

State Implementation Plan Revision to Address the Requirements of Clean Air Act Section 110(a)(2)(D)(i)(I) for the 2010 NO₂ NAAQS

Final
March 1, 2017

Background

The Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for specific pollutants known as criteria pollutants. The CAA also requires EPA to periodically review and update the NAAQS as necessary to ensure the standards provide adequate health and environmental protection. On January 22, 2010, EPA promulgated a revision to the nitrogen dioxide (NO₂) NAAQS by establishing a new primary 1-hour standard of 100 parts per billion (ppb).¹ This NAAQS revision was published in the Federal Register on February 9, 2010 ([75 FR 6473](#)).

Each time EPA establishes a new or revises an existing NAAQS each state must adopt and submit a revision to their State Implementation Plan (SIP) to provide for the implementation, maintenance, and enforcement of that NAAQS. The SIP must demonstrate that the State meets the requirements of each applicable element of Section 110(a)(2) of the CAA. Since many of these elements pertain to the basic infrastructure of air quality management programs, such as having the necessary legal authority and adequate resources, this SIP is often referred to as an “Infrastructure SIP.” The Infrastructure SIP is required by Section 110(a)(1) of the CAA and is due three years after any NAAQS is added or revised.

On July 23, 2013, the Iowa Department of Natural Resources (DNR) submitted an Infrastructure SIP to EPA for the new 1-hour NO₂ standard. At that time the DNR was unable to address the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) for the 1-hour NO₂ NAAQS due to ongoing litigation and associated regulatory uncertainty. Now that the litigation and regulatory uncertainty has been resolved² the DNR is submitting a SIP revision to fulfill the CAA section 110(a)(2)(D)(i)(I) obligations for the 1-hour NO₂ NAAQS.

Section 110(a)(2)(D)(i)(I) SIP Amendment

This section of the CAA requires that a state’s SIP:

“(D) contain adequate provisions—

(i) prohibiting, consistent with the provisions of this subchapter, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will—

(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard”

On February 17, 2012 ([77 FR 9532](#)) EPA published air quality designations for the 2010 1-hour primary NO₂ NAAQS. In that action EPA designated all areas in the country as “unclassifiable/attainment” and no

¹ EPA also retained the existing 53 ppb annual standard. In a separate action on the secondary NO₂ NAAQS ([77 FR 20217](#), April 3, 2012) EPA retained the 53 ppb annual standard and did not include the 1-hour standard as a secondary standard.

² In general this refers to: (1) Supreme Court case No. 12–1182 (*Environmental Protection Agency et al. v. EME Homer City Generation, L. P., et al.*) decided on April 29, 2014, and remanded to the D.C. Circuit Court; and (2) the subsequent D.C. Circuit Court decision on July 28, 2015, in case No. 11-1302.

areas have subsequently been designated nonattainment or identified as maintenance areas for the 2010 1-hour NO₂ standard. Therefore, Iowa's SIP adequately prohibits Iowa sources from significantly contributing to nonattainment or interfering with maintenance of the primary 2010 1-hour NO₂ NAAQS in any other State.

Administrative Materials

The submittal of this SIP revision complies with the procedural elements of Subpart F of 40 CFR 51 and the applicable criteria in Appendix V of 40 CFR 51.

Legal Authority

The DNR's authority for protecting the environment is provided under Iowa Code §455B.133 and 455B.134. Additional information can be found in the State's initial 2010 1-hour NO₂ infrastructure SIP, submitted July 23, 2013.

Evidence of Public Notice & Public Hearing Certification

The public comment period commenced on January 12, 2017, with the publication of the notice in both the printed and online versions of *The Des Moines Register* (proof of publication is provided below). The public comment period lasted 35 days with comments due by February 15, 2017. The notice and the State of Iowa Public Meeting Calendar each announced the public hearing that was held February 14, 2017.

Response to Comments

No comments were received at the public hearing or during the public comment period.

Public Notice
Iowa Department of Natural Resources

The Iowa Department of Natural Resources (IDNR) is requesting public comment on a revision to the Statewide Air Quality Implementation Plan (SIP) for the period 2011-2017. The proposed SIP is based on the National Ambient Air Quality Standards (NAAQS) for particulate matter (PM_{2.5}).

The IDNR submitted the proposed SIP to EPA on July 11, 2011. At that time, the EPA issued a letter to the IDNR regarding the proposed SIP. The IDNR is now submitting a revised SIP to EPA. The proposed SIP includes measures to reduce emissions of PM_{2.5} from various sources, including power plants, industrial facilities, and residential sources. The IDNR is seeking public comment on the proposed SIP to ensure that it meets the requirements of the Clean Air Act (CAA) and the NAAQS.

