virginia Department for Environmental Quality



Randy C. Huffman, Cabinet Secretary
West Virginia Department of
Environmental Protection

cc: Senator Barbara Boxer
Senator James M. Inhofe
Congressman Ed Whitfield
Congressman Bobby L. Rush
Gina McCarthy, EPA OAR
Gwen Keyes Fleming, EPA Region 4