



WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

August 21, 2015

US EPA Region 5
Air and Radiation Division (ARD)
Attention: George Czerniak, Director
77 West Jackson Boulevard
Chicago, IL 60604

Subject: Enforcement of PM_{2.5} Air Quality Standards in Madison, Wisconsin

Dear Mr. Czerniak:

As required by the Clean Air Act, EPA strengthened the National Ambient Air Quality Standard for fine particles by adopting a new 24-hour fine particle standard in 2006 and a new annual standard in 2012. EPA stated that long- and short-term exposures to fine particle pollution, also known as fine particulate matter (particles less than 2.5 microns in diameter or PM_{2.5}), can cause premature death and harmful effects on the cardiovascular system, including increased hospital admissions and emergency department visits for heart attacks and strokes, and respiratory effects such as asthma attacks. Recent research has also linked exposures to fine particulate matter to neurodegenerative disorders such as dementia, Alzheimer's, and Parkinson's diseases.

There is overwhelming evidence that our constituents are exposed to PM_{2.5} concentrations above the current air standards for PM_{2.5}. Unfortunately, the Wisconsin Department of Natural Resources is refusing to process an air pollution quality operation permit renewal application for a regulated business in our district that is very likely not in compliance with current air standards.

Of immediate concern are the PM_{2.5} emissions from the Madison-Kipp Corporation (MKC) aluminum foundry and die casting plant located in an east Madison neighborhood in our districts. MKC operations abut adjacent homes and yards, and are close to schools and a community center serving young children and families. Your staff should be familiar with this company. Earlier this year, EPA resolved a Notice of Violation issued for MKC's failure to comply with its air pollution permit. EPA is also currently investigating polychlorinated biphenyl (PCB) contamination at MKC. As of this year, 71 neighborhood homes have been equipped with vapor extraction systems to remove perchloroethylene (PCE) vapors caused by industrial solvent spills at MKC.

In 2007, when the DNR last issued an air pollution permit to MKC, it conducted a dispersion modeling analysis to verify compliance with air quality standards. Based on this analysis, the DNR required MKC to make extensive changes to its factory in order to comply with the old air standards for coarse particulate matter. The DNR did not require MKC to comply with the new air standards for PM_{2.5}. Since MKC does not control the particulate matter emissions, it installed numerous tall stacks to disperse the fumes from its operations. This DNR modeling analysis showed that MKC discharges have been exceeding the new health-based PM_{2.5} air quality standards for many years and currently the factory is exposing residents to concentrations more than 3 times the new air standards for PM_{2.5}.

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In the enclosed Figure 1, a local environmental engineering firm has used the prior DNR modeling analysis to show the neighborhood area now exceeding the air standards for PM2.5. The firm notes that two ambient air quality monitors for particulate matter previously operated in the neighborhood measured concentrations above the PM2.5 air standards.

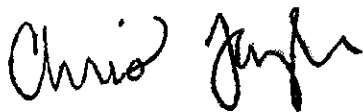
The MKC air pollution operation permit expired in 2013. We have contacted DNR staff several times to request expedited review of the MKC renewal application to assure compliance with the PM2.5 air quality standard. DNR staff told us that EPA mandates that major source applications be processed first, and that no priority exists for facilities such as MKC, even when they are known to be exposing the public to concentrations above air quality standards.

We are requesting that EPA contact DNR staff and require them to immediately process the MKC operation permit renewal application, update the dispersion modeling analysis, and assure MKC upgrades its factory to comply with the current PM2.5 air quality standards.

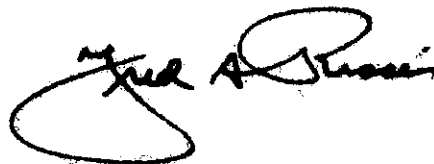
Not only do residential homes abut the MKC factory but the enclosed figure shows that Lowell Elementary School and the Goodman Community Center are within areas predicted to exceed the air standard for PM2.5. Goodman offers programs for low income and minority children and the elderly. When adopting the air standards for PM2.5, EPA noted that people most at risk from particle pollution exposure were those with heart, lung disease and asthma, older adults, children, people of lower socioeconomic status, pregnant women, newborns and people with certain health conditions, such as obesity or diabetes. Assuring that MKC complies with the air quality standards would further the EPA agency goal to incorporate environmental justice into its air pollution control program. The surrounding neighborhood filed an environmental justice complaint in 2004, but no action was taken by EPA.

