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JOSEPH E. KERNAN
GOVERNOR

February 15, 2004

Thomas V. Skinner
Regional Administrator
US EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Dear Mr. Skinner:

Today Commissioner Kaplan is forwarding to your attention Indiana's preliminary recommendations regarding attainment of the fine particle standard, as required by the federal Clean Air Act. These recommendations follow on the heels of correspondence from Commissioner Kaplan and me regarding the ozone standard. I am committed to achieve air quality throughout Indiana that meets both of these important health standards.

I understand that EPA's intent is to make the PM2.5 nonattainment areas consistent with ozone nonattainment areas, and I urge you to reconsider that position. Indiana and other states in the midwest are finding that fine particle pollution behaves differently from ozone, and there is far less technical certainty about how it is formed and how best to reduce it.

I urge you to focus on areas where monitored air quality shows non-compliance and quickly propose, then finalize, implementation guidance that gives states flexibility to fashion cost effective plans that, in combination with regional controls, will achieve clean air. In particular, EPA should not impose mandatory measures, such as stricter new source review. There is as yet no understanding among air quality officials and technical experts that new source review restrictions in nonattainment areas are necessary or will assist the attainment effort. And, as I have noted in prior correspondence, we know the adverse effects these restrictions place on urban areas struggling to recover economically, while attempting to find appropriate reuse for brownfield sites as we preserve agricultural land and open space.

I look forward to the consultation process as we work together to ensure that appropriate decisions are made for the State of Indiana.

Sincerely

A handwritten signature in black ink, reading "Joseph E. Kernan".

Joseph E. Kernan

JEK/lfk/jgm
Attachments
cc: Lori F. Kaplan