



# ENVIRONMENTAL LAW & POLICY CENTER

September 14, 2023

**BY EMAIL ONLY**

John M. Mooney  
Director, Air & Radiation Division, EPA Region 5  
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**Comments on IDEM's Submission of Attainment Documents Regarding Redesignation of Chicago (IL-IN-WI) as "Moderate" Nonattainment for 2015 8-Hour Ozone NAAQS**

Dear Mr. Mooney:

We are writing to provide additional comments on the Indiana Department of Environmental Management's ("IDEM's") recently submitted *Attainment Demonstration and Supporting Documents for Indiana's Portion of the Chicago, Illinois-Indiana-Wisconsin (IL-IN-WI), 2015 8-Hour Ozone Nonattainment Area*. Although purportedly a submission of amendments to Indiana's State Implementation Plan, IDEM's attainment demonstration asserts that the "Chicago nonattainment area's air quality is progressing towards attainment" and that no further action needs to be taken to reach attainment. Our comments, dated June 26, 2023, attached hereto, explain in detail why IDEM's conclusion is incorrect. IDEM's brief response fails to address a number of our most specific, fact-based comments. We are writing, however, to address two recent developments that should require IDEM to take immediate action to reach attainment of the 8-hour ozone standard.

Consistent with the data that we submitted in our comments, ozone levels are continuing to *increase* in Lake and Porter Counties. Although the 2023 ozone season is not quite over, EPA's air quality monitors in Lake and Porter Counties have already recorded Fourth Maximum 8-hour ozone averages this summer at or above the NAAQS:

Hammond: 0.070 (April 14, 2023)  
Gary: 0.076 (June 21, 2023)  
Valparaiso: 0.072 (May 23, 2023)  
Ogden Dunes: 0.076 (June 19, 2023)

IDEM obfuscates this fact by focusing on the air quality data for the entire Chicago (IL-IN-WI) nonattainment area. It should not be allowed to ignore its responsibility to better control sources of ozone precursors within its jurisdiction.

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In addition, on August 10, 2023, IDEM published an Onroad Emissions Motor Vehicle Emissions Budget (MVEB) Replacement and Emissions Update (available at <https://www.in.gov/idem/sips/redesignation-petitions-and-maintenance-plans/lake-and-porter-counties-redesignation-plans/>). This update shows that more recent modeling increases the onroad emission estimates for NOx and VOCs for the years 2019, 2030, and 2035. These revised figures for IDEM's emissions estimations and projections should be taken into consideration when evaluating IDEM Attainment Demonstration.

ELPC urges EPA to take these additional facts into consideration when evaluating IDEM's attainment demonstration.

Sincerely,



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