



**Environmental  
Protection Agency**

Division of Air Pollution Control

**Response to Comments  
PM<sub>2.5</sub> redesignation request for the 1997 PM<sub>2.5</sub> Annual Standard  
for the Huntington-Ashland Area**

**Agency Contact for this Package**

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Ohio EPA held a public hearing in Portsmouth, OH on April 21, 2011, regarding the Redesignation Request and Maintenance Plan for the Huntington-Ashland PM<sub>2.5</sub> Nonattainment Area. This document summarizes the comments and questions received at the public hearing and during the associated comment period, which ended on April 21, 2011. Ohio EPA reviewed and considered all comments received during the public comment period.

By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

**Ohio EPA received four letter in support of the redesignation request for the 1997 PM<sub>2.5</sub> Annual Standard for the Huntington-Ashland Area (State Representative Terry A. Johnson, 89<sup>th</sup> Ohio House District; Bill Dingus, Executive Director for the Lawrence Economic Development Corporation; Bill Dingus, Executive Director for the Lawrence County Port Authority and; Don Hadsell, President for The Hadsell Companies).**

**General Comments/Overall Concerns**

**Comment 1: Adams and Gallia, how long have they been in the metropolitan area? I didn't think that they were. I thought the only two Ohio counties were Lawrence and Scioto. (Robert Walton).**

**One specific thing that bothers me about the redesignation proposal is that it is for the Ohio portion for the Huntington-**

**Ashland, Ohio, Kentucky, West Virginia nonattainment area for annual PM2.5 – the counties of Adams, Gallia, Lawrence and Scioto. Two of Barry Commoner’s ecological laws say that, “Everything is connected to everything else and Everything has to go somewhere.” The air in this geographic region is not fixed to this region. It’s a part of and intimately connected to the world atmosphere. Air circulates in the atmosphere throughout the world. This has been vividly demonstrated recently by radioactive material produce in Japan being detected in countries around the world. Not all the air pollution measured in this region was produced in this region. Much came from upwind. By the same token, not all the air pollution produced in this region stays here; it moves downwind to other areas. In my opinion, these geographical boundaries, which are conceptual, have no real meaning for air which has no boundaries and which is always in motion, always changing, much as a river flows continuously with different water at any one place at any given moment in time (Barbara Lund).**

**Response 1:**

The Huntington-Ashland metropolitan statistical area (MSA) includes five counties in West Virginia (Cabell and Wayne), Kentucky (Boyd and Greenup) and Ohio (Lawrence). Nonattainment areas are not only selected based upon an MSA. Rather, selection is based on several factors including, but not limited to, air monitoring data and emissions sources that can influence monitored violations. This ensures that not only the immediate area that contains a monitor showing a violation is designated as nonattainment but those adjacent areas that contribute to the violation are also designated as nonattainment. Within Ohio, Scioto County is included as part of nonattainment area because the county, along with Lawrence County, contained a violating monitor at that time. The partial areas of Adams and Gallia counties, even though they are not part of the Huntington-Ashland MSA, were included as part of the nonattainment area primarily because of the existence of an electric generating unit (EGU - power plant) in the townships designated nonattainment (Monroe and Sprigg Townships in Adams County and Cheshire Township in Gallia County). Emissions from these sources may contribute to violations at those monitors in the adjacent counties.

**Comment 2:**

**And if West Virginia and Kentucky does not make this similar request, how will that impact our request with the U.S. EPA? In looking at this matter of air quality and being an attainment or non-attainment county, I was under the**

**impression that the entire area was classified either as attainment or non-attainment.**

**Even though in Scioto County we have been attainment for several years before now, and Lawrence County, there was no proof that –evidence that they were, and I don't think Ashland or Huntington were. But for many years, or several years, I think Scioto County met attainment standards, but the other counties in the metropolitan area did not. The County Commissioners, the Port Authority, and others locally, had made a request three years ago – two years ago, two and a half years ago, that Ohio EPA request U.S. EPA to redesignate us, because we did have, I think three year data that we did meet attainment standards (Robert Walton).**

