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December 18, 2015

George T. Czerniak  
Director, Air and Radiation Division  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

*Re: Emissions of PM<sub>2.5</sub> from Madison-Kipp Corporation, Madison, Wisconsin*

Dear Mr. Czerniak:

Thank you for your response to State Representative Chris Taylor and State Senator Fred Risser regarding their concerns about fine particle, PM<sub>2.5</sub>, pollution from Madison-Kipp Corporation ("MKC"). We appreciate EPA's attention to area residents' concerns about unsafe levels of pollution from MKC. We would like to offer additional information that demonstrates there are very real concerns about public health impacts from MKC's PM<sub>2.5</sub> emissions. Based on this new information, we request that EPA take additional steps to assure MKC complies with the Clean Air Act.

Available data demonstrate that MKC's PM<sub>2.5</sub> emissions exceed air standards in the residential neighborhood around this facility. Ambient air monitoring conducted near MKC measured total suspended particulate ("TSP") emissions between 1998 and 2003. If we assume, conservatively, that all TSP was PM<sub>2.5</sub>, up to 56% of samples showed particulate concentrations in excess of the current PM<sub>2.5</sub> National Ambient Air Quality Standard ("NAAQS"). Ex. A. Since that time, MKC has obtained permission from the Wisconsin Department of Natural Resources ("DNR") to increase particulate matter emissions. In 2005, responding to neighborhood health concerns and complaints of foundry odors from MKC, the DNR operated a PM<sub>2.5</sub> monitor on the roof top of nearby Lowell Elementary School. PM<sub>2.5</sub> concentrations above the current 24-hour and annual average air standards were measured.

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At our request, air pollution control engineer Steven Klafka, P.E., produced the attached summary of ambient monitoring of MKC's particulate emissions and figures showing the results of his PM<sub>2.5</sub> dispersion modeling of MKC's emissions. Ex. A. Mr. Klafka used available data from TSP and PM<sub>2.5</sub> monitors located near MKC and then modeled the impact of MKC's emissions based on current and past stack heights. Ex. A, Figures 1-7. Those figures show that MKC's PM<sub>2.5</sub> emissions exceed the current PM<sub>2.5</sub> NAAQS up to one (1) mile away from MKC. The highest concentrations occur at homes that abut the walls of the factory.

The area around MKC that is most impacted by its PM<sub>2.5</sub> emissions is a densely-populated urban area within which vulnerable populations reside and recreate. Homes surround MKC and are immediately adjacent to the facility. Ex. A, Figure 7. Lowell Elementary School and the Goodman Community Center—places where vulnerable populations like children and elderly people congregate—are very close to MKC and within the area impacted by 24-hour average PM<sub>2.5</sub> concentrations of at least 50  $\mu\text{m}^3$  according to Mr. Klafka's dispersion modeling results. Residents living in homes that abut the Atwood Avenue factory live in areas where the predicted 24-hour average PM<sub>2.5</sub> concentrations are over 100  $\mu\text{m}^3$ . Ex. A, Figure 4.

To summarize, what we know is that MKC emits significant quantities of PM<sub>2.5</sub>, is not required to regularly test its stack emissions, does not monitor downwind PM<sub>2.5</sub> emissions, and has not renewed or updated its air pollution control permit since the PM<sub>2.5</sub> air standards were adopted. MKC's air permit does not include limits or monitoring to assure compliance with PM<sub>2.5</sub> standards. Neither MKC nor the DNR has ever modeled or measured PM<sub>2.5</sub> emissions from MKC. The only data that we have is from TSP and PM<sub>2.5</sub> monitoring that was discontinued before MKC increased its particulate emissions. Based on that data and Mr. Klafka's modeling, MKC's PM<sub>2.5</sub> emissions exceed the NAAQS over a large, densely-populated urban area.

In your response to Rep. Taylor and Sen. Risser, you referenced particulate monitoring conducted elsewhere in the City of Madison. You also noted that EPA required MKC to conduct "enhanced monitoring" of particulate emissions from the facility. Based on EPA's settlement with MKC, the company must conduct some additional recordkeeping and monitoring of pollutants *other than* PM<sub>2.5</sub>. This additional recordkeeping does nothing to actually evaluate or measure MKC's PM<sub>2.5</sub> emissions or assure MKC complies with the air quality standards for PM<sub>2.5</sub>. You also noted that there is a PM<sub>2.5</sub> monitor one (1) mile from MKC that demonstrates compliance with the air quality standards for PM<sub>2.5</sub>. This is the ambient air monitor on the roof of East High School. This monitor is not capable of determining whether MKC is causing or contributing to local exceedences of the PM<sub>2.5</sub> NAAQS. The East High School monitor is upwind of MKC and too far away to measure the impacts of MKC's PM<sub>2.5</sub> emissions in the neighborhood and at the homes that abut the factory.

Adding to these concerns is a recent DNR proposal to change its procedures for modeling and permitting PM<sub>2.5</sub>. Ex. B (DNR draft guidance documents). For synthetic minor sources like MKC, the DNR will no longer model PM<sub>2.5</sub> emissions from individual facilities, and will not include PM<sub>2.5</sub> limits in permits. The DNR justifies this new policy on its faulty conclusion that

direct sources of PM<sub>2.5</sub> emissions do not correlate with PM<sub>2.5</sub> concentrations in the ambient air. EPA expressed its disagreement with the DNR's proposed policy in a letter to the DNR. Ex. C. We share EPA's concerns and note that, if the DNR finalizes its proposed guidance, MKC will never be required to model or limit PM<sub>2.5</sub> emissions to comply with current air quality standards. As a result, residents living in the homes and neighborhoods that surround the factory will continue to be exposed to MKC air pollution that exceeds air quality standards.

We appreciate your attention to this important public health issue. We applaud EPA for taking enforcement action against MKC this past year to address its many years of Clean Air Act violations. However, EPA has failed to require MKC to address its most egregious violations—exceeding current air quality standards. In its settlement, EPA ordered MKC to apply for an air permit modification to incorporate the newest emission factors for PM, Cl<sub>2</sub> and HCl. We request that EPA make that enforcement action more meaningful to nearby residents by asking the DNR to expeditiously process MKC's application and modify MKC's air permit to assure compliance with the air quality standards for PM<sub>2.5</sub> based on an updated dispersion modeling analysis. If the DNR refuses to process the application, then EPA should require MKC to conduct an updated modeling analysis and make improvements necessary to comply with the air quality standards for PM<sub>2.5</sub>.

It is our understanding that EPA has recently used its authority under Section 114 of the Clean Air Act to require companies to install ambient air quality monitors to verify compliance with air quality standards. Under Section 114 of the CAA, EPA is authorized to require the submission of records, reports, and other information for the purpose of determining whether any violations of the CAA have occurred. In just the past three years, EPA Region 5 used its Section 114 authority to require 24 facilities to install ambient air monitors to verify compliance with air quality standards. Ex. C (EPA response to FOIA request). Due to the overwhelming evidence that MKC is exposing surrounding residents to PM<sub>2.5</sub> concentrations above the air quality standards, EPA should issue a 114 letter to MKC and request the installation of upwind and downwind continuous ambient monitors for PM<sub>2.5</sub>.

Thank you again for your work on this issue. Please contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberlee Wright', with a long horizontal line extending to the right.

Kimberlee Wright, Executive Director  
MIDWEST ENVIRONMENTAL ADVOCATES

Cc: Representative Chris Taylor  
Senator Fred Risser