

- The proposed rules do not provide our utility with enough time to comply. The short time frame for compliance risks us having to significantly raise electricity rates that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes. The Ames Municipal Electric System has recently imposed two modest rate increases on our customers in order to meet current operational and maintenance requirements. The City is a partner with Iowa State University in a number of areas, including a wind power purchase agreement, and is sensitive to any rate increases in our utilities which would be ultimately be borne by the students.
- The proposed rule is unrealistic about the ability of utilities and state or regional energy authorities to avoid electricity reliability issues in 2014 when compliance with these rules begins. While EPA estimates that only 9,000 MW of coal-fired power plants will be impacted by the rules, other industry analysts and the North American Electric Reliability Corporation (“NERC”) estimate that at as many as 70,000 MW of capacity could be impacted. Ames meets more than 50% of its energy needs by power purchase through the MISO market. Losing this much generation could make it very difficult for Ames to cost-effectively meet its energy needs.
- EPA’s economic and reliability analysis in the proposed rules assumes that the mercury MACT regulations are the only major capital expenditures the utility sector will be undertaking in the next four years. The analysis completely dismisses the current state of the economy and the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed rules include many additional controls beyond those to reduce methyl mercury. These controls are not required under the Clean Air Act or the EPA’s own hazardous air pollutants study. We respectfully request that EPA withdraw these rules and re-propose them to solely address methyl mercury.
- The statutorily imposed three year time frame for compliance with the rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues when coal fired power plants shut down for retrofit (often during months when electric demands are lower, primarily spring and fall). We respectfully encourage EPA to grant the one year extension it is statutorily allowed to do and hope that a second year extension is granted via a presidential order.
- Small utilities, like AMES, and those that are located in rural areas will have difficulties getting qualified vendors and contractors to respond to requests for proposals (“RFPs”) for a single opportunity to sell a scrubber, activated carbon technology, or baghouse. Large utilities will also be seeking larger quantities of such equipment from the same vendors. The contractors and vendors are very likely to serve larger utilities first based on economic

considerations. Additionally, our own State of Iowa has specific permitting procedures which could add additional time to the procurement process. Our own City regulations contain special procurement processes that may again add delays that will make it difficult to meet the EPA's deadline.

- The EPA's own Regulatory Impact Analysis ("RIA") is flawed and suggests that only 97 municipal utilities will face a compliance cost of \$666.30 million annually. These costs underestimate the real impact and show no regional additional impacts in states such as Iowa, Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas.
- The proposed rules assume that all coal types can still be used with available control technologies. This may not be the case. Such fuel switching from one coal type to another or fuel blending can be very expensive for a municipal utility.
- The proposed rules assume that the utility sector will still be able to sell or trade coal ash to the cement and wall-board manufacturing sector once the rules take effect. Our utility shares the concern of many other electric utilities, that the control technologies needed to reduce acid gases will increase the sodium content of coal ash, thus exceeding the allowable levels in the ASTM standards. Should that occur, our utility would face additional costs for coal ash management and disposal. Today, the Ames Municipal Electric System takes in approximately \$50,000 per year in sales of fly ash and avoids the land filling of the ash by selling it for beneficial reuse. As the EPA discusses the reclassification of ash as hazardous waste, revenue will be lost and added cost will again be borne by our customers and residents. It appears that the agency's cost analysis did not take a possible reclassification of coal ash into account.
- Should the proposed rules be finalized in their current form, they could have a significant impact on jobs in our community. The cost of compliance will result in increases in electric rates that could drive out businesses or result in job losses because of increased energy costs.

We respectfully request that EPA reevaluate the premises of the proposed EGU MACT rule. We support EPA's efforts to reduce harmful mercury emissions, but believe such efforts need to be realistic and done in a cost effective manner. Close to 50% of the U.S.'s electric generation is fired by coal. The rule as proposed will affect a significant portion of the industry and impact reliability.

Lisa P. Jackson
Page 4
July 28, 2011

In addition, we also respectfully request that the agency reconsider regulating acid gases, and the total impact of all proposed new rules being considered for the operation of the nation's coal-fired generation. Specifically, regulation of acid gases is not required under the Clean Air Act, and its inclusion in new rules will make it much more costly and difficult to comply with under the existing compliance timelines.

Sincerely,


Ann H. Campbell, Mayor


Donald Kom, Director of Electric Services

c: Rodger L. Lande, Director
Iowa DNR
Wallace State Office Building
502 E. 9th Street
Des Moines, IA 50319-0034

The Honorable Tom Latham
U.S. House of Representatives
Washington, DC 20515

The Honorable Chuck Grassley
United States Senate
Washington, DC 20510

The Honorable Tom Harkin
United States Senate
Washington, DC 20510



Correspondence Management System

Control Number: AX-11-001-3252

Printing Date: August 05, 2011 02:14:22



Citizen Information

Citizen/Originator: Mendel, John

Organization: Honda

Address: 1919 Torrance Boulevard, Torrance, CA 90501-2746

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3252

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 19, 2011

of Extensions: 0

Letter Date: Jul 29, 2011

Received Date: Aug 5, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File DOT and EPA developing national fuel economy standards for 2017-2025 share views.

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OEAE - Office of External Affairs and Environmental Education

OP - Office of Policy

R9 - Region 9 - Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 5, 2011	Aug 19, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

Action By	Office	Action	Date
-----------	--------	--------	------



American Honda Motor Co., Inc.
1919 Torrance Boulevard
Torrance, CA 90501-2746
Phone (310) 783-2000

July 29, 2011

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RECEIVED
2011 AUG -5 AM 10:37
OFFICE OF THE
EXECUTIVE SECRETARIAT

Dear Secretary LaHood and Administrator Jackson,

American Honda Motor Company, Inc. is pleased to be a part of this effort to continue the National Program from 2017-2025. We particularly appreciate your leadership and the leadership of your respective staffs in this endeavor.

Over the course of the past several months, these discussions have focused on greenhouse gas emission standards and fuel economy standards. The commitment letter signed by Mary Nichols on behalf of the California Air Resources Board dated July 28, 2011, creates an ambiguity about the scope of the Agreement which we are signing today. The appended federal Agreement, which was drafted by your staffs, correctly defines the scope of this agreement with respect to California. Specifically, the Agreement provides in Paragraph (2)(b):

California adopts standards on GHG emissions from new motor vehicles for MYs 2017 through 2025 such that compliance with the GHG emissions standards adopted by EPA, even if amended after 2012, shall be deemed compliance with the California GHG emissions standards, in a manner that is binding on states that adopt and enforce California's GHG standards under Clean Air Act (CAA) section 177.

Furthermore, the Agreement provides in Paragraph (3):

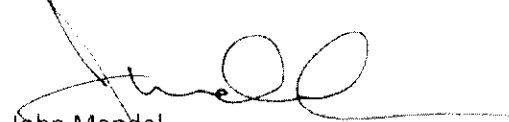
Honda commits that it will not contest final actions taken or not taken by EPA granting California's future request for a waiver of preemption under section 209 of the CAA for its GHG emissions standards for motor vehicles for MYs 2017-2025, if California revises its regulations as described above in (1)(b), but this does not apply to subsequent amendments California may make.

These two paragraphs make clear that the scope of our Agreement is limited to California's GHG emission standards. Mary Nichols' letters to you dated July 28 ambiguously refers to "any part of California's emission standards for MYs 2017 through 2025..." (Para. 5). Our commitment in the appended letter is specifically limited to California's GHG emissions standard as reflected in our letter

and Honda retains its rights with respect to all regulatory requirements of California other than the GHG emissions standard.

Furthermore, because we received the California letter last night at 8:00 pm and the revised appended letter only this morning, we have not had the opportunity to fully analyze other issues of ambiguity or inconsistency that might be raised in these letters. Accordingly, we specifically reserve the right to provide further clarification of our understanding of what these agreements provide and what we are agreeing to.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Mendel', with a long horizontal flourish extending to the right.

John Mendel
Executive Vice President

Attachment

a. EPA proposes national GHG standards and NHTSA proposes CAFE standards for MYs 2017-2025 as substantially described in the July 2011 Supplemental Notice of Intent to conduct rulemaking, but with necessary technical corrections and non-substantive refinements, and if the agencies adopt standards as substantially proposed.

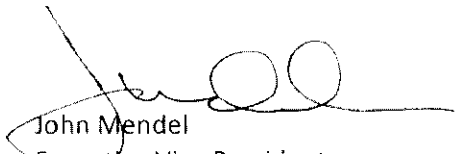
b. California adopts standards on GHG emissions from new motor vehicles for MYs 2017 through 2025 such that compliance with the GHG emissions standards adopted by EPA, even if amended after 2012, shall be deemed compliance with the California GHG emissions standards, in a manner that is binding on states that adopt and enforce California's GHG standards under Clean Air Act (CAA) section 177.

(2) Honda reserves all right to contest final actions taken or not taken by EPA, NHTSA, and CARB as part of or in response to the mid-term evaluation.

(3) Honda commits that it will not contest final actions taken or not taken by EPA granting California's future request for a waiver of preemption under section 209 of the CAA for its GHG emissions standards for motor vehicles for MYs 2017-2025, if California revises its regulations as described above in (1)(b), but this does not apply to subsequent amendments California may make.

(4) Honda will use its best efforts to ensure that the trade association(s) to which Honda belongs will not contest the actions discussed in (1) and (3) above.

Sincerely,



John Mendel
Executive Vice President



Correspondence Management System

Control Number: AX-11-001-3286

Printing Date: August 08, 2011 03:32:03



Citizen Information

Citizen/Originator: Malliou, Ekaterini (Kat)

Organization: Office of Health and Human Services

Address: 200 Independence Avenue, SW, Washington, DC 20201

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3286

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Aug 5, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: EML (E-Mail)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: DRF - 2011 World Health Organization Implementation Questionnaire: Clearance

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: cc sent to Jose Lozano via lotus notes (jl)

CC:
OAR - Office of Air and Radiation -- Immediate Office
OEAE - Office of External Affairs and Environmental Education
OHS - Office of Homeland Security
OP - Office of Policy

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OSWER	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

Action By	Office	Action	Date
-----------	--------	--------	------



JUL 28 2011

Assistant Secretary for
Preparedness & Response
Washington, D.C. 20201

TO: Dawn Smalls
Executive Secretary, Office of the Secretary

FROM: Nicole Lurie, MD, MSPH
Assistant Secretary for Preparedness and Response

SUBJECT: 2011 WHO IHR Implementation Questionnaire: **CLEARANCE**

The World Health Organization (WHO) issues an annual data call on the status of the domestic implementation of the International Health Regulations (2005) in the form of the *Questionnaire for Monitoring Progress in the Implementation of IHR Core Capacities in State Parties*. Indicators were selected by the WHO for this Questionnaire from the WHO IHR Core Capacity Monitoring Framework.

In order to formulate the U.S. Government response to the 2011 *Questionnaire*, a series of teleconferences was held to engage relevant USG interagency stakeholders and develop responses for each of the thirteen sections of the Questionnaire. Each call yielded a set of answers (yes/no/unknown) and comments relevant to the section under discussion. The attached document compiles the answers and comments received for all sections.