If necessary, we would be pleased to meet with EPA staff to determine how we can quickly assure MKC complies with the PM2.5 air quality standards to protect the residents in our district.

Sincerely,



Representative Chris Taylor
76th Assembly District



Senator Fred Risser
26th Senate District

Cc: U.S. Senator T. Baldwin
U.S. Representative M. Pocan

Enclosure

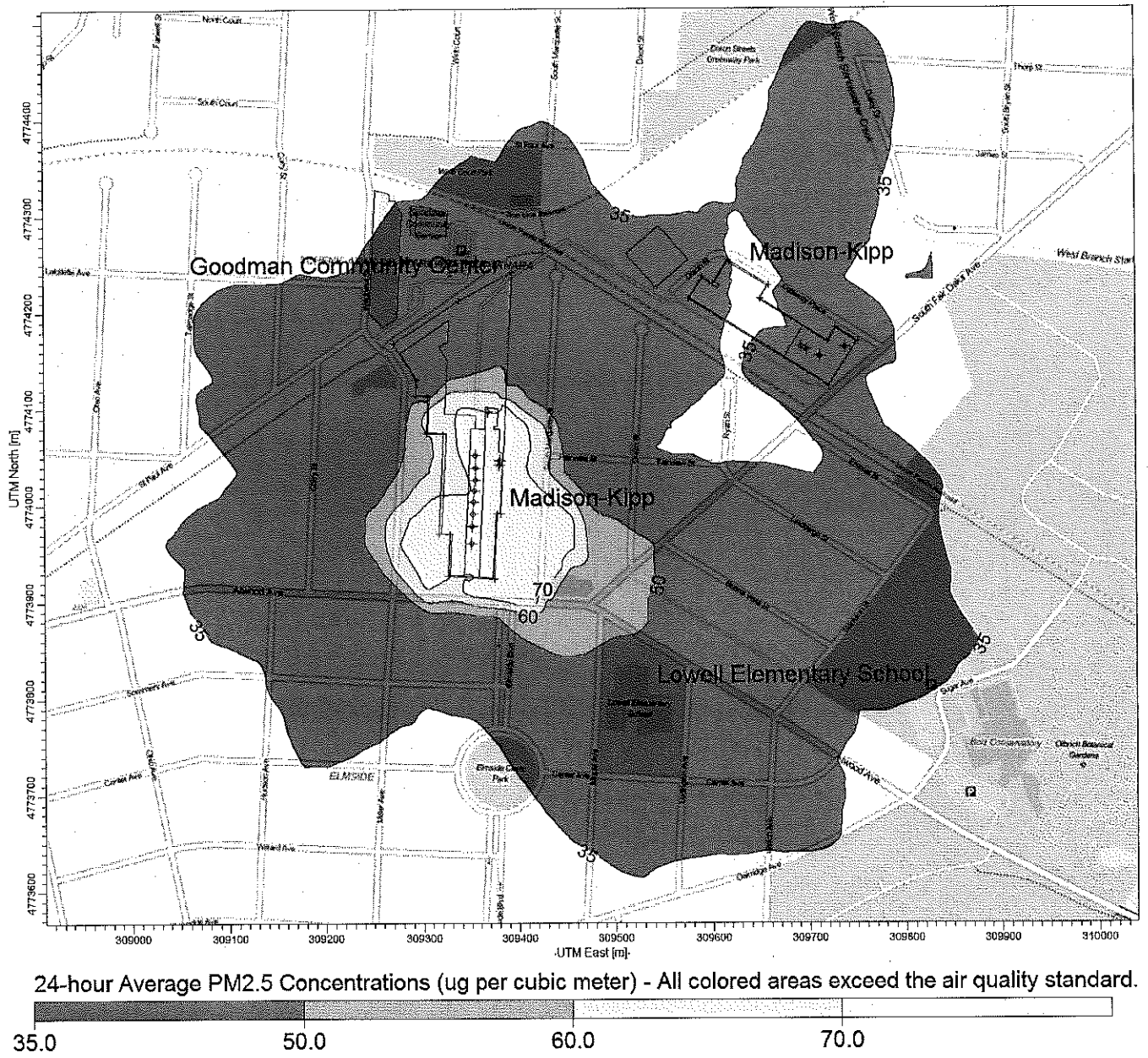


Figure 1 – Predicted PM_{2.5} Air Concentrations Cause by Madison-Kipp Stack Discharges