**Response 2:**

In order for any single county (or partial county) designated nonattainment to be redesignated to attainment all monitors located within the entire area (all counties) must show attainment for a 3-year period. All monitors in this area showed attainment for the first time for the 2007 to 2009 period. Therefore, in 2010, Ohio EPA began working with the environmental agencies in Kentucky and West Virginia, in a joint effort to prepare information necessary for the redesignations. However, each state agency is responsible for preparing and submitting their own redesignation request. USEPA Region 5 will act on Ohio's request individually and redesignate only the four counties in Ohio (Adams, Gallia, Lawrence and Scioto counties). Counties in West Virginia and Kentucky will remain nonattainment until such time they make a request and their USEPA regions (which differ from Ohio's) act upon their submittal. During any time period where Ohio's counties are designated attainment and another state's counties are designated nonattainment, Ohio would follow its approved maintenance plan while the other state would continue to follow the requirements for nonattainment areas (e.g., applying offset ratios during major source permitting).

**Comment 3:**

**I am very pleased and very happy to be sitting here today, seeing that presumably the entire metropolitan area has now met the standards. It's been very difficult being right across the river from Greenup, Kentucky, that is an attainment county. Being in economic development, I'm very much involved in competition with the State of Kentucky and West Virginia, and we have a situation right now where SunCoke, if we were attainment, probably would make a decision to expand in Scioto County, rather than doing what they are at this time, which is applying for a permit to install in Kentucky**

for Greenup County. So I'm very pleased that all this could require, if they choose Ohio, to buy air credits and put forth a very large expenditure. I also want to comment that there are economic developers who sit in New York City and Los Angeles and look at a map and -- if air emissions is a concern of theirs, they look at a map, they're going to make a recommendation for expansion of the plant, and they see that Scioto County is non-attainment, "X" us out and move on. Don't look any further. So also I'm very happy to know that I'm breathing fresher air, cleaner air. (Robert Walton).

**Response 3:** Thank you for your support and concern for the Ohio EPA proposed redesignation and maintenance of the Huntington-Ashland PM<sub>2.5</sub> Nonattainment Area.

**Comment 4:** Let me start by saying that less bad is no good. That's a concept. Less bad is no good. Ohio EPA is claiming that the dirty air of this region is cleaner, is clean enough. It was at one time so dirty that it was dirtier than the national allowable standards; thus, the region was considered to be non-attainment with respect to those standards, the national ambient air quality standards for annual PM<sub>2.5</sub>. Ohio EPA says that now its tests and monitoring show that the air is less dirty than the US standard, that the air is clean enough to be designated an attainment of the standards for clean. The quality of air is cleaner. It is still dirty. It is less bad, but it's still not good. (Barbara Lund).

**Response 4:** Thank you for your comments and concern for the Ohio EPA proposed redesignation and maintenance of the Huntington-Ashland PM<sub>2.5</sub> Nonattainment Area. The Ohio EPA strives to constantly improve air quality for all Ohio and during the last 14 years (since the establishment of the PM<sub>2.5</sub> annual standard) Ohio EPA has been working together with the regulated community to reduce atmospheric emissions and achieve or go beyond USEPA's mandates.

**Comment 5:** The March 2010 draft of the Redesignation and maintenance plan says nothing about why particulate matter is regulated or what the benefits are of lowering the amounts of particulate matter. The State Implementation Plan for PM<sub>2.5</sub>, revised June 7, 2010, does say the following: 'The NAAQS area air quality standards for pollutants that pose public health risks. High levels of PM<sub>2.5</sub> can contribute to a number of health impacts, including premature mortality, aggravation of respiratory and cardiovascular disease, lung disease,

**decreased lung function, asthma attacks, and other cardiovascular impacts.” No data is presented to correlate cleaner air with better health. That is simply assumed, I challenge that assumption with the concept that less bad is no good. Yes, the air is cleaner and there are probably fewer bad health effects. But although cleaner, the air is still dirty and is still probably having adverse health effects, not only on humans, but on all other animals and also on plants. That is not good. (Barbara Lund).**

**Response 5:**

Particulate matter is one of the six criteria pollutants monitored and regulated by Ohio EPA. Easily inhaled into lungs, particulate matter poses a host of health effects, and represents one of the most important criteria air pollutant challenges facing our state and region. Achieving significant reductions in particulate matter is one of Ohio EPA's priorities. Over the past 14 years Ohio EPA has made significant progress in reducing particle pollution in the Huntington-Ashland area and has now attained the federal quality standard (which is shown in this redesignation request). This is evidenced in the actual PM<sub>2.5</sub> monitoring data in the area. For the monitors located in Ohio's two counties, monitoring data has shown a decrease from a high of 22.03 ug/m<sup>3</sup> (1999 to 2001) to a low of 11.6 ug/m<sup>3</sup> (2008 to 2010). Lowering PM<sub>2.5</sub> emissions and meeting the federal air quality standard was achieved by controlling and modernizing facilities and/or sources in the area; USEPA studies show that PM<sub>2.5</sub> emission reductions result in better health protections for the people living near these facilities.

