

Minnesota Pollution Control Agency
Environmental Analysis and Outcomes Division
Public Notice on Draft State Implementation Plan Revision

NOTICE IS HEREBY GIVEN, that the Commissioner of the Minnesota Pollution Control Agency (MPCA) has determined that a State Implementation Plan (SIP) revision must be submitted to meet Minnesota's requirements under Section 110(a) and Section 172 of the Clean Air Act with regards to the National Ambient Air Quality Standards (NAAQS) for lead (40 CFR 50.16). The draft SIP Revision is now available for public comment.

Background. The United States Environmental Protection Agency (EPA) has promulgated a NAAQS for lead of $0.15 \mu\text{g}/\text{m}^3$. On November 22, 2010, the EPA designated a portion of Dakota County bounded by: Lone Oak Rd. (County Rd. 26) to the north, County Rd. 63 to the east, Wescott Rd. to the south, and Lexington Ave. (County Rd. 43) to the west as being in nonattainment with the NAAQS for lead (75 FR 71033). The main source of lead in this area is Gopher Resource, LLC.

Purpose of the SIP Revision. This SIP revision contains both the required infrastructure and nonattainment plans for lead. The infrastructure portion of the SIP demonstrates that the MPCA has the ability to implement and enforce measures to ensure that the NAAQS is maintained in areas where air quality already meets the standards. The nonattainment plan portion contains information showing how the nonattainment area will be brought into attainment with the standard. The nonattainment plan includes new requirements for Gopher Resource, LLC, that are included in an Administrative Order (Order) that will be issued to the facility, and modeling to demonstrate that these conditions will allow the area to attain the NAAQS. The MPCA will be formally requesting that the U.S. Environmental Protection Agency (EPA) amend Minnesota's SIP to include the new conditions in this Order.

The MPCA will consider changing the contents of the proposed SIP revision based on comments received during the comment period. Following the end of the comment period, the Commissioner will decide whether to submit the proposed SIP revision to the EPA unless, as provided by Minn. Stat. 116.02, the MPCA Citizens' Board makes this decision.

MPCA Contact Person. The MPCA contact person is Catherine Neuschler. Written comments, requests and petitions should be mailed to: Catherine Neuschler, Minnesota Pollution Control Agency, Environmental Analysis and Outcomes Division, 520 Lafayette Road North, St. Paul, MN 55155-4194, telephone number: 651-757-2607 Voice or toll free 1-800-657-3864; facsimile number: 651-297-8324; and email: catherine.neuschler@state.mn.us. TTY users may call the MPCA at TTY 651-292-5332 or 1-800-657-3864.

Availability of SIP. A copy of the proposed SIP revision is available on the MPCA's Web site at <http://www.pca.state.mn.us/udgxb61>. A copy of the proposed SIP is also available upon request by contacting Catherine Neuschler at 651-757-2607, or will be mailed to any interested person upon the MPCA's receipt of a written request. Materials relating to the SIP revision are available for inspection by appointment at the MPCA St. Paul Office, 520 Lafayette Road North, St. Paul, Minnesota 55155, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. To examine these materials in St. Paul, or for more information, please contact Catherine Neuschler.

Public Comment Period and Potential Public Meeting. Your comments must be in writing and received by the MPCA contact person by 4:30 p.m. on May 25, 2012. Written comments may be submitted to the MPCA contact person at the address, facsimile number, or E-mail address listed above.

A public information meeting will only be held if one is requested by 4:30 p.m. on May 25, 2012. If such a meeting is requested, it will be held from 3:00 p.m. to 4:00 p.m. on Wednesday, May 30, 2012, at the MPCA St. Paul Office, 520 Lafayette Road North, Minnesota. To find out if a public information meeting will be held, please call Catherine Neuschler at 651-757-2607, after May 25, 2012. The public information meeting, if one is requested, will provide information, receive public input, and answer questions about the proposed SIP revision. If the public information meeting is held, additional written comments on the proposed documents will be accepted until 4:30 p.m. on June 8, 2012, following the same guidelines described above.

Request to Have MPCA Citizens' Board Make Decision. You have the right to submit a petition to the MPCA Commissioner asking that the MPCA Citizens' Board make the decision on submitting the proposed SIP revision to the EPA. Your petition must be in writing, and must be received by the MPCA contact person by 4:30 p.m. on May 25, 2012. Whether the petition will be granted or denied is at the sole discretion of the MPCA Commissioner. The MPCA Citizens' Board will only make the decision on the proposed SIP revision if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.