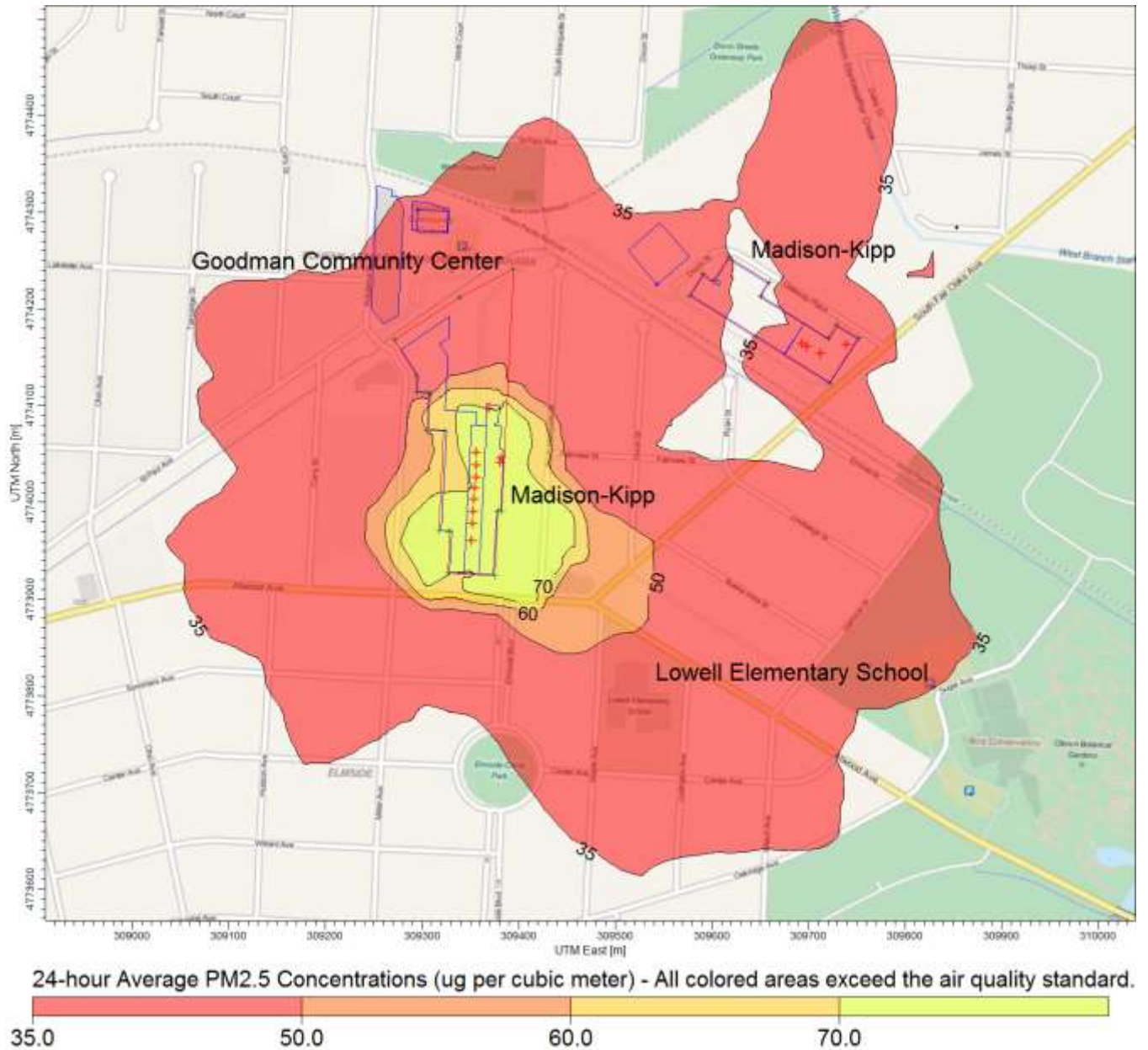


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