

DOOR COUNTY CORPORATION COUNSEL

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January 8, 2008

John M. Mooney, Chief
Criteria Pollutant Section
Air Programs Branch [AR-18]
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604

Sent via mail and FAX [312-886-5824].

RE: Docket ID No. EPA-R05-OAR-2007-0957
Our Reference No. 2004-183

Dear Mr. Mooney:

The EPA is proposing to approve a request to redesignate the Kewaunee County area to attainment of the 8-hour ozone NAAQS. Please consider this Door County's comment.

Door County does not oppose Kewaunee County's redesignation. Rather, this should be viewed as a statement of observations as to EPA's focus.

We'd like to call your attention to some salient truths:

- Upwind sources of ozone and its constituents cause, or at the very least contribute significantly to, downwind [e.g., Door County's] non-compliance with NAAQS.
- Local and long-range transport of ozone and its constituents have and will continue to preclude downwind attainment of the NAAQS.
- The overarching goal is to reduce emissions so that the NAAQS are universally met.
- Reducing emissions upwind is the only means to decrease ozone concentrations downwind.

Rather than focus on redesignation, would it not make sense for the EPA to:

- Find the upwind sources that cause or contribute significantly to downwind non-compliance with ozone ambient air quality standards.
- Regulate emissions from [i.e., impose very stringent limitations on] upwind regions to address the issue and allow downwind regions a fair opportunity to achieve compliance.
- Place a moratorium on upwind sources being deemed to have attained NAAQS, if impacted downwind areas continue to show monitored nonattainment of the NAAQS.

The foregoing appears to be a rationale approach that will ameliorate the problem.

Respectfully submitted;

DOOR COUNTY CORPORATION COUNSEL



Grant P. Thomas, Corporation Counsel

GPT/llh

c: Mike Serpe, Door County Administrator
Arthur J. Harrington, Godfrey & Kahn
Senator Russell Feingold
Senator Herbert Kohl
Congressman Steve Kagen

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FACSIMILE TRANSMITTAL SHEET

**To: John M. Mooney, Chief
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Pages: 2 (including cover)

Phone:

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