- Comments and responses noted in the USG Response were formulated by call participants.
- In some instances, text is missing from questions and/or questions are not labeled in chronological order. This is the state in which the 2011 *Questionnaire* was received from the WHO.
- Only answers (yes/no/unknown) and bolded comments labeled "USG Comment for WHO" will be sent forward to the WHO. Internal comments are included in this document only for the reference of USG reviewers.
- The USG answers to the 2011 *Questionnaire* will not be publically available. The results of the 2011 *Questionnaire* will be aggregated by the WHO and will be used by the WHO expressly for the purpose of reporting to the 2012 WHO Executive Board and World Health Assembly.

USG Departments/Agencies who participated or were invited to participate in the development of the USG Response to the 2011 *Questionnaire* included: ASPR, CDC, ASPA, OGC, and FDA; the Department of Agriculture (USDA), the Department of Homeland Security (DHS); the Environmental Protection Agency (EPA); the Department of Energy (DOE); the Department of Defense (DOD); the Department of Transportation; and the Nuclear Regulatory Commission (NRC). Once cleared through HHS and the interagency, ASPR will enter answers on behalf of the U.S. Government into the WHO IHR Monitoring Tool Portal. The deadline for completing the Questionnaire is August 26, 2011.

ASPR recommends that the Questionnaire be entered in simultaneous Departmental and interagency clearance as soon as possible so that we can meet the WHO established timeline.

Further, we recommend that the document be provided for review to the agencies and Departments listed below. We have included for reference the names of the specific individuals who participated in the development of the responses.

If you have any questions, please contact Betty Gerlach (betty.gerlach@hhs.gov or (202) 260-7884).

Expert Contributors to the 2011 Questionnaire:

HHS/ASPA

- Bill Hall; HHS/ASPA

HHS/ASPR

- Gretchen Michael; HHS/ASPR
- Mike Vineyard; HHS/ASPR/OPEO
- Theresa Lawrence; HHS/ASPR/OPP
- Dana Perkins; HHS/ASPR/OPP
- Robert Bozzo; HHS/ASPR/OPEO
- Monica Pagan Motta; HHS/ASPR
- Jennifer Olsen; HHS/ASPR/OPEO
- Dina Passman; HHS/ASPR/OPEO
- Diana Boss; HHS/ASPR
- Ann Knebel; HHS/ASPR/OPEO
- Ted Kennedy; HHS/ASPR/OPEO
- Anne Cummings; HHS/ASPR/OPEO
- Joe Forsha; HHS/ASPR/OPEO
- Melissa Sanders; HHS/ASPR/OPEO

HHS/FDA

- Ellen Morrison; HHS/FDA

HHS/CDC

- Ray Arthur; CDC/CGH/DGDDER
- Katrin Kohl; CDC/OID/NCEZID
- Marsha Vanderford; CDC/CGD/OD
- Joe Foster; CDC/OCOO/OGC
- James Misrahi; CDC/OCOO/OGC
- James Buehler; CDC/OSELS/PHSPO
- Dan Sosin; CDC/OPHPR/OD
- Denise Cardo; CDC/OID/NCEZID
- Ronald Rosenberg; CDC/OID/NCEZID
- Phyllis Kozarsky; CDC/OID/NCEZID
- Greg Burel; CDC/OPHPR/SNS
- May Chu; CDC/OSELS/LSPPPO
- Janet Nicholson; CDC/OID/OD
- John Ridderhof; CDC/OID/NCEZID
- Robbin Weyant; CDC/OPHPR/DSAT
- Carol Rubin; CDC/OID/NCEZID
- Scott Deitchman; CDC/ONDIEH/NCEH
- Arthur Liang; CDC/OID/NCEZID
- Christopher Braden; CDC/OID/NCEZID
- Denise Koo; CDC/OSELS/SEPDPO
- Tom Gomez; CDC
- Paul Meechan; CDC/OCOO/OSHE

- Kathleen Gallagher; HHS/CDC/OSELS/PHSPO
- Steve Adams; HHS/CDC/OPHPR/SNS
- Philip Navin; HHS/CDC/OPHPR/DEO
- Ralph O'Connor; HHS/CDC/OPHPR/DEO
- Barbara Ellis; HHS/CDC/OPHPR/OD
- Ralph O'Connor; HHS/CDC/OPHPR/DEO
- Michelle Callio; HHS/CDC/OID/NCEZID
- Robynne Jungerman; CDC/OID/NCEZID
- Rob Tauxe; HHS/CDC/OID/NCEZID
- Nina Marano; HHS/CDC/OID/NCEZID
- Robert Jones; HHS/CDC/ONDIEH/NCEH
- Robert Whitcomb; HHS/CDC/ONDIEH/NCEH
- Charles Miller; HHS/CDC/ONDIEH/NCEH
- Mark Wooster; HHS/CDC/OPHPR/DEO
- David Saunders; HHS/CDC/ONDIEH/NCEH
- Eric Kasowski; HHS/CDC/CGH/DGDDER
- Jean Randolph; HHS/CDC/OID/NCEZID
- Doug Hamilton; HHS/CDC/OSELS/SEPDPO
- Phillip Allred; HHS/CDC/ONDIEH/NCEH
- Armin Ansari; HHS/CDC/ONDIEH/NCEH

HHS/OGC

- Elizabeth Gianturco; HHS/OGC
- Susan Sherman; HHS/OGC

U.S. Department of Agriculture (USDA)

- Joe Anelli; USDA Joseph.f.annelli@aphis.usda.gov
- David Goldman; USDA david.goldman@fsis.usda.gov

U.S. Department of Defense (DOD)

- John Gilstad; DOD/AFFRI Gilstad@aftri.usuhs.mil

U.S. Department of Energy (DOE)

- Albert Wiley; RE/ACTS Albert.Wiley@orise.orau.gov
- David Bowman; DOE David.Bowman@nnsa.doe.gov

U.S. Department of Homeland Security (DHS)

- Bill Lyrly; DHS William.Lyrly@dhs.gov
- Beth Windisch; DHS/OHA beth.windisch@dhs.gov
- Chad Gorman; DHS/FEMA chad.gorman@dhs.gov
- Janis McCarroll; DHS/FEMA janis.mccarroll@dhs.gov
- Bradley Dickerson; DHS/PLCY bradley.dickerson@dhs.gov
- Doug Meckes; DHS/OHA doug.meckes@dhs.gov
- Mark Kirk; DHS/OHA mark.kirk@dhs.gov
- John MacKinney; DHS/PCLY john.mackinney@dhs.gov
- Kathy Brinsfield; DHS/OHA Kathryn.brinsfield@dhs.gov
- Emily Gabriel; DHS Emily.gabriel@dhs.gov
- John Cuellar; DHS/OHA john.cuellar@us.army.mil
- Joselito Ignacio; DHS Josefito.Ignacio@dhs.gov
- John Cuellar; DHS/OHA john.cuellar@us.army.mil

U.S. Department of State

- David Kenagy; DOS/IAEA NCA KenagyWD@state.gov

U.S. Department of Transportation (DOT)

- Jeniffer Donahue; DOT/FAA jeniffer.donahue@faa.gov

- Lynn Slepski; DOT lynn.slepski@dot.gov

U.S. Environmental Protection Agency (EPA)

- Gilberto Irizarry; EPA irizarry.gilberto@epamail.epa.gov
- John Griggs; EPA Griggs.John@epa.gov

Nuclear Regulatory Commission (NRC)

- Patricia Milligan; NRC patricia.milligan@nrc.gov



Correspondence Management System

Control Number: AX-11-001-3294

Printing Date: August 08, 2011 12:45:11



Citizen Information

Citizen/Originator: Rostker, David

Organization: Office of Advocacy, Small Business Administration
 Address: 409 Third Street, S.W., 7th floor, Washington, DC 20416

Constituent: N/A

Committee: N/A Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3294 Alternate Number: N/A
 Status: Pending Closed Date: N/A
 Due Date: Aug 23, 2011 # of Extensions: 0
 Letter Date: Aug 4, 2011 Received Date: Aug 8, 2011
 Addressee: AD-Administrator Addressee Org: EPA
 Contact Type: EML (E-Mail) Priority Code: Normal
 Signature: DX-Direct Reply Signature Date: N/A
 File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.
 Subject: DRF - Convening of the Small Business Advocacy Review panel for Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards
 Instructions: DX-Respond directly to this citizen's questions, statements, or concerns
 Instruction Note: N/A
 General Notes: N/A
 CC: OCFO - OCFO -- Immediate Office
 OEAE - Office of External Affairs and Environmental Education
 OP - Office of Policy
 ORD - Office of Research and Development -- Immediate Office
 OSBP - Office of Small Business Programs

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

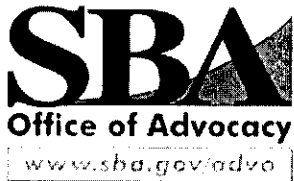
Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History



Advocacy: the voice of small business in government

August 4, 2011

BY ELECTRONIC MAIL

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency

The Honorable Cass R. Sunstein
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget

RE: SBAR Panel – Convening of Panel on Petroleum Refinery Sector Risk and Technology Review and NSPS

Dear Administrators Jackson and Sunstein:

Today, EPA convened a Small Business Advocacy Review (SBAR) panel on its upcoming rulemaking, “Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards (NSPS).” The Office of Advocacy (Advocacy) does not agree that this panel should have convened at this time. We believe that EPA is not yet ready for this panel, since it has not provided the other panel members with information on the potential impacts of this rule and will not provide small entity representatives (SERs) with sufficient information upon which to discuss alternatives and provide recommendations to EPA. It is Advocacy’s position that EPA is not in compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) due to the lack of information provided and that a panel conducted under these circumstances is unlikely to succeed at identifying reasonable regulatory alternatives, as required by the Regulatory Flexibility Act (RFA).

Advocacy acknowledges that EPA is conducting this rulemaking under court-agreed deadlines as part of negotiated settlement agreements, deadlines to which Advocacy objected in a public comment letter to EPA on January 19, 2011. EPA cannot rely on these deadlines to justify an inadequate SBAR panel.

The Office of Advocacy

Congress established the Office of Advocacy under Pub. L. No. 94-305 to advocate the views of small entities before Federal agencies and Congress. Because Advocacy is an independent body within the U.S. Small Business Administration (SBA), the views expressed by Advocacy do not necessarily reflect the position of the Administration or the SBA.¹ The RFA,² as amended by

¹ 15 U.S.C. § 634a, *et. seq.*

SBREFA,³ gives small entities a voice in the federal rulemaking process. For all rules that are expected to have a “significant economic impact on a substantial number of small entities,”⁴ EPA is required by the RFA to conduct a SBAR Panel to assess the impact of the proposed rule on small entities,⁵ and to consider less burdensome alternatives. Moreover, federal agencies must give every appropriate consideration to any comments on a proposed or final rule submitted by Advocacy and must include, in any explanation or discussion accompanying publication in the Federal Register of a final rule, the agency’s response to any written comments submitted by Advocacy on the proposed rule.⁶

Background

Since the passage of SBREFA in 1996, EPA has been a “covered agency” under section 609 of the RFA. In that time, EPA, OMB, and SBA have jointly conducted almost 40 panels. EPA has also published valuable guidance to its program offices on compliance with the RFA, including the conduct of SBAR panels.⁷

SBAR panels give Small Entity Representatives (SERs) an opportunity to understand a covered agency’s upcoming proposed rule and provide meaningful recommendations to aid in the agency’s compliance with the RFA. The process starts with the covered agency notifying Advocacy with “information on the potential impacts of the proposed rule on small entities and the type of small entities that might be affected[.]”⁸ Upon convening of the panel, the RFA states that “the panel shall review any material the agency has prepared in connection with this chapter, including any draft proposed rule, collect advice and recommendations of each individual small entity representative identified by the agency after consultation with the Chief Counsel, on issues related to subsections 603(b), paragraphs (3), (4) and (5) and 603(c)[.]”⁹

² 5 U.S.C. § 601, *et. seq.*

³ Pub. L. 104-121, Title II, 110 Stat. 857 (1996)(codified in various sections of 5 U.S.C. § 601, *et. seq.*).