A state is not required to prepare a risk analysis or health benefits analysis as part of a redesignation request and maintenance plan. USEPA prepares these analyses as part of the review of national ambient air quality standards. USEPA's mandate is to protect public health and welfare with an adequate margin of safety. This means that USEPA does not consider costs or other economic factors in setting air quality standards, rather its decision is purely a public health decision. USEPA did perform such analyses when it established the 1997 annual PM<sub>2.5</sub> standard at 15.0 ug/m<sup>3</sup>. At that time, USEPA determined that meeting this level would provide for the necessary health benefits with an adequate margin of safety. USEPA reviews each standard every five years and again prepares appropriate analyses to determine an acceptable level for the standard based upon the most recent scientific evidence. USEPA has been conducting such a review and intends to announce its recommendation on any necessary changes to the PM<sub>2.5</sub> standards this year. For the current level of the standard, Ohio EPA has fulfilled all statutory requirements, as

evidenced in the document, necessary to request this redesignation.

**Comment 6:** One might argue that one cannot have zero particulate matter. And to that I say: Why not? At least why not zero particulate matter emissions from human industrial activity. These emissions are waste products called pollution.

Let me quote from a book called Cradle to Cradle by William McDonough and Michael Braungart, "To eliminate the concept of waste means to design things (products, packaging, and systems) from the very beginning on the understanding that waste does not exist." Nature doesn't have waste. Humans should emulate nature. The world is now in a crisis situation from the many human industrial wastes and pollutants. Another quote and this one by Albert Einstein, "The world will not evolve past its current state of crisis by using the same thinking that created the situation." Thinking that less bad is good, is not good enough. Less bad is no good. Thinking needs to be about only good (Barbara Lund).

**Response 6:** Thank you for your comment on Ohio's PM<sub>2.5</sub> Redesignation Request for the Huntington-Ashland nonattainment area. Ohio EPA will continue to work with the regulated community to reduce waste and pollution.

**Comment 7:** People have known, probably forever, that human activities have harmful effects. The creation of EPA and the Clean Air Act were legislative attempts to do something about waste pollution and its harmful effects. Industries like energy, transportation and agriculture are the biggest air polluters, they are largely responsible for the world air crisis, here in the US the EPA has been complicit in that air pollution. EPA is a regulatory agency, and here's what Cradle to Cradle says about regulation, quote, "But ultimately a regulation is a signal of design failure. In fact, it is what we call a license to harm; a permit issued by a government to an industry so that it, the industry, may dispense sickness, destruction, and death at an "acceptable" rate". Ohio EPA is no doubt trying to follow the letter of the law, working with industry and giving permits to allow the maximum waste pollution up to the limits of the law. Supposedly, that let's industry avoid as much pollution control costs as possible. As a citizen who has to breathe whatever air is around me wherever I am, I want EPA to follow the intent of the law, to work with

**industry to eliminate all waste and all pollution such that regulation would not be necessary. Ohio EPA follows national laws. I'm fairly sure there is nothing in those laws that says that states cannot do better than the federal government. Here's an example, in adaptation to climate change, the federal government is doing much too little. Several cities like Chicago and New York and a county in Washington are making their own plans for the future and implementing them. Ohio EPA similarly could be making its own clean air laws better than national ones (Barbara Lund).**

**Response 7:**

As discussed above, over the past 14 years Ohio EPA has made significant progress in reducing particle pollution in the Huntington-Ashland area. In part this is due to important regulatory requirements established by USEPA, such as the Clean Air Interstate Rule. In addition, Ohio EPA also goes beyond federal mandates. For example, Ohio EPA requires "best available technology" be applied to all new and modified minor sources of air pollution. Ohio EPA will continue to work with the regulated community to reduce waste and pollution in this area, and all of Ohio.

