



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

OFFICE OF THE  
REGIONAL ADMINISTRATOR

The Honorable Michael L. Parson  
Governor of Missouri  
P.O. Box 720  
Jefferson City, Missouri 65102

Dear Governor Parson:

The purpose of this letter is to notify you of the U.S. Environmental Protection Agency's proposed redesignation for portions of Franklin and St. Charles Counties in Missouri for the 2010 1-hour Sulfur Dioxide Primary National Ambient Air Quality Standard, in accordance with section 107(d)(3)(A) of the Clean Air Act. Section 107(d)(3)(A) provides that the Administrator may notify the Governor of any state that the designation of an area should be revised "on the basis of air quality data, planning and control considerations, or any other air quality-related considerations the Administrator deems appropriate."<sup>1</sup> The designations for this National Ambient Air Quality Standard are an important part of the EPA's commitment to a clean, healthy environment.

On June 3, 2010, the EPA revised the primary (health based) Sulfur Dioxide National Ambient Air Quality Standard by establishing a new 1-hour standard at a level of 75 parts per billion (ppb) which is attained when the 3-year average of the 99th percentile of 1-hour daily maximum concentrations does not exceed 75 ppb. This National Ambient Air Quality Standard was published in the *Federal Register* on June 22, 2010, (75 FR 35520) and is codified at 40 CFR 50.17. In previous final actions, the EPA issued designations for the 2010 Sulfur Dioxide National Ambient Air Quality Standard for most areas of the country.<sup>2</sup> Pursuant to a March 2, 2015, court-ordered schedule, the EPA was required to designate areas containing sources meeting certain emissions criteria in Round 2 of designations. In your submission dated September 25, 2015, regarding the second round of designations, you recommended that portions of Franklin and St. Charles Counties containing the Ameren Labadie Energy Center (hereafter referred to as the "Franklin County area"), be designated as unclassifiable. After careful review of all available information at that time, including modeling provided by Missouri, Ameren, and the Sierra Club with differing results and uncertainties, the EPA was unable to determine the area's attainment status. Therefore, the EPA agreed with your recommendation and designated portions of

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<sup>1</sup> While the Clean Air Act section 107(d)(3)(E) also lists specific requirements for redesignations, those requirements only apply to redesignations of nonattainment areas to attainment and, therefore, are not applicable in the context of a redesignation of an area from unclassifiable to attainment/unclassifiable.

<sup>2</sup> Most areas of the U.S. were previously designated in actions published on August 5, 2013 (78 FR 47191), July 12, 2016 (81 FR 45039), December 13, 2016 (81 FR 89870), December 21, 2017 (83 FR 1098) and March 28, 2018 (83 FR 14597). The EPA is not reopening these previous designation actions in this current action.



Franklin and St. Charles Counties as unclassifiable, in a Round 2 designations action published in July 2016, for the 2010 1-hour Sulfur Dioxide Primary National Ambient Air Quality Standard.<sup>3</sup>

Pursuant to requirements under the EPA’s Sulfur Dioxide Data Requirements Rule (80 FR 51052, August 21, 2015), to characterize the air quality in the area around Labadie, Missouri identified existing monitors, installed additional monitors around Labadie, and began collecting data at these monitors by January 1, 2017. After considering all available information, specifically the most recent (2017-2019) air monitoring data for the Franklin County area as shown in the table below, the EPA believes that the available information indicates that it is appropriate to redesignate the unclassifiable portions of Franklin and St. Charles Counties in Missouri to attainment/unclassifiable. Under the Clean Air Act section 107(d)(3)(B) and (C), after the EPA has notified a state that it believes an area should be redesignated, the state may submit a redesignation commensurate with our recommendation, or, within the timeframe under the statute, the EPA Administrator “shall promulgate such redesignation” as he deems appropriate. We are concurrently issuing a proposal to redesignate the Franklin County area to attainment/unclassifiable, in anticipation of meeting the timeframes laid out in the Clean Air Act section 107(d)(3)(C) for final promulgation of such redesignation. The enclosure includes this signed notice of proposed rulemaking which addresses the Franklin County area along with areas in other states. We are aware that the Missouri Department of Natural Resources has developed a redesignation request for the Franklin County area, has released it for public comment and expects to submit that request to the EPA soon.

**2010 Sulfur Dioxide National Ambient Air Quality Standard Design Values for the Franklin County Area**

<b>AQS Site ID</b>	<b>Monitor Location (Latitude, Longitude)</b>	<b>2017 99<sup>th</sup> Percentile (ppb)</b>	<b>2018 99<sup>th</sup> Percentile (ppb)</b>	<b>2019 99<sup>th</sup> Percentile (ppb)</b>	<b>2017-2019 Design Value (ppb)</b>
29-071-9001*	Valley (38.572522, -90.796911)	25	38	21	<b>28</b>
29-071-9002	Southwest (38.52814, -90.86326)	22	20	30	<b>24</b>
29-183-9002	Northwest (38.581799, -90.865528)	21	17	19	<b>19</b>
29-183-9004	North (38.595607, -90.830618)	30	22	36	<b>29</b>

\*This monitor does not have a valid design value, but all remaining monitors in the area do have valid design values that are below the level of the National Ambient Air Quality Standards.

<sup>3</sup> On September 8, 2016, Sierra Club submitted a petition for reconsideration of the final unclassifiable designation of the Franklin County area. In a January 18, 2017, letter, the EPA responded to Sierra Club’s petition for reconsideration, stating that the EPA intended to initiate a new rulemaking process to be concluded by December 31, 2020, in which the agency would evaluate the monitoring data for the area anticipated to be newly available at that time. Sierra Club also filed a petition for judicial review of the Round 2 designations that included this area; that litigation is currently in abeyance in the D.C. Circuit. Finalizing this related proposed action would constitute the evaluation contemplated by the EPA’s January 18, 2017, letter.

If you or your staff have additional information that the EPA should review and consider prior to finalizing this action, please submit it to the EPA's public docket for this action, Docket# EPA-HQ-OAR-2020-0292, located at [www.regulations.gov](http://www.regulations.gov). The EPA is concurrently publishing a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on the EPA's proposed action. The EPA anticipates finalizing this action by December 31, 2020.

Thank you for Missouri's efforts to provide cleaner air for the citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to implement the 2010 Sulfur Dioxide National Ambient Air Quality Standard. For additional information regarding designations under the Sulfur Dioxide National Ambient Air Quality Standard, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact William Stone of my staff at (913) 551-7714 or [stone.william@epa.gov](mailto:stone.william@epa.gov).

Sincerely,

James B. Gulliford

Enclosure

Notice of Proposed Rule Making

cc: Ms. Carol S. Comer  
Director, Missouri Department of Natural Resources

Ms. Darcy A. Bybee  
Director, Air Pollution Control Program, Missouri Department of Natural Resources