



THE ALLIANCE OF RESIDENTS CONCERNING O'HARE, Inc.

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"To achieve a balance between public health and the economy"

June 21, 2005

VIA FACSIMILE and email

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Subject: Comments, Draft Air Quality General Conformity Determination, OMP, May 2005...ERRATA

PM2.5

The document does not address any PM2.5 Conformity issues. Though seemingly logical, based on the fact that there is not yet an Illinois PM2.5 SIP, the net result is that massive changes due to O'Hare airport expansion will be allowed, independent of resulting PM2.5 emissions, as long as the expansion plans are approved by the FAA (e.g., ROD) before the required SIP is created and approved by the USEPA.

While we might consider a "go ahead" position, given a letter from the Governor of Illinois, committing that the to-be-created SIP will incorporate any and all OMP PM2.5 emissions, we cannot in this case because we disagree with the current OMP method of calculating PM2.5 emissions inventories and the inventory totals.¹ The USEPA has expressed similar concerns.²

Until that problem is fixed, such that reasonably accurate PM2.5 inventories can be assessed and projected for the various OMP Alternatives, expansion of O'Hare operations via any OMP alternative (other than A) must be assumed to cause a significant worsening of the already bad Chicago non-attainment area's PM2.5 levels and resulting negative impacts on the health and well-being of it's millions of people.

Furthermore, we state that it is totally irresponsible and potentially harmful to the health of millions of Illinois citizens for the Illinois EPA (IEPA) to declare that they will incorporate these DEIS PM2.5 (or whatever kind of PM is calculated in the DEIS...an unknown) into their required future PM2.5 SIP, without fully understanding what or how these PM amounts were calculated in the DEIS³.

¹ See AReCO's Comments to the OMP DEIS as well as subsequent interaction letters between AReCO and IEPA and the FAA (Barry Cooper).

² See USEPA Comments to the DEIS.

³ Letter from IEPA to AReCO, April 6, 2005.

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Ozone and Precursors

We have previously pointed out, to both the IEPA and FAA,⁴ the huge inconsistencies of the aircraft/GSE NOx and VOC emissions inventories as calculated in the DEIS versus those used in the existing Illinois ozone SIP. This Conformity document confirms these inconsistencies, for example in Table 5-23, where for instance, the DEIS calculated VOC amounts are only about one fifth of that calculated by IEPA in the SIP.

IEPA's response to our query in this regard⁵ was basically, "The [smaller] DEIS numbers are correct", attributing these very substantial differences primarily to changes (obviously reductions) in the aircraft and GSE emissions factors contained within EDMS (and the reduction of diesel-powered GSE). Our several attempts to get a listing of the emission factors used in the DEIS analyses, from the FAA⁶ were rebuffed and we therefore maintain our stated position that aircraft/GSE emissions inventory calculations are erroneous (too low). Additionally, our requests to the FAA to implement a third party independent audit of these inventories⁷ were also rejected.

This creates an unsustainable "Catch-22" situation where the FAA puts forth unaudited emission inventory numbers for EIS purposes, which the IEPA accepts (we believe without complete EDMS analyses on their part) and states, "The Illinois EPA will incorporate these updated estimates in its planning to attain the 8-hour ozone and fine particulate matter standards," followed by a subsequent Illinois SIP revision to these reduced emission values. That is, the revised SIP will be "marked up" to agree with the subject Conformity document (perhaps yet without any formal audit). Catch-22.

Thus, this Draft Conformity document is unacceptable until the emission inventory numbers have been audited by an independent third party consultant, and the IEPA should not "mark up" their existing SIP to conform to match the numbers presented in this Conformity document until then.

Conformity to an Illinois SIP (ozone) that may already be in trouble.

This Conformity document draws comparisons to the existing Illinois ozone SIP, concluding that the OMP (any expansion Alternative) "conforms". That carries with it the basic assumption that the existing attainment plan (the SIP) is and will remain an acceptable plan, leading to eventual (in several years) attainment of the USEPA NAAQS requirements for ozone precursors (i.e., NOx and VOC).

However, we believe that the existing SIP is no longer a good, workable plan, because of recent USEPA relaxations on the emissions requirements for power plants. The reason this is significant in Illinois, with its many power plants, is that the existing SIP counts very heavily on reductions of NOx emissions that are imported into and emitted within the non-attainment area, choosing to not seek significant reductions in the other VOC's precursor.⁸

⁴ See footnote 1.

⁵ See footnote 3.

⁶ See footnote 1.

⁷ Along with subsequent audits of the dispersion analyses results.

⁸ These kinds of tradeoffs are allowed via waiver by the USEPA.

The net affect of the recent federal administration driven USEPA relaxations is that, to a high probability, Illinois will not be able to meet the existing Chicago area SIP plan NOx reduction requirements,⁹ which could, upon SIP revision, greatly increase the OMP NOx and VOC emissions (as corrected) impacts.

OMP calculated emissions inventories are worthless without operational level guarantees.

We restate here, as we have in our DEIS Comments, that emissions inventory calculations are worthless unless some guarantee exists that the operational levels (number of flight operations per year) assumed for the calculations will not be exceeded in the foreseeable future.

These calculations currently assume an operational level of about 1.2 million ops/year, yet it is estimated that if full OMP implementation is allowed (e.g., Alternative C), at least 2.0 million ops/yr (with existing delays) will be capable without exceeding FAA safety requirements.

Thus, we have stated, and here restate, that the FAA must either officially place a cap on future expanded O'Hare operations at 1.2 million ops/yr or reevaluate all emission inventory calculations (and dispersion analyses) to a new maximum capability operational level for the new configuration (some level greater than 2 million ops/yr).

Since the FAA usually maintains that they do not have legal authority to cap operations (e.g. the past "slot controls"), we conclude that the current emission inventory numbers used in this Conformity document are totally unacceptable, until revised to "maximum operational capability" levels.

Regards,


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⁹ Unless Illinois can reverse these effects/impacts through lawsuits or negotiations with all of the existing "legacy" power plants. Even this may not be sufficient, if VOC imports from other states are also adversely affected by the revised USEPA rules.