

United States Senate

WASHINGTON, DC 20510

February 7, 2013

The Honorable Lisa P. Jackson
U.S. Environmental Protection Agency
Ariel Ross Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Dear Administrator Jackson,

As the Environmental Protection Agency (EPA) considers its approach to implementing the Sulfur Dioxide (SO₂) National Ambient Air Quality Standards (NAAQS), we urge you to ensure States have maximum flexibility to determine the most appropriate approach to accurately establish their attainment status.

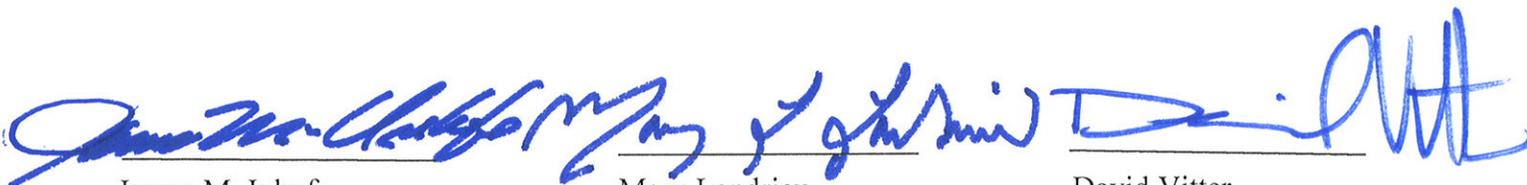
The draft white paper released by EPA in May of last year detailed two approaches, in the implementation of the new 1-hour SO₂ NAAQS, for determining whether an area currently meets the NAAQS. The first based on ambient monitoring data and the second based on modeling analyses. While the preference is the use of actual monitors in gathering the necessary data upon which to base decisions, we recognize financial constraints may force States to rely on modeling or perhaps a hybrid approach. That said, the current models and assumptions in EPA guidelines are of concern as they over predict expected ambient air quality levels due to their use of worst case meteorology, emissions data, and other scenarios concurrently.

During an EPA listening session last year with industry, participants noted that factors such as wind speed, the number of SO₂ sources in a geographic area, and the height of SO₂ sources may create distortions in the data. These distortions may result in pollution controls that are unnecessary from a capital and operating expense perspective.

We urge EPA to revise the proposed modeling guidelines to include more accurate assumptions, not solely worst case scenarios. Further, additional relevant data is necessary to determine the SO₂ emission reductions achieved from prior industry investments made to reduce SO₂.

We understand the Agency is planning on releasing draft guidance in the coming months. We expect the EPA will adopt a measured approach that provides States the necessary flexibility and discretion to tailor their respective approaches to accurately establish their attainment status.

Sincerely,



James M. Inhofe
United States Senator

Mary Landrieu
United States Senator

David Vitter
United States Senator