⁴ *See* 5 U.S.C. § 609(a), (b).

⁵ Under the RFA, small entities are defined as (1) a “small business” under section 3 of the Small Business Act and under size standards issued by the SBA in 13 C.F.R. § 121.201, or (2) a “small organization” that is a not-for-profit enterprise which is independently owned and operated and is not dominant in its field, or (3) a “small governmental jurisdiction” that is the government of a city, county, town, township, village, school district or special district with a population of less than 50,000 persons. 5 U.S.C. § 601.

⁶ 5 U.S.C. § 604, *as amended by the* Small Business Jobs Act of 2010, Pub. Law No. 111-240, Sec. 1601.

⁷ *Final Guidance for EPA Rulewriters: Regulatory Flexibility Act as amended by the Small Business Regulatory Enforcement Fairness Act*, OPEI Regulatory Development Series, U.S. EPA, November 2006.

⁸ § 609(b)(1).

⁹ § 609(b)(4). Section 603(b), paragraphs (3), (4), and (5) read:

“(3) a description of and, where feasible, an estimate of the number of small entities to which the proposed rule will apply;

“(4) a description of the projected reporting, recordkeeping and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record;

“(5) an identification, to the extent practicable, of all relevant Federal rules which may duplicate, overlap or conflict with the proposed rule.”

Section 603(c) reads:

“(c) Each initial regulatory flexibility analysis shall also contain a description of any significant alternatives to the proposed rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the proposed rule on small entities. Consistent with the stated objectives of applicable statutes, the analysis shall discuss significant alternatives such as –

Advocacy believes that these requirements, read together and in the context of activity to be conducted prior to proposed rulemaking, require the agency to provide sufficient information to the SERs so that they can understand the likely form of the upcoming rulemaking, evaluate its potential economic impacts, and recommend alternative regulatory options that would minimize any significant economic impact while preserving the agency's regulatory objectives. Advocacy also believes that the statute clearly intends that the agency provide deliberative information as part of this process.

SBAR Panel

Advocacy received formal notification of EPA's intent to convene this panel at the end of May, 2011, and EPA convened the panel on August 4, 2011. Draft outreach materials provided to Advocacy and OIRA for review since May and the draft outreach materials the SERs will soon receive do not describe potential economic impacts or regulatory alternatives under development. The description of the proposed rule is a discussion of EPA's statutory obligations. The outreach materials also present a spectrum of technologies that could be required by the proposed rule, based on work developed for separate section of the Clean Air Act, without any indication of which technologies could be required by an NSPS, new MACT standards or the RTR..

EPA has broad discretion to design a regulatory program to regulate GHGs under section 111 of the Clean Air Act. For that reason, Advocacy believes that SERs have not been provided enough information to project how EPA will structure this regulation or establish the relevant standards. In the absence of information, SERs will be unable to understand potential impacts of the rulemaking and make recommendations about regulatory alternatives that would minimize the impacts on small entities while fulfilling EPA's goals. Advocacy raised this concern at the convening of the SBAR panel for the EGU GHG standards of performance rulemaking earlier this year.

For the revisions EPA intends to make to the Petroleum Refineries NESHAP, both the new standards and the RTR, Advocacy believes that the information presented is inadequate because EPA has not provided more than generalized statements of possible regulatory pathways. EPA has convened this panel before industry data from the ongoing information collection request (ICR) is due, so the SERs lack a factual basis upon which they could project potential impacts of this rule, even if they had the time and resources to conduct such an analysis and could successfully predict EPA's preferred regulatory approach. In addition, for the Residual Risk portion of the NESHAP revisions, EPA must complete a risk assessment to justify revisions to the existing major source NESHAP, but EPA does not have the risk assessment or even the data to perform the risk assessment, so the SERs have no ability to consult on regulatory alternatives that would fulfill the objective of the statute.

“(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities;

“(2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities;

“(3) the use of performance rather than design standards; and

“(4) an exemption from coverage of the rule, or any part thereof, for such small entities.”

In the absence of information sufficient for SERs to appreciate the impact of the proposed rule and to identify regulatory options that would fulfill EPA's statutory objectives, Advocacy believes that convening this panel is premature. The benefits of the SBAR panel cannot be realized if the stakeholders are not presented and equipped with such regulatory options.

For these reasons, Advocacy believes that convening this panel is premature, and that EPA should delay this panel until it has a clearer set of available regulatory options and potential impacts available for discussion by the panel members and the SERs. EPA should request that the litigants agree to an extension of the court-agreed deadlines for this rulemaking to ensure that EPA can fully comply with its statutory obligations.

Conclusion

Advocacy states its objection to the convening of this panel because we believe EPA is not providing sufficient information to the SERs. As a result, the SBAR panels will likely be unable to identify specific regulatory alternatives that would "accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the proposed rule on small entities." We believe input from small entities will be valuable in this important rulemaking, and we want to ensure SERs on this SBAR panel are able to contribute effectively to this process.

I look forward to working with you to make sure the voice of small business is heard and considered. When done well, the SBAR panel process is an important channel for that voice, and it works to the benefit of all stakeholders. If you have any questions regarding this letter or if Advocacy can be of any assistance, please do not hesitate to contact David Rostker at (202) 205-6966.

Sincerely,

/s/

Winslow Sargeant, Ph.D
Chief Counsel for Advocacy

cc: Small Entity Representatives participating in the SBAR Panel on Petroleum Refinery Sector Risk and Technology Review and NSPS.



Correspondence Management System

Control Number: AX-11-001-3321

Printing Date: August 08, 2011 03:19:52



Citizen Information

Citizen/Originator: Arnold, Hays

Organization: City of Thomaston
 Address: 106 East Lee Street, P.O. Box 672, Thomaston, GA 30286

Constituent: N/A

Committee: N/A **Sub-Committee:** N/A

Control Information

Control Number: AX-11-001-3321 **Alternate Number:** N/A
Status: Pending **Closed Date:** N/A
Due Date: Aug 23, 2011 **# of Extensions:** 0
Letter Date: Jul 26, 2011 **Received Date:** Aug 8, 2011
Addressee: AD-Administrator **Addressee Org:** EPA
Contact Type: LTR (Letter) **Priority Code:** Normal
Signature: DX-Direct Reply **Signature Date:** N/A
File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.
Subject: DRF - Docket ID Nos. EPA-HQ-OAR-2009-0234
Instructions: DX-Respond directly to this citizen's questions, statements, or concerns
Instruction Note: N/A
General Notes: N/A
CC: OCIR - Office of Congressional and Intergovernmental Relations
 OEAE - Office of External Affairs and Environmental Education
 OP - Office of Policy
 OSBP - Office of Small Business Programs
 R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

City of Thomaston

Office of the Mayor

106 East Lee Street

P. O. Box 672

Thomaston, Georgia 30286

706-647-4242

Telephone

706-646-2653

Telefax

July 26, 2011

Hon. Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RECEIVED
2011 AUG - 8 PM 12: 55
OFFICE OF THE
EXECUTIVE SECRETARAT

Re: Docket ID Nos. EPA-HQ-OAR-2009-0234

Dear Administrator Jackson:

On behalf of the City of Thomaston, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology ("EGU MACT") rules. Our community-owned, non-for-profit electric utility serves 4,630 customers. We supply electricity produced in part by coal-fired electric generating units that could be significantly impacted by the proposed EGU MACT rule – even though those coal units are already well-controlled for mercury and for criteria pollutants such as sulfur dioxide and nitrogen oxides.

We have major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use. As a not-for-profit electric utility owned and operated by local government, we support these Executive Orders that call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame.

Our concerns include the following:

- The proposed rules create a risk of having to raise electricity rates, that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.



- The proposed rule raises electricity reliability issues in some regions in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired capacity may face retirement nationally because of the rules, other industry analysts and the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could face retirement.
- EPA's economic and reliability analysis in the proposed rules addresses only impacts from the proposed EGU MACT regulations. The analysis does not address the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed EGU MACT rules include many additional requirements beyond those to reduce mercury emissions. Control of other emissions under the EGU MACT rule may not be necessary or required under the Clean Air Act or based EPA's own hazardous air pollutants study. EPA should consider whether to decline to adopt the rules not related to control of mercury emissions.
- The statutorily imposed three-year time frame for compliance with the EGU MACT rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues that could arise when coal fired power plants must shut down for an extended period to retrofit emissions controls needed to comply with the rule . We respectfully encourage EPA to grant the one-year extension it is statutorily allowed to do and urge that a second year of extension is granted via a presidential order.
- EPA's own Regulatory Impact Analysis (RIA) appears to suggest that only 97 municipal utilities will be affected, and will face a compliance cost of only \$666.3 million annually. These costs appear to significantly underestimate the real impact and show no regional additional impacts in states such as Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas.

Thank you for your consideration.

Sincerely,


Hays Arnold
Mayor

cc: Senator Saxby Chambliss
Senator Johnny Isakson
Congressman Lynn Westmoreland
Representative Billy Maddox
Senator George Hooks

DAILY READING FILE

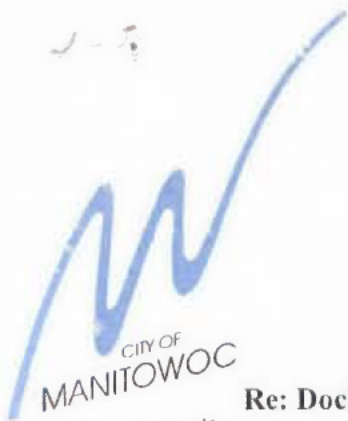
RECEIVED

2011 AUG -8 PM 12: 55

OFFICE OF THE
EXECUTIVE SECRETARIAT

Hon. Lisa P. Jackson
Administrator

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460



CITY OF
MANITOWOC

Justin M. Nickels
Mayor

Re: Docket ID Nos. EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044

August 1, 2011

Dear Administrator Jackson:

On behalf of the City of Manitowoc, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology rules ("EGU MACT"). Manitowoc Public Utilities (MPU), our community-owned, non-for-profit electric utility serves more than 16,000 customers. We operate a 63 MW coal power plant that will be significantly impacted by the proposed EGU MACT rules and related New Source Performance Standards (NSPS) requirements.

Our utility has major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use.

As a non-for-profit electric utility owned and operated by local government, we have standing under all of these Executive Orders to call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame. MPU's specific concerns are as follows:

- The proposed rules do not provide our utility with enough time to comply. The short time frame for compliance risks us having to significantly raise electricity rates that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.
- The proposed rule is unrealistic about the ability of utilities and state or regional energy authorities to avoid electricity reliability issues in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired power plants will be impacted by the rules, other industry analysts and the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could be impacted.