A public hearing will be held on February 15, 2017, at 1:00 p.m. in the conference room of the Iowa DNR's Air Quality Bureau Office located at 351 Buchanan Road, Suite 1, Wood Park, Iowa. A summary of the public hearing will be posted on the IDNR's website. The IDNR is also seeking written comments on the proposed SIP. Comments should be submitted to the IDNR's Air Quality Bureau, 351 Buchanan Road, Suite 1, Wood Park, Iowa 50578, by January 12, 2017. Comments can be submitted by mail, email, or by electronic means. For more information, please contact the IDNR's Air Quality Bureau at 515-281-2000.

A public hearing will be held on February 15, 2017, at 1:00 p.m. in the conference room of the Iowa DNR's Air Quality Bureau Office located at 351 Buchanan Road, Suite 1, Wood Park, Iowa. A summary of the public hearing will be posted on the IDNR's website. The IDNR is also seeking written comments on the proposed SIP. Comments should be submitted to the IDNR's Air Quality Bureau, 351 Buchanan Road, Suite 1, Wood Park, Iowa 50578, by January 12, 2017. Comments can be submitted by mail, email, or by electronic means. For more information, please contact the IDNR's Air Quality Bureau at 515-281-2000.

L-12

RECEIVED
JAN 17 2017
IOWA AIR QUALITY

submit Held for payment on 2-24-17 AS

REGISTER MEDIA
 Register Media
 100 Locust Street, Suite 200
 Des Moines, IA 50309

(PAGE 1)

CUSTOMER #	INVOICE #
22054401	0010080367
DUE DATE	AMOUNT DUE
02/13/17	99.12
FOR THE PERIOD	THRU
12/26/16	01/29/17

STATEMENT FOR ADVERTISING

CLIENT NAME:

IOWA D N R
 ATTN: OFFICE MANAGER 5770
 7900 HICKMAN RD STE 1
 WINDSOR HEIGHTS IA 50324-4432

REGISTER MEDIA
 P.O. BOX 677357
 DALLAS, TX 75267-7357

220544010000000000000000100803670000991211507

1075 (2)

PLEASE DETACH AND RETURN TOP PORTION WITH PAYMENT.

DATE	ED	OLASB	DESCRIPTION	TIMES RUN	COL	DEPTH	TOTAL SIZE	RATE	AMOUNT
1226			BALANCE FORWARD						170.19
0104			PAYMENT - THANK YOU						150.78
1222	CSW	1000	Cargill Ed Public Notice Iow	9	1	92.00	828.00		44.18
0112	CSW	1000	Johnson, M Public Notice Iow	9	1	74.00	666.00		35.53

ASK YOUR ACCOUNT EXECUTIVE ABOUT SIGNING UP FOR E-INVOICING. IT'S FAST, FREE, AND CONVENIENT!

RECEIVED
 FEB 8 2017
 IOWA AIR QUALITY

Printed Name: Norm J Gentry
 Signature: *[Signature]* Date: 2/24/17
 Approval Signature: *[Signature]* Date: 2/24/17
 Acctg String: 0001-542-7230-2352 Amt
 Acctg String Amt: 179.71
 DNR Cont/Amd#
 Exp Date
 DAS Master Agent #

CURRENT	OVER 30 DAYS	OVER 60 DAYS	OVER 90 DAYS	OVER 120 DAYS	TOTAL DUE
30.54	68.58	.00	.00	.00	99.12

COUNTRY	CONTRACT	COU	UNIT	EXPIRATION DATE	CURRENT USAGE	TOTAL USAGE	QUANTITY REMAINING	SALES REPRESENTATIVE
								HOUGHTON

ALL ACCOUNTS ARE DUE 15 DAYS AFTER THE END OF THE BILLING PERIOD

CUSTOMER NUMBER	CUSTOMER NAME	INVOICE NUMBER	DUE DATE
22054401	IOWA D N R	0010080367	02/13/17

REGISTER MEDIA
 Register Media
 100 Locust Street, Suite 200
 Des Moines, IA 50309

BILLING INQUIRIES: (515) 281-0332
 E-MAIL: dnm@reg.gannett.com

A LATE PAYMENT FEE OF 1% PER BILLING PERIOD WILL BE ADDED FOR PAST DUE BALANCES.