**Comment 8:**

**In the conclusion to the draft Redesignation Request is says that: "the air quality improvements are due to permanent and enforceable measures." The text says that Ohio commits to maintaining control measures after redesignations. It also says, "Ohio, through Ohio EPA's legal section, has the legal authority and necessary resources to actively enforce any violations of its rule or permit provisions." The authority is there, but will it be used? And, will there be the resources? I wish that I could totally believe and trust my government, believe and trust Ohio EPA. But based on personal experience and knowledge, I cannot. For years Ohio EPA cited violations at the Stuart power plant in Adams County and did nothing further with enforcement. It took a legal suit by an individual and the Sierra Club to get some positive action. I believe that any fines are probably so small that a large industry like DP&L would consider them just part of the cost of doing business and maybe take them out of the petty cash fund (Barbara Lund).**

**Response 8:**

Ohio EPA understands your concerns. It is this agency's intent to implement its maintenance plan, including any necessary contingency measures and applying appropriate and necessary enforcement of air pollution regulations. Ohio EPA's air enforcement section continues to work with companies to assess

appropriate penalties for violations, but more importantly, correct the violations. Ohio EPA also has other programs, such as compliance assistance for small businesses. Ultimately, it is Ohio EPA's preference to assist companies in complying with regulations so that any enforcement is not necessary.

**Comment 9:** I'm concerned that the current Ohio administration strongly favors private economic activity over public welfare, that it has a strong bias for deregulation, that it has little if any understanding of ecology, and that it will help balance the budget by inappropriately cutting funding to Ohio EPA. There are likely far too few Ohio EPA employees to do all the necessary monitoring and enforcement of clean air laws. Despite their best intentions to do a proper job, Ohio EPA employees may not have proper administrative support. I hope I'm wrong, but I believe that Ohio EPA will have trouble maintaining pollution controls and providing enforcement to stay in attainment, there are contingency plans in case of failure. Perhaps they will suffice. (Barbara Lund).

**Response 9:** Ohio EPA understands your concerns. Undoubtedly, Ohio and the nation as a whole, is facing many economic hurdles. Ohio EPA, as does many other government agencies, strives to do more with fewer resources. However, the mission of Ohio EPA's Division of Air Pollution Control remains unchanged; "to attain and maintain the air quality at a level that will protect the environment for the benefit of all." As the commentor has noted, Ohio EPA's request does contain contingency measures in the event air quality begins to decline. Ohio EPA is committed to the measures incorporated into this request.

**Comment 10:** I cannot support a redesignation from nonattainment to attainment for this region. But, neither do I formally oppose it. In my opinion, the whole world needs to be declared in nonattainment for industrial pollutants to the earth's atmosphere. Everyone needs to be working, not for attainment of some arbitrary acceptable level of pollution but for total elimination of industrial pollution with no need for any regulation (Barbara Lund).

**Response 10:** Thank you for your comment.

**Comment 11:** The State of Ohio's requirements for burning of biomass fuels in our power plants and the burning of Shawnee State Forest could have a negative effect on industrial development of Scioto County. Due to the regulations of the

**Environmental Protection Agency for clean air and the loss of our old dirty industries here in Scioto and adjoining counties, the air quality has improved. This is good news for our physical health and the industrial development of Scioto County. (William Tipton).**

**Response 11:** Thank you for your comment on Ohio's PM<sub>2.5</sub> Redesignation Request for the Huntington-Ashland nonattainment area.

**Comment 12:** **The State of Ohio is requiring burning of biomass fuels in our power plants that were never designed to burn anything but coal. Just the burning of biomass in one of our power plants -- and we have three here very close -- will increase carbon monoxide in our air by 1,214 tons. All the power plants will probably be forced, if this rule isn't changed, to burn biomass in the future. Another effect is that biomass is 90 percent wood. This means the loss of thousands of acres of trees. And what effect would that have on the quality of our air? 63,000 acre forest, and that will add untold thousands of tons of air pollution and the loss of more trees. Therefore, the State of Ohio, that proclaims to want to help make jobs here in our area, is one of our biggest enemies. I know that making jobs is not your primary concern, but making sure we have clean air is your major concern. The Environmental Protection Agency should recommend that these unnecessary sources of air pollution be stopped. (William Tipton).**