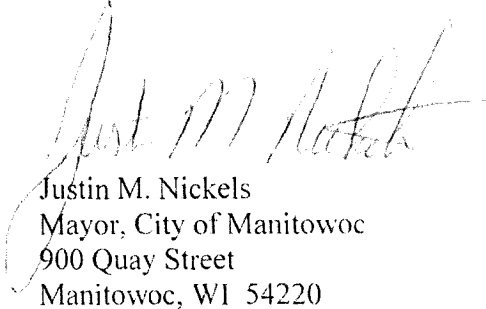


OFFICE OF MAYOR



Thank you for your consideration of this request. Please feel free to contact me at (920) 686-6980 if you need additional information or clarification. Again, the City of Manitowoc sincerely appreciates the opportunity to provide EPA with its thoughts, comments and proposals.

Sincerely,



Justin M. Nickels
Mayor, City of Manitowoc
900 Quay Street
Manitowoc, WI 54220

Submitted via E-mail to: a-and-r-docket@epa.gov

CC:

Congressman Tom Petri
490 West Rolling Meadows Drive
Suite B
Fond du Lac, WI 54937

The Honorable Governor Scott Walker
115 East Capital
Madison, WI 53702

Senator Herb Kohl
14 W. Mifflin St., Suite 207
Madison, WI 53703

Senator Ron Johnson
517 East Wisconsin Avenue
Milwaukee, WI 53202

Nilaksh Kothari, P.E.
General Manager
Manitowoc Public Utilities
1303 South 8th Street
Manitowoc, WI 54221-1090



Correspondence Management System

Control Number: AX-11-001-3325

Printing Date: August 08, 2011 02:44:00



Citizen Information

Citizen/Originator: Pendleton, Joey

Organization: Commonwealth of Kentucky -State Senate
Address: 905 Hurst Drive, Hopkinsville, KY 42240

Constituent: N/A

Committee: N/A **Sub-Committee:** N/A

Control Information

Control Number: AX-11-001-3325 **Alternate Number:** N/A
Status: Pending **Closed Date:** N/A
Due Date: Aug 22, 2011 **# of Extensions:** 0
Letter Date: Aug 2, 2011 **Received Date:** Aug 8, 2011
Addressee: AD-Administrator **Addressee Org:** EPA
Contact Type: LTR (Letter) **Priority Code:** Normal
Signature: AA-OAR-Assistant Administrator **Signature Date:** N/A
- OAR

File Code: 404-141-02-01_141_a(2) Copy of Controlled and Major Correspondence Record of the EPA Administrator and other senior officials - Electronic.

Subject: Daily Reading File- I would respectfully ask that you remain mindful of the need to achieve a reasonable balance between increasing fuel economy and preserving affordable choices for consumers

Instructions: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 22, 2011	N/A
Instruction: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

DAILY READING FILE
Commonwealth of Kentucky

STATE SENATE

905 Hurst Drive
Hopkinsville, Kentucky 42240
Home: (270) 885-1539
Office: (502) 564-8100 Ext. 622
Cell: (270) 348-3622



JOEY PENDLETON

August 2, 2011

COMMITTEES:
Administrative Regulation Review Subcommittee
Agriculture and Natural Resources
Health and Welfare
Veterans, Military Affairs & Public Protection
Tobacco Oversight Committee
Appropriations and Revenue
Program Review

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

2011 AUG -8 PM 12:55
RECEIVED
OFFICE OF THE
EXECUTIVE SECRETARIAT

Dear Ms. Jackson:

As your agencies finalize national standards for fuel economy for 2017 through 2025, I would respectfully ask that you remain mindful of the need to achieve a reasonable balance between increasing fuel economy and preserving affordable choices for consumers, both individuals and businesses, in selecting their vehicles.

Agriculture is a key industry in the district I represent in the Kentucky State Senate. I am, therefore, particularly concerned with the costs of purchasing the trucks that many of my constituents must have to produce the products we all rely on for a safe and affordable food supply.

I am certainly encouraged that there appears to be consensus on the path forward that was unveiled last week and want to particularly commend you for inclusion of the mid-term review provision. Since it is very difficult to envision what technologies will be available and affordable more than a decade in the future, I think it is a responsible approach to include the flexibility this review offers.

I encourage you to continue to carefully evaluate all the potential impacts as you move forward with development of the new standards.

Sincerely,

A handwritten signature in black ink that reads "Joey Pendleton".

Joey Pendleton
State Senator



DAILY READING FILE

City of North Platte

August 1, 2011

Hon. Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

211 West Third Street
North Platte, Nebraska 69101
(308) 535-6724
Fax: (308) 535-6720

**Re: Proposed Electric Generating Unit Maximum Achievable Control Technology Rules
Docket ID No. EPA-HQ-OAR-2009-0234**

Dear Administrator Jackson:

As City Administrator/Utility Manager of the City of North Platte, I am writing in regard to EPA's proposed electric generating unit maximum achievable control technology rules ("EGU MACT"). Our community purchases its total electricity requirements from the Nebraska Public Power District ("NPPD"). NPPD's energy mix is approximately 50 percent coal, 40 percent nuclear, with the remainder made up of wind, natural gas and hydro power. NPPD's two coal-fired power plants, which consist of two units each, use low-sulfur Powder River Basin coal and have installed state-of-the-art baghouses which have virtually eliminated visual emissions and have reduced mercury emissions by approximately 50 percent.

On behalf of the City of North Platte's customer base, we have serious concerns with the proposed rules. We are concerned that the rules do not provide NPPD with enough time to comply, and that the short time frame for compliance puts us at risk of having to absorb dramatic increases in electricity rates that could cause our customers severe economic harm. We are also concerned about reliability of supply, should our provider have to decrease generation or prematurely retire generation. Our power supplier has informed us that if scrubbers are required, the preliminary cost estimate for the two largest units could reach one billion dollars. Our share of these costs will cause significant rate increases.

While my community supports reasonable initiatives to cost-effectively enhance air quality, we are aware that every form of electric generation comes with certain environmental consequences. Our customers expect and demand reliable, affordable electricity, and we are opposed to rules and deadlines that unreasonably increase costs, impact reliability and ultimately reduce American jobs.

We respectfully request the EPA rethink its overly aggressive rules and deadlines under the proposed EGU MACT rules, and consider the mandates' negative impacts to the economy. Similar to our power supplier, almost half of the U.S. electric generation is fired by coal. The rules as proposed will affect a significant portion of the industry and impact reliability. In addition, we also request the agency reconsider regulating acid gases. This is not required under the Clean Air Act, and its inclusion will make it much more costly and difficult to comply, under existing compliance timelines.

Thank you for your consideration of this request.

Sincerely,


Jim Hawks

City Administrator/Utility Manager

Cc: Governor Dave Heineman
Mike Linder, Director, Nebraska Department of Environmental Quality
Nebraska Congressional Delegation

OFFICE OF THE
EXECUTIVE SECRETARIAT

2011 AUG -8 PM 12:55

RECEIVED



Correspondence Management System

Control Number: AX-11-001-3328

Printing Date: August 08, 2011 04:17:56



Citizen Information

Citizen/Originator: **Borbely, Laszlo**

Organization: Cabinet of the Minister (Romania)- Embassy of Romania
Address: 1607 23rd Street, NW, Washington, DC 120008

Constituent: N/A

Committee: N/A Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3328 Alternate Number: N/A
Status: For Your Information Closed Date: N/A
Due Date: N/A # of Extensions: 0
Letter Date: Jun 6, 2011 Received Date: Aug 8, 2011
Addressee: AD-Administrator Addressee Org: EPA
Contact Type: LTR (Letter) Priority Code: Normal
Signature: SNR-Signature Not Required Signature Date: N/A
File Code: 401_127_a General Correspondence Files Record copy
Subject: Daily Reading File - Thank you very much for the opportunity to meet with you on May 4th. I would like to present our offer of the Memorandum of Understanding between our Ministry and the EPA.

Instructions: For Your Information -- No action required
Instruction Note: N/A
General Notes: N/A
CC: Brigid Lowery - OSWER-CPA
Kecia Thornton - OSWER
Michelle Crews - OSWER
OEAE - Office of External Affairs and Environmental Education
OSWER - OSWER -- Immediate Office
OW - Office of Water -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b)(6) Personal Privacy	OEX	OITA	Aug 8, 2011

History

REC'D

2011 AUG -8 PM 12:59

OFFICE OF THE
EXECUTIVE SECRETARIAT



CABINET OF THE MINISTER

Nr. 2935/LB
Data 06.06.2011

Hon. Lisa Jackson
Administrator
US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

June 6, 2011

Dear Ms. Jackson,

Thank you very much for the opportunity to meet with you and your staff during my trip to Washington, on May 4th.

The visit, in my view, was productive and promising at the same time, as we hope to be able to engage and work with your prestigious institution in assisting our ministry and country in projects ranging from environmental and forestry needs to financing major projects over the next two decades.

As discussed, I would like to present our offer of the Memorandum of Understanding between our Ministry and the Environmental Protection Agency. The document will include provisions on the prevention and management of major floods, and other areas such as the rehabilitation of water systems and decontamination of polluted sites.

Please, allow me, Ms. Jackson, to use this opportunity to invite you for a working visit to Bucharest, to finalize the discussions on the above mentioned memorandum. As a result, I have instructed my staff to follow up with your team of experts and bring such efforts to fruition at the earliest possible.

I look forward to working with you and your organization on such endeavors.

Sincerely,

László Borbély
Minister





Correspondence Management System

Control Number: AX-11-001-3329

Printing Date: August 08, 2011 04:16:18



Citizen Information

Citizen/Originator: **Lew, Jacob J**

Organization: Executive Office of the President, Office of Management and Budget
Address: 725 17th Street, N.W., Washington, DC 20503

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3329 Alternate Number: N/A
 Status: For Your Information Closed Date: N/A
 Due Date: N/A # of Extensions: 0
 Letter Date: Aug 8, 2011 Received Date: Aug 8, 2011
 Addressee: AD-Administrator Addressee Org: EPA
 Contact Type: MEM (Memo) Priority Code: Normal
 Signature: SNR-Signature Not Required Signature Date: N/A
 File Code: 401_127_a General Correspondence Files Record copy
 Subject: Daily Reading File- The Administration released the 25 Point Implementation Plan to Reform Federal Information Technology (IT) Management.
 Instructions: For Your Information -- No action required
 Instruction Note: N/A
 General Notes: N/A
 CC: OCFO - OCFO -- Immediate Office
 OEAE - Office of External Affairs and Environmental Education

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OEI	Aug 8, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OARM	Aug 8, 2011
Karen Johnson	OARM	Forwarded control to Kimberly Wheeler	Aug 8, 2011
Karen Johnson	OARM	Forwarded control to Dennis Franklin	Aug 8, 2011
(b) (6) Personal Privacy	OEX	Control Taken Over	Aug 8, 2011



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

August 8, 2011

M-11-29

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Jacob J. Lew
Director

SUBJECT: Chief Information Officer Authorities

In December 2010, the Administration released the 25 Point Implementation Plan to Reform Federal Information Technology (IT) Management.¹ The reforms are focused on eliminating barriers that get in the way of effectively managing IT programs throughout the Federal government. Too many Federal IT projects have run over budget, fallen behind schedule, or failed to deliver promised functionality, hampering agency missions and wasting taxpayer dollars.