**Response 12:** Ohio EPA is not aware of any regulatory requirement for the burning of biomass by power plants. We believe the commentor is referring to Ohio's Senate Bill 221 enacted in 2008. This bill requires that by 2025, 25 percent of electricity sold in Ohio must be generated from alternative energy sources, such as clean coal, nuclear energy, fuel cells, hydro, wind, solar, biomass and cogeneration. Half of this standard (12.5 percent) must be met with renewable sources, including a 0.5 percent solar set aside. Also, half of the advanced energy and renewable energy must be located in Ohio. However, this bill does not mandate the burning of biomass by all utilities; rather, it is one option to fulfill the alternative energy source requirement. Ohio EPA will continue to work with utilities as they implement changes to meet Senate Bill 221 to ensure Ohio's environmental regulations are met.

**Comment 13:** **I feel that the Environmental Protection Agency should never be abbreviated EPA. The term EPA is used by those who want us to forget who you are and what you really stand for.**

**In all of your statements and communications, you should insist that Environmental Protection Agency be spelled out. (William Tipton).**

**Response 13:**

Thank you for your suggestion. Ohio EPA always spells out its name at the beginning of the document providing reference to the acronym, EPA. Thereafter, the acronym is used out of convenience and to reduce resource consumption with no intent of disguising who we are. In this redesignation and maintenance plan document alone, spelling out EPA each and every time, rather than using the acronym, results in two additional pages of paper being consumed. Ohio EPA prepares many documents and the resulting savings by using the acronym is of benefit.

**Comment 14:**

**I'm here today really as a resident and as someone who has served as a local public official, a township trustee in Porter Township, where many folks who work in the eastern end of the county live, specifically at SunCoke and Sunoco. From the standpoint as a former township trustee, my job primarily was one of safety, providing safe roads, providing a fire department, an EMS department, providing recreation and parks that were safe. As a resident and a father of two young children, safety is always on my mind. My wife and I try to provide them with a safe place to grow up, to go to school, to live and have fun, and hopefully graduate and be able to come back to this area or to stay in this area and raise their children in a safe environment.**

**The air has gotten a lot cleaner here since we moved back here about 10 years ago when the Coke plant was still in operation. What I would ask is for the EPA to push as hard as they can, the U.S. EPA, for the redesignation. I'd like for my kids to be able to have an opportunity to come back and work for a company like SunCoke or Sunoco, for a company that puts a lot of people in employment with good jobs, with safe jobs. And with this proposed expansion of theirs, many more would have the opportunity to do so. It only makes sense that the same air that we basically breathe with our friends across the river in Greenup would have the same designation of attainment. And so I would ask for the Ohio EPA to do what they can to make sure that we become an attainment area so that a company like SunCoke, who has done a lot for the community, can do even more. And then for someone who could be looking at coming to Eastern Scioto County to employ many people will be able to do so, instead of going down the river to somewhere in Kentucky**

with the same air with an attainment designation (Bob Walton, Jr).

State Representative Johnson's proxy Mr. Evans, the Hansell Company representative Mr. Hansell and the concerned Wheelersburg resident Mr. Walton all appear to support an air quality attainment for Scioto County. Their support for this seems to be solely based on jobs and economic development at any cost. I believe there are economic opportunities available that should not raise emissions or prevent those opportunities from manifesting themselves in the community. They need only be solicited. I further believe that standards which promote mediocrity then become the "acceptable" norm. I don't believe I would want to accept or become accustomed to mediocrity (Robert Klouman).

**Response 14:** Thank you for your comment and support on Ohio's PM<sub>2.5</sub> Redesignation Request for the Huntington-Ashland nonattainment area.

**Comment 15:** The commentor pointed out in a note form one of her recent readings "let's bad is not good", all too often it seems, emissions of natural systems (including people) takes place as a direct result of greed. Much of this is made possible because of ineffective outdated or unenforced regulation. The fact that people (corporations) can and do commit wrongs indicates that regulations are needed. Not a single law or regulation was added after the nation's latest oil spill one year ago today. If that is the example to use as a precedent, then by any means base all regulations on corporate needs instead of nature's and citizens rights (Robert Klouman).

**Response 15:** Thank you for your comment.

**End of comments**