As the Federal government implements the reform agenda, it is changing the role of Agency Chief Information Officers (CIOs) away from just policymaking and infrastructure maintenance, to encompass true portfolio management for all IT. This will enable CIOs to focus on delivering IT solutions that support the mission and business effectiveness of their agencies and overcome bureaucratic impediments to deliver enterprise-wide solutions. This memo is designed to clarify the primary area of responsibility for Agency CIOs throughout the government, as identified in the IT Reform Plan.

Agency CIOs must be positioned with these responsibilities and authorities to improve the operating efficiency of their agencies. In addition to their statutory responsibilities through the Clinger-Cohen Act² and related laws, under the IT Reform Plan there are four main areas in which Agency CIOs shall have a lead role:

1. **Governance.** CIOs must drive the investment review process for IT investments and have responsibility over the entire IT portfolio for an Agency. CIOs must work with Chief Financial Officers and Chief Acquisition Officers to ensure IT portfolio analysis is an integral part of the yearly budget process for an agency. The IT Reform plan restructured the investment review boards (IRBs) by requiring Agency CIOs to lead "TechStat" sessions – actionable meetings designed to improve line-of-sight between project teams and senior executives. Outcomes from these sessions must be formalized and followed-up through completion, with the goal of terminating or turning around one-third of all underperforming IT Investments by June 2012.

¹ <http://www.cio.gov/documents/25-Point-Implementation-Plan-to-Reform-Federal%20IT.pdf>

² Public Law 104-106, Division E, Clinger-Cohen Act of 1996

2. **Commodity IT.** Agency CIOs must focus on eliminating duplication and rationalize their agency's IT investments. Agency commodity services are often duplicative and sub-scale and include services such as: IT infrastructure (data centers, networks, desktop computers and mobile devices); enterprise IT systems (e-mail, collaboration tools, identity and access management, security, and web infrastructure); and business systems (finance, human resources, and other administrative functions). The CIO shall pool their agency's purchasing power across their entire organization to drive down costs and improve service for commodity IT. In addition, enterprise architects will support the CIO in the alignment of IT resources, to consolidate duplicative investments and applications. CIOs must show a preference for using shared services as a provider or consumer instead of standing up separate independent services.
3. **Program Management.** Agency CIOs shall improve the overall management of large Federal IT projects by identifying, recruiting, and hiring top IT program management talent. CIOs will also train and provide annual performance reviews for those leading major IT programs. CIOs will also conduct formal performance evaluations of component CIOs (e.g. bureaus, sub-agencies, etc.). CIOs will be held accountable for the performance of IT program managers based on their governance process and the IT Dashboard.
4. **Information Security.** CIOs, or senior agency officials reporting to the CIO, shall have the authority and primary responsibility to implement an agency-wide information security program and to provide information security for both the information collected and maintained by the agency, or on behalf of the agency, and for the information systems that support the operations, assets, and mission of the agency. Part of this program will include well-designed, well-managed continuous monitoring and standardized risk assessment processes, to be supported by "CyberStat" sessions run by the Department of Homeland Security to examine implementation. Taken together, continuous monitoring and CyberStats will provide essential, near real-time security status information to organizational officials and allow for the development of immediate remediation plans to address any vulnerabilities.

With responsibilities for these four areas, Agency CIOs will be held accountable for lowering operational costs, terminating and turning around troubled projects, and delivering meaningful functionality at a faster rate while enhancing the security of information systems. These additional authorities will enable CIOs to reduce the number of wasteful duplicative systems, simplify services for the American people, and deliver more effective IT to support their agency's mission.

In addition, under the IT Reform Plan, Agency CIOs are required to play a cross-agency portfolio management role through the Federal CIO Council (CIOCC). The CIOCC charter will be amended to reflect these new responsibilities, which will allow more effective development and management of shared services, cross-agency initiatives, and governmentwide policy. Just as CIOs are tasked to find and eliminate duplicative systems in their agencies, the Council will seek opportunities to reduce duplication, improve collaboration and to eliminate waste across agency boundaries.

**CITY of ELLAVILLE**

55 WILSON STREET, P O Box 839, Ellaville, GA 31806
229-937-2207 (Telephone) 229-937-5569 (Fax)

REC'D
2011 AUG -8 PM 12:56
OFFICE OF THE
EXECUTIVE SECRETARIAT

1 August 2011

Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Docket ID Nos. EPA-HQ-OAR-2009-0234

Dear Administrator Jackson:

On behalf of the city of Ellaville, Georgia, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology ("EGU MACT") rules. Our community-owned, not-for-profit electric utility serves approximately 950 customers. We supply electricity produced in part by coal-fired electric generating units that could be significantly impacted by the proposed EGU MACT rule – even though those coal units are already well-controlled for mercury and for criteria pollutants such as sulfur dioxide and nitrogen oxides.

We have major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use. As a not-for-profit electric utility owned and operated by local government, we support these Executive Orders that call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame.

Our concerns include the following:

- The proposed rules create a risk of having to raise electricity rates that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.
- The proposed rule raises electricity reliability issues in some regions in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired capacity may face retirement nationally because of the rules, other industry analysts and

the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could face retirement.

- EPA's economic and reliability analysis in the proposed rules addresses only impacts from the proposed EGU MACT regulations. The analysis does not address the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed EGU MACT rules include many additional requirements beyond those to reduce mercury emissions. Control of other emissions under the EGU MACT rule may not be necessary or required under the Clean Air Act or based on EPA's own hazardous air pollutants study. EPA should consider whether to decline to adopt the rules not related to control of mercury emissions.
- The statutorily imposed three-year time frame for compliance with the EGU MACT rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues that could arise when coal fired power plants must shut down for an extended period to retrofit emissions controls needed to comply with the rule . We respectfully encourage EPA to grant the one-year extension it is statutorily allowed to do and urge that a second year of extension is granted via a presidential order.
- EPA's own Regulatory Impact Analysis (RIA) appears to suggest that only 97 municipal utilities will be affected, and will face a compliance cost of only \$666.3 million annually. These costs appear to significantly underestimate the real impact and show no regional additional impacts in states such as Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas.

Thank you for your consideration.

Sincerely,



Charles Sherwood

Inspired by our past Committed to our future



Correspondence Management System

Control Number: AX-11-001-3340

Printing Date: August 08, 2011 02:59:48



Citizen Information

Citizen/Originator: Carter, Kimberly C

Organization: City of Covington

Address: 2194 Emory Street, NW, P.O. Box 1527, Covington, GA 30015

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3340

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Jul 25, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: DRF - Docket ID Nos. EPA-HQ-OAR-2009-0234

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
OSBP - Office of Small Business Programs
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History



DAILY READING FILE

City of Covington

2194 Emory Street, NW
P.O. Box 1527
Covington, Georgia 30015

Kimberly C. Carter
Mayor

Steve Horton
City Manager

July 25, 2011

Hon. Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Docket ID Nos. EPA-HQ-OAR-2009-0234

REMOVED
2011 AUG - 8 PM 12: 56
OFFICE OF THE
EXECUTIVE SECRETARIAT

Dear Administrator Jackson:

On behalf of the City of Covington, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology ("EGU MACT") rules. Our community-owned, non-for-profit electric utility serves 15,170 customers. We supply electricity produced in part by coal-fired electric generating units that could be significantly impacted by the proposed EGU MACT rule – even though those coal units are already well-controlled for mercury and for criteria pollutants such as sulfur dioxide and nitrogen oxides.

We have major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use. As a not-for-profit electric utility owned and operated by local government, we support these Executive Orders that call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame.

Our concerns include the following:

- The proposed rules create a risk of having to raise electricity rates, that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.



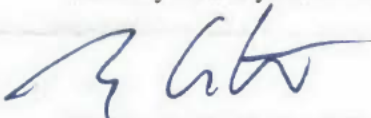
PHONE (770) 385-2000
FAX (770) 385-2060

WEBSITE <http://www.cityofcovington.org>



- The proposed rule raises electricity reliability issues in some regions in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired capacity may face retirement nationally because of the rules, other industry analysts and the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could face retirement.
- EPA's economic and reliability analysis in the proposed rules addresses only impacts from the proposed EGU MACT regulations. The analysis does not address the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed EGU MACT rules include many additional requirements beyond those to reduce mercury emissions. Control of other emissions under the EGU MACT rule may not be necessary or required under the Clean Air Act or based EPA's own hazardous air pollutants study. EPA should consider whether to decline to adopt the rules not related to control of mercury emissions.
- The statutorily imposed three-year time frame for compliance with the EGU MACT rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues that could arise when coal fired power plants must shut down for an extended period to retrofit emissions controls needed to comply with the rule. We respectfully encourage EPA to grant the one-year extension it is statutorily allowed to do and urge that a second year of extension is granted via a presidential order.
- EPA's own Regulatory Impact Analysis (RIA) appears to suggest that only 97 municipal utilities will be affected, and will face a compliance cost of only \$666.3 million annually. These costs appear to significantly underestimate the real impact and show no regional additional impacts in states such as Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas.

Thank you for your consideration.



Kimberly C. Carter, Mayor
City of Covington

Cc: Honorable Saxby Chambliss, United States Senate
Honorable Johnny Isakson, United States Senate
Honorable Robert (Rob) Woodall, United States House of Representatives
Honorable Austin Scott, United States House of Representatives



Correspondence Management System

Control Number: AX-11-001-3343

Printing Date: August 08, 2011 03:26:53



Citizen Information

Citizen/Originator: Stanton, Michael J.

Organization: Association of International Automobile Manufacturers, Inc.

Address: 1050 K Street, NW, Washington, DC 20001

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3343

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Jul 29, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: DRF - National Fuel Economy Standards

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC:
OARM - OARM -- Immediate Office
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
OSBP - Office of Small Business Programs
R9 - Region 9 - Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

July 29, 2011

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Secretary LaHood and Administrator Jackson,

On behalf of the Association of Global Automakers and those member companies that have agreed to sign the "Commitment Letter" concerning the harmonized National Program governing light duty vehicle greenhouse gas emissions and fuel economy for model years 2017 through 2025, we are submitting this additional letter. Also enclosed is Global Automakers' own Commitment Letter. Having reviewed the commitment letter signed by the California Air Resources Board (CARB), we believe it is necessary to clarify the following ambiguities in the CARB letter:

- The Commitment Letters relate solely to the national and California emissions programs for greenhouse gas emissions. Accordingly, our commitment to refrain from challenging California's greenhouse gas emission standards for model-years 2017 through 2025 applies only to these emissions and programs. This commitment is reflected in the language of the Commitment Letter, by which Global Automakers and each of our signatory members retains its rights with respect to all other regulatory requirements of California other than the greenhouse gas emissions standards.
- The only parties subject to the obligations set forth in these Commitment Letters are the participating manufacturers who signed these Commitment Letters and their trade associations. Neither Global Automakers nor our members has any control over other parties (e.g., its dealers and non-signatory manufacturers), and no power to bind them to any obligations under the Commitment Letter. In the event that non-participating parties take actions inconsistent with the commitments reflected in the attached letter, it is our understanding that CARB will abide by its commitments.



- Both the Commitment Letters signed by Global Automakers and our signatory members and the CARB commitment letter provide that CARB will revise its standards on greenhouse gas emissions for model-years 2017 through 2025 to accept as compliance with its standards "compliance with the GHG emissions standards adopted by EPA for those model years that are substantially as described in the July 2011 Notice of Intent, even if amended after 2012." Consequently, should CARB under any circumstances remove this national compliance option, Global Automakers and our signatory members are released from their commitments and may exercise any and all legal rights available to it to challenge California's greenhouse gas emissions program.

With these clarifications, please accept Global Automakers' enclosed Commitment Letter.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Stanton".

Michael J. Stanton
President & CEO, Global Automakers

Enclosure: Global Automakers Commitment Letter

July 29, 2011

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Secretary LaHood and Administrator Jackson:

The Association of Global Automakers, Inc. (Global Automakers) recognizes the benefit for the country of continuing the historic National Program to address fuel economy and greenhouse gases that the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) began in 2009 with the standards for model years 2012 through 2016, and that those agencies are continuing for model years 2017 through 2025.

Global Automakers fully supports proposal and adoption of a continued National Program. We understand that the continued National Program will be subject to full notice-and-comment rulemaking, affording all interested parties, including Global Automakers, the right to participate fully, comment, and submit information, the results of which are not pre-determined but depend upon processes set by law. Global Automakers welcomes the opportunity to be a partner in helping to advance a continued, harmonized National Program.

Global Automakers believes that the robust and comprehensive mid-term evaluation described by EPA and NHTSA in the [July 2011] Supplemental Notice of Intent is critical, given Global Automakers' view of the uncertainty associated with the model years 2022-2025 standards. Although Global Automakers may not have full knowledge about the evolution and cost of technologies necessary to meet these standards, particularly in 2022-2025, the mid-term evaluation provides a basis for Global Automakers' support for adoption of standards for model years that far into the future.

Global Automakers also commits to working with EPA and NHTSA, the states, and other stakeholders to help our country address the need to reduce dependence on oil, to save consumers money, and to ensure regulatory predictability and certainty by developing this kind of strong, coordinated National Program.

In order to promote the adoption of the continued National Program, Global Automakers commits to take the following actions, subject to the understandings described below.



- (1) Global Automakers commits not to contest the final standards established by this rulemaking and by California for MYs 2017 through 2025 if:
 - a. EPA proposes national GHG standards and NHTSA proposes CAFE standards for MYs 2017-2025 as substantially described in the [July 2011] Supplemental Notice of Intent to conduct rulemaking, but with necessary technical corrections and non-substantive refinements, and if the agencies adopt standards as substantially proposed.
 - b. California adopts standards on GHG emissions from new motor vehicles for MYs 2017 through 2025 such that compliance with the GHG emissions standards adopted by EPA, even if amended after 2012, shall be deemed compliance with the California GHG emissions standards, in a manner that is binding on states that adopt and enforce California's GHG standards under Clean Air Act (CAA) section 177.
- (2) Global Automakers reserves all right to contest final actions taken or not taken by EPA, NHTSA, and CARB as part of the mid-term evaluation.
- (3) Global Automakers commits that it will not contest final actions taken or not taken by EPA granting California's future request for a waiver of preemption under section 209 of the CAA for its GHG emissions standards for motor vehicles for MYs 2017-2025, if California revises its regulations as described above in (1)b, but this does not apply to subsequent amendments California may make.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Stanton".

Michael J. Stanton
President and CEO



Correspondence Management System

Control Number: AX-11-001-3355

Printing Date: August 08, 2011 04:26:33



Citizen Information

Citizen/Originator: Burns, Kirk L.

Organization: South Florida Water Management District
Address: 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406

Constituent: N/A

Committee: N/A Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3355 Alternate Number: N/A
Status: Pending Closed Date: N/A
Due Date: Aug 22, 2011 # of Extensions: 0
Letter Date: Aug 1, 2011 Received Date: Aug 8, 2011
Addressee: AD-Administrator Addressee Org: EPA
Contact Type: LTR (Letter) Priority Code: Normal
Signature: DX-Direct Reply Signature Date: N/A
File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.
Subject: Docket ID No. EPA-HQ-OW-2011-0515 Phosphorus Water Quality Standards for Florida Everglades Request for Extension of Time to File Public Comments
Instructions: DX-Respond directly to this citizen's questions, statements, or concerns
Instruction Note: N/A
General Notes: N/A
CC: Lawrence Elworth - AO-IO
OEAE - Office of External Affairs and Environmental Education
OGC - Office of General Counsel -- Immediate Office
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OW	Aug 8, 2011	Aug 22, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 1, 2011

U.S. Environmental Protection Agency
EPA Docket Center
Water Docket, Mail Code
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Administrator Lisa P. Jackson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

OFFICE OF THE
EXECUTIVE SECRETARIAT

2011 AUG -8 PM 1:36

RECEIVED

**Re: Docket ID No. EPA-HQ-OW-2011-0515
Phosphorus Water Quality Standards for Florida Everglades
Request for Extension of Time to File Public Comments**

Dear Administrator Jackson:

On July 1, 2011, the U.S. Environmental Protection Agency ("EPA") published a proposed rule in the Federal Register that would strike certain provisions of Florida's Everglades Forever Act ("EFA") and the Phosphorus Rule ("The Phosphorus Rule"). On behalf of the South Florida Water Management District ("District"), we respectfully request that you decline to delete subparagraph (5)(b)2 of the Phosphorus Rule relating to "cause and contribute" determinations and phosphorus reflux.

During the original, State of Florida hearings on the Phosphorus Rule, there was considerable testimony documenting the process by which legacy phosphorus may be released back into the water column. Recent studies have further confirmed this process, reflecting that in impacted areas of the Everglades, (where soils contain phosphorus levels greater than 500 mg/kg), reflux will cause water column phosphorus levels to remain elevated even after significant reductions in phosphorus concentrations in discharges entering the Everglades. See, Walker, W., *Modeling Phosphorus Dynamics in Everglades Wetlands and Stormwater Treatment Areas*, (2010); *Enhancing Sediment Phosphorus Storage in Impacted Regions of the Everglades Protection Area*, (July 10, 2009). Subparagraph (5)(b)2 serves to acknowledge this physical process and ensure that dischargers, such as the District, will not be unjustly held in violation of permit discharge limits in cases where legacy phosphorus

(stemming from historical—and lawful—untreated discharges) contribute to the exceedance of the criterion.

We understand that EPA is proposing to delete subparagraph (5)(b)2 as a result of the April 14, 2010, order entered in *Miccosukee Tribe of Indians v. United States of America, et al.* Case No. 04-21448-CIV-Gold (S.D. Fla.). That order, and the Court's earlier order dated July 29, 2008, sought to invalidate the 2003 amendments to the Everglades Forever Act relating to "moderating provisions" and similar language in the Phosphorus Rule. A careful reading of both decisions, however, as well as EPA's subsequent Court-ordered review of the provision, reflect that the Court never intended to unconditionally invalidate subparagraph (5)(b)2. Rather, it was subparagraph (5)(b)3, and its text authorizing discharges in conformance with the EFA and Rule's moderating provisions, that the Court sought to prevent.

As the Court said in its Order dated April 14, 2010:

I further enjoined FDEP [in 2008] "from enforcing the 'no action' provision in subsection 4 of the Phosphorus Rule, and from utilizing subsection 4 and 5(b)(3) of the Phosphorus Rule to avoid the 10 ppb phosphorus numeric criterion as otherwise established by the Phosphorus Rule." *Id.* I also "enjoined [FDEP] from granting permits for discharges in, or within, the Everglades Protection Area under subsections 5(b)(3), 5(d) and 6 of the Phosphorus Rule, or the 'no action' provision of subsection 4(d)(2)(2)(c)." *Id.* at 100.

Order, dated April 14, 2010, at pp. 17–18 (quoting, in part, the Court's Order dated July 29, 2008). As indicated, the Court did not enjoin the Department in 2008 from issuing permits under subparagraph (5)(b)3.

In its July 2008 order, however, the Court did direct EPA to review subparagraph (5)(b)2 to determine if it was a change in water quality standards. (EPA had previously declined to review subparagraph (5)(b)2 and dozens of other provisions in the Phosphorus Rule to determine if they were changes in water quality standards.) By letter dated December 3, 2009, EPA notified the Department that it was *conditionally* disapproving subparagraph (5)(b)2:

Subparagraph (b)(2) provides that the effect from phosphorus being released from sediments be considered in determining whether discharges cause or contribute to exceedances of the phosphorus criterion. This

U.S. Environmental Protection Agency
Administrator Lisa P. Jackson
August 1, 2011
Page 3

provision does not directly modify the protectiveness of the underlying criterion. However, the Court specifically linked this provision to the disapproved moderating provisions. Order at 90. *Our understanding of the Court's opinion is that to the extent it is linked to the moderating provision it is a change in water quality standards and USEPA is disapproving it.*

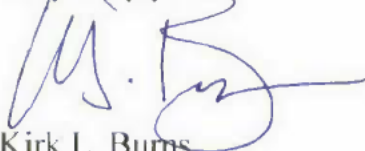
Letter from S. Meiburg to M. Sole, dated December 3, 2009, at p. 10 (emphasis supplied).

In its April 2010 order, however, the Court, *without explanation*, included subparagraph (5)(b)2 along with (5)(b)3 in the list of provisions in the Rule to be stricken. Order at Attachment C at p. 5. Given the clear expression by the Court to strike only subsection (5)(b)3 and other provisions linked to moderating provisions, and the limited nature of EPA's disapproval of the subparagraph, the inclusion of subsection (5)(b)2 should be viewed as a mistake and disregarded—especially if the existing moderating provisions are deleted or modified. As explained by EPA, the “provision does not directly modify the protectiveness of the underlying criterion.”

Having to address the effect of legacy phosphorus has the potential of increasing the District's cost in achieving compliance with the phosphorus criterion as well as EPA's Amended Determination.

Thank you for your consideration.

Very truly yours,



Kirk L. Burns
Office of Counsel
kburns@sfwmd.gov

KLB/ro

Enclosure

- c. Tom Beason (FDEP)
- Karen “Kay” Buchanan (FDEP)



Correspondence Management System

Control Number: AX-11-001-3356

Printing Date: August 08, 2011 03:12:25



Citizen Information

Citizen/Originator: Shelly, Ben

Organization: The Navajo Nation

Address: Post Office Box 7440, Window Rock, Navajo Nation, AZ 86515

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3356

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 22, 2011

of Extensions: 0

Letter Date: Jul 29, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: AA-OAR-Assistant Administrator

Signature Date: N/A

- OAR

File Code: 404-141-02-01_141_a(2) Copy of Controlled and Major Correspondence Record of the EPA Administrator and other senior officials - Electronic.

Subject: Daily Reading File- I am writing to request that the US EPA enter into formal consultation with the Navajo Nation concerning the enactment of the Best Available Retrofit Technology (BART) provisions as it relates to the Navajo Generating Station (NGS).

Instructions: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OITA - Office of International and Tribal Affairs
OP - Office of Policy

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 22, 2011	N/A
Instruction: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			



PRESIDENT BEN SHELLY
VICE PRESIDENT REX LEE JIM

THE EXECUTIVE OFFICE
Window Rock

THE NAVAJO NATION

July 29, 2011

The Honorable Lisa Jackson, *Administrator*
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RECEIVED
2011 AUG -8 PM 1:34
OFFICE OF THE
EXECUTIVE SECRETARIAT

RE: Navajo Generating Station

Dear Administrator Jackson,

As the elected leader of the Navajo Nation, I am writing to request that the U.S. Environmental Protection Agency (USEPA) enter into formal consultation with the Navajo Nation and its representatives concerning the enactment of the Best Available Retrofit Technology (BART) provisions of the Regional Haze Rule as it relates to the Navajo Generating Station (NGS). This request is made both as a fulfillment of USEPA's obligations under Executive Order 13175 and USEPA's own *EPA Policy on Consultation and Coordination with Indian Tribes*. These tribal consultations are necessary to evaluate any substantial, direct effects that agency decisions will have on tribes.

The USEPA's decision regarding BART for NGS would have a substantial and direct effect on the Navajo Nation. Depending on the decision USEPA reaches on which available technologies satisfy the BART requirements the Navajo Nation could be faced with the loss of a significant number of high paying jobs for Navajo workers at NGS and the Kayenta Mine. In addition, to the economic effects caused by this loss of jobs, the Navajo Nation would experience a significant loss of coal royalties that are essential to providing government services for the Navajo people. Finally, the NGS facility ensures stable low cost water for all customers of the Central Arizona Project. A BART decision that raises these costs would upset the tribal water settlements in existence in Arizona, and would make the satisfactory completion of the Navajo Nations claims on the Lower Colorado and Little Colorado Rivers essentially impossible. This would deny access to potable drinking water to thousands of Navajos, and would jeopardize the ability of the Navajo Nation to secure access to water necessary for the long-term survival of the Nation.

I look forward to hearing from you to coordinate these consultation meetings.

Very Respectfully,

Ben Shelly, *President*
THE NAVAJO NATION



Correspondence Management System

Control Number: AX-11-001-3360

Printing Date: August 08, 2011 03:19:41



Citizen Information

Citizen/Originator: Moore, Timothy K.

Organization: North Carolina General Assembly House of Representatives
Address: Room 1326 Legislative Building 16 West Jones Street, Raleigh, NC 27601-1096

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3360 **Alternate Number:** N/A
Status: Pending **Closed Date:** N/A
Due Date: Aug 22, 2011 **# of Extensions:** 0
Letter Date: Aug 1, 2011 **Received Date:** Aug 8, 2011
Addressee: AD-Administrator **Addressee Org:** EPA
Contact Type: LTR (Letter) **Priority Code:** Normal
Signature: AA-OAR-Assistant Administrator **Signature Date:** N/A
- OAR

File Code: 404-141-02-01_141_a(2) Copy of Controlled and Major Correspondence Record of the EPA Administrator and other senior officials - Electronic.

Subject: Daily Reading File- I am concerned that businesses and localities will be unable to achieve attainment without curbing economic growth. I support efforts to ensure clean air and water for our communities, but government regulation is costing more than just attainment expenses.

Instructions: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (7) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 22, 2011	N/A
Instruction: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

DAILY READING FILE



North Carolina General Assembly House of Representatives

REPRESENTATIVE TIM MOORE
SERVING CLEVELAND COUNTY

OFFICE ADDRESS: ROOM 1326 LEGISLATIVE BUILDING
16 WEST JONES STREET
RALEIGH, NC 27601-1096

TELEPHONE: (919) 733-4838
FAX: (919) 733-3142

EMAIL: TIM.MOORE@NCLEG.NET

HOME ADDRESS: 305 EAST KING STREET
KINGS MOUNTAIN, NC 28086

TELEPHONE: (704) 739-1221

August 1, 2011

COMMITTEES

CHAIRMAN: RULES, CALENDAR, AND
OPERATIONS OF THE HOUSE
CHAIRMAN: HOUSE SELECT COMMITTEE ON
UNIVERSITY BOARD OF GOVERNORS NOMINATIONS
CHAIRMAN: JUDICIARY SUBCOMMITTEE ON
FAMILY LAW
VICE CHAIR: JUDICIARY
ELECTION LAW
ENVIRONMENT
FINANCE
PUBLIC UTILITIES
REDISTRICTING

Ms. Lisa Jackson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Dear Administrator Jackson,

I am a five-term state representative in the North Carolina Legislature, and I want you to know of my opposition to rulemaking that calls for more stringent standards on ground-level ozone. I am concerned that businesses and localities in Cleveland County and throughout the state will be unable to achieve attainment without curbing the economic growth that is taking hold here.

I support efforts to ensure clean air and water for our communities, but the increasing burden of government regulation is costing our state's industries and business more than just attainment expenses. It is costing them competitive advantage in global and national markets and I fear it will cause some to move their operations overseas.

As you surely know, timing is essential in raising regulatory standards. There has been only a three-year interval between implementation of current ozone standards and proposed new levels. The fact is, lower levels may be unattainable and could well stall business expansion and job creation in our state.

Again, I do not oppose reasonable policy to reduce ozone, but businesses need more regulatory security to invest resources in their operations. Now, when the recovery is uneven and uncertain, is not the time to add to their cost of doing business. I ask you to postpone rulemaking to lower ozone standards further until our economy demonstrates more robust growth.

Best Regards,

A handwritten signature in black ink, appearing to read "Tim Moore".

Timothy K. Moore, State Representative
111th North Carolina District

RECEIVED
OFFICE OF THE
EXECUTIVE SECRETARIAT
2011 AUG - 8 PM 1:35





Correspondence Management System

Control Number: AX-11-001-3361

Printing Date: August 08, 2011 02:59:46



Citizen Information

Citizen/Originator: Williams, Linda H.

Organization: N/A

Address: 280 Elmcrest Drive, Holly Springs, NC 27540

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3361

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 22, 2011

of Extensions: 0

Letter Date: Jul 28, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: AA-OAR-Assistant Administrator Signature Date: N/A

- OAR

File Code: 404-141-02-01_141_a(2) Copy of Controlled and Major Correspondence Record of the EPA Administrator and other senior officials - Electronic.

Subject: Daily Reading File- Please do not implement the suggested aggressive increases in the current ozone standards.

Instructions: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 22, 2011	N/A
Instruction: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

DAILY READING FILE

Linda Hunt Williams
Councilwoman

280 Elmcrest Drive
Holly Springs, NC 27540

RECEIVED

2011 AUG -8 PM 1:35

OFFICE OF THE
EXECUTIVE SECRETARIAT

July 28, 2011

The Honorable Lisa Jackson
EPA Administrator
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Dear Ms. Jackson:

Please do not implement the suggested aggressive increases in the current ozone standards. It is no secret that requiring excessive ozone standards increase business costs that will disastrously affect our economy and prolong our recovery. Our families and communities are struggling economically already, and this will stifle any faltering economic growth that produces jobs and local tax revenues to help our citizens.

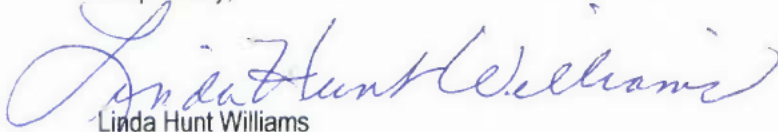
Our town council is constantly working on ways to bring new jobs to our area. With expanded employment opportunities, we know our community will flourish from improving public education to providing vital public services to citizens of all ages. Setting ozone standards that are overly stringent will nullify our efforts to expand manufacturing jobs in our community.

North Carolina once boasted of having a strong, vibrant manufacturing sector. The citizens in our state are educated, well trained and a motivated work force. We need new businesses to come to North Carolina and current businesses to expand and re-open their closed operations so we can put people back to work. Setting ozone standards at an unreasonable level will dim our hopes of returning to prosperity.

I realize you have the interest of improving air quality for our citizens and that is certainly an important objective. In fact, your previous efforts have made vast improvements. But, it is also incredibly important for our society to offer essential services to its citizens, such as law enforcement, fire protection, safe roads, and public education. Fewer jobs are hindering local governments from offering these basic, essential services due to reduced tax receipts. An increase in ozone standards will take away even more jobs and will make things even worse. Said simply, we need a prudent balance.

Thank you for reading my letter and taking my input into consideration.

Respectfully,



Linda Hunt Williams
Councilwoman
Town of Holly Springs, NC

Cc: The White House Office of Public Engagement and Intergovernmental Affairs
White House Chief of Staff Bill Daley
Senator Richard Burr
Senator Kay Hagan



Correspondence Management System

Control Number: AX-11-001-3369

Printing Date: August 08, 2011 04:55:00



Citizen Information

Citizen/Originator: Marrone, Pam

Organization: Biopesticide Industry Alliance
Address: PO Box 465, McFarland, WI 53558-0465

Reinot, Eda

Organization: Biopesticide Industry Alliance
Address: PO Box 465, McFarland, WI 53558-0465

Stoneman, William

Organization: Biopesticide Industry Alliance
Address: P.O. Box 465, McFarland, WI 53558-0465

Constituent: N/A

Committee: N/A **Sub-Committee:** N/A

Control Information

Control Number:	AX-11-001-3369	Alternate Number:	9405503699300178262742
Status:	For Your Information	Closed Date:	N/A
Due Date:	N/A	# of Extensions:	0
Letter Date:	Aug 2, 2011	Received Date:	Aug 8, 2011
Addressee:	AD-Administrator	Addressee Org:	EPA
Contact Type:	LTR (Letter)	Priority Code:	Normal
Signature:	SNR-Signature Not Required	Signature Date:	N/A
File Code:	401_167_a Transitory Files Record copy		
Subject:	DRF - Concerns about growing frequency and number of delays in the EPA regulatory review and approval process for biopesticides; SCH001-Scheduling Request - Meeting - Discuss resources needed to ensure Biopesticides and Pollution Prevention Division can meet the current deadlines established under the Pesticide Registration Improvement Renewal Act		
Instructions:	For Your Information -- No action required		
Instruction Note:	N/A		
General Notes:	Event Date: TBD Location: TBD Contact: Bill Stoneman, (202) 536-4602, bstoneman@biopesticideindustryalliance.org		
CC:	OCSPP - OCSPP - Immediate Office OEAE - Office of External Affairs and Environmental Education OP - Office of Policy ORD - Office of Research and Development -- Immediate Office		

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A



Correspondence Management System

Control Number: AX-11-001-3369

Printing Date: August 08, 2011 04:55:00



Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	Noah Dubin	Aug 8, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to Noah Dubin	Aug 8, 2011

Comments

Commentator	Comment	Date
No Record Found.		



BIOPESTICIDE INDUSTRY ALLIANCE

RECEIVED

2011 AUG -8 PM 2: 00

OFFICE OF THE
EXECUTIVE SECRETARIAT

August 2, 2011

The Honorable Lisa Jackson
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

As member companies of the Biopesticide Industry Alliance (BPIA), we are writing to express our acute concerns about growing frequency and number of delays in the EPA regulatory review and approval process for biopesticides. In particular, we are concerned about reports that EPA may seek to significantly extend the regulatory review deadlines for biopesticides under the reauthorization process for the Pesticide Registration Improvement Renewal Act, or "PRIA3."

BPIA was founded in 2000, and its member companies are the discoverers, developers, manufacturers and marketers of most of the biochemical and microbial pesticides on the market today. BPIA is dedicated to fostering adoption of biopesticide technology through increased awareness about their effectiveness and full range of benefits to a progressive pest management program.

We also appreciate EPA's longstanding commitment to promoting the use of biopesticides. Many members of BPIA were active in supporting and establishing the Biopesticides and Pollution Prevention Division (BPPD) at the Agency in 1994, which was created to "facilitate the registration of biopesticides" and "to promote the use of safer pesticides, including biopesticides, as components of IPM programs."

The BPPD was the first of its kind, and the biopesticide regulatory framework developed by BPPD has become a model for the rest of the world. Recognizing the lower toxicity, biodegradability and natural derivation of biopesticides, EPA sought to develop a regulatory system appropriate to the green technology. Key aspects of the regulatory process for biopesticides are reduced data requirements for biopesticides and significantly shorter regulatory approval timelines. The process has been absolutely critical to commercialization of hundreds of new, effective and low risk pest management for farmers, resource managers, public health officials and consumers.

However, in recent years the industry has experienced significant delays in the biopesticide regulatory review process at BPPD. Recently, EPA released data from an internal survey demonstrating that FY09-FY10 review deadlines, or "PRIA dates," for new, food use biopesticide active ingredients were "renegotiated" one hundred percent of the time. New, non-food use active ingredients were "renegotiated" sixty-seven percent of the time.

Recent surveys within the BPIA membership indicate that the situation has likely worsened in recent months. Many BPIA members have been posed with significant new questions from EPA, very close to PRIA dates, often without communication from the Agency, although the products have been under review for several months.

Without certainty in PRIA dates, biopesticide companies have virtually no ability to plan effectively or to marshal resources for further product development. A missed commercialization date, which is largely gated by regulatory approval, can prove fatal to a biopesticide start-up. Private investors are not willing to invest in biopesticide start-ups, existing companies cannot expand (lost jobs and revenues) and IPOs to raise additional capital are delayed or impossible. Growers and resource managers don't get access to new, effective reduced-risk tools.

We are particularly concerned that EPA may request a "codification" of the current status of delayed reviews by seeking to add several months to the timelines for biopesticide reviews during the PRIA reauthorization process which has been under discussion for several months. Any extension of existing PRIA timelines would have a chilling effect on innovation within the biopesticide industry and is not an initiative we will support.

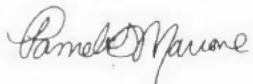
BPIA believes structural and process changes need to be made to improve the regulatory process for biopesticides. BPIA and the leadership of BPPD have initiated a dialogue to discuss and to support needed reforms. On July 14th, the BPIA Regulatory Affairs Committee and the Senior Management of BPPD, held a productive meeting on a variety of reforms that could improve the current situation. Many of the items discussed have been requested by the industry for years; so we view this as a positive step, and we commend the BPPD leadership for its recent efforts. However, many details remain to be discussed in regards to these reforms.

In general, we ask that the Agency develop policies and allocate necessary resources to keep current registration deadlines on track, not propose extending deadlines under upcoming reauthorization of the Pesticide Registration Improvement Renewal Act.

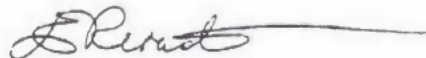
We kindly request your support in these proposed initiatives, and we ask for the opportunity to meet with you to have a better understanding of the resources needed to ensure BPPD can meet the current deadlines established under PRIA2. Bill Stoneman, the Executive Director of the Biopesticide Industry Alliance, is our main point of contact. He can be reached at 202-536-4602. Please visit our website at: www.biopesticideindustryalliance.org.

We sincerely appreciate the EPA's long history of supporting the development of the biopesticide industry and for promoting the low-risk pest management practices, of which biopesticides are a key component. We look forward to your continued support and for working with the biopesticide industry, and others who are concerned about promoting the use of effective, low-risk pest management strategies that have a long history of safe use, to adequately resource and support BPPD.


Sincerely,



Pam Marrone
Chairman, BPIA Government Affairs Committee



Eda Reinot
Chairman, BPIA Board of Directors



Bill Stoneman
Executive Director, BPIA

DAILY READING FILE



400 Edwards Street
Shreveport, LA 71101
Phone: 318-677-2500
www.shreveportchamber.org

August 1, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave. N.W.
Washington, DC 20460

OFFICE OF THE
EXECUTIVE SECRETARIAT

2011 AUG - 8 PM 1:58

RECEIVED

Re: Docket No. EPA-HQ-OAR-2011-0044

Dear Administrator Jackson,

I am writing to you on behalf of the Board of Directors and members of the Greater Shreveport Chamber of Commerce. Our membership is 1810 companies of all sizes who employ 87,000 people. We are very concerned about new environmental proposals that will affect the price of electricity.

Our members understand the need to improve the quality of our air and to protect our environment, but we also are concerned about the cost of new regulations. Last month, our state worked hard to balance a budget, which initially had a \$1.6 billion shortfall, while minimizing negative consequences of the cutbacks. We are working to recover from three hurricanes and the BP disaster in the Gulf of Mexico. We do not want to incur price increases that are unwarranted, but unfortunately, we have been advised by our electric utilities that the hazardous air pollutants rule and other proposed rules could result in double-digit price increases. We also understand that these price increases could be deferred or mitigated if the EPA adopts more flexible regulations.

As businesses, energy costs are a significant consideration. A 10-to-20-percent increase in the price of electricity can cost some of our members thousands of dollars and can mean the difference between profit and loss, adding jobs or letting people go. The purpose of environmental regulation should not be to hold back our economy or our ability to make a living. The most effective way to protect our environment is to ensure that our economy prospers so that the resources will be available to make improvements.

We encourage the EPA to work with the nation's electric utilities to enact environmental regulations that will allow them to operate as efficiently as possible. Businesses need certainty to plan effectively. Please establish and publicize the conditions under which you will grant the one-year compliance extension so that utilities will know how much

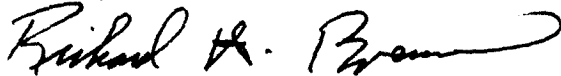


time they have to comply. From an employment and economic standpoint, our country is struggling. Now is not the time to impose increased costs on our utilities recognizing that these costs will ultimately be borne by customers.

We all want a cleaner environment, but we need common sense regulation to keep our economy going. Overly stringent, inflexible regulations will harm our businesses, our state, and our nation.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard H. Bremer". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Richard H. Bremer
President



Correspondence Management System

Control Number: AX-11-001-3373

Printing Date: August 08, 2011 03:47:47



Citizen Information

Citizen/Originator: Clark, George N

Organization: Manufacture Alabama

Address: 401 Adams Avenue, Montgomery, AL 36104

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3373

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 22, 2011

of Extensions: 0

Letter Date: Jul 29, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: AA-OAR-Assistant Administrator

Signature Date: N/A

- OAR

File Code: 404-141-02-01_141_a(2) Copy of Controlled and Major Correspondence Record of the EPA Administrator and other senior officials - Electronic.

Subject: Daily Reading File- I am writing to you to express our concerns regarding the EPA's and the Department of Transportation's overly aggressive fuel economy standards. We encourage you to consider the economic impact.

Instructions: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR

Instruction Note: N/A

General Notes: N/A

CC: OEAE - Office of External Affairs and Environmental Education

OP - Office of Policy

R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 22, 2011	N/A
Instruction: AA-OAR-Prepare draft response for signature by the Assistant Administrator for OAR					

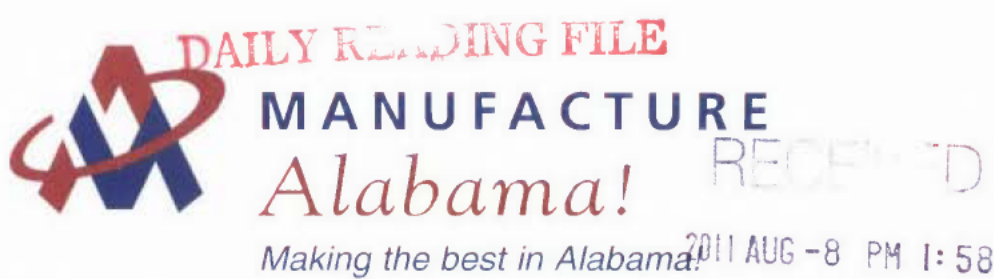
Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History



RECEIVED

2011 AUG -8 PM 1:58

OFFICE OF THE
EXECUTIVE SECRETARIAT

July 29, 2011

The Honorable Ray H. LaHood
Secretary
Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Secretary LaHood and Administrator Jackson:

On behalf of Manufacture Alabama, I am writing to you to express our concerns regarding the Environmental Protection Agency's (EPA) and the Department of Transportation's overly aggressive fuel economy standards that could substantially impact manufacturing jobs.

Manufacture Alabama is Alabama's only trade association representing exclusively the competitive, legislative and related interests of manufacturers. Manufacture Alabama represents hundreds of companies in a wide range of industries including automotive, steel, chemical, pulp and paper and shipbuilding. Our members share common interests and goals and face common competitive challenges in today's tough global marketplace. Some of our members are among the nation's largest, most recognized corporations. Many are mid-sized or small family-owned manufacturers or manufacturing suppliers and vendors. All of them are vital parts of a manufacturing base crucial to Alabama's and the nation's economy and job base.

As you develop new national fuel economy standards for 2017 and 2025, we encourage you to consider the economic impact on two critical industry sectors in Alabama and the United States. Alabama is a major automobile and steel manufacturer. These two industry sectors in Alabama provide well over 200,000 direct manufacturing jobs not counting all of the jobs created by our vendors and suppliers.

Studies by the Center for Automotive Research indicated that overly aggressive fuel economy targets for 2025 could increase the average cost of a vehicle by Nine Thousand Seven Hundred and Ninety (\$9,790) Dollars. Further, U.S. sales could be reduced by 5.4 million units and U.S. unit production could be reduced by 3.3 million units. The average age of vehicles on U.S.

highways had risen to 10.4 years in 2010. Raising the per unit cost by almost \$10,000 will not reverse this trend.

In summary, overly aggressive fuel economy targets will result in a reduction in a substantial number of direct manufacturing jobs in the steel and automotive industry sectors here in Alabama and throughout the United States.

Manufacture Alabama encourages your agencies to consider the negative economic impact that overly aggressive standards and targets could have on these two vital industrial sectors of the United States.

Sincerely,



George N. Clark
President
Manufacture Alabama



Correspondence Management System

Control Number: AX-11-001-3377

Printing Date: August 08, 2011 04:56:01



Citizen Information

Citizen/Originator: Spencer, Frank

Organization: Eastern District

Address: 14 Kings Highway West, Haddonfield, NJ 08033

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3377

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Jul 21, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: DRF - National Fuel Economy Standards

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OEAE - Office of External Affairs and Environmental Education

R1 - Region 1 -- Immediate Office

R2 - Region 2 -- Immediate Office

R3 - Region 3 - Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

Action By	Office	Action	Date
-----------	--------	--------	------



EASTERN DISTRICT

Frank Spencer
*Eastern District
Vice-President*

14 Kings Highway West
Haddonfield, NJ 08033

Phone
856.428.1650

Fax
856.428.1826

July 21, 2011

The Honorable Ray LaHood
Secretary
Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Secretary LaHood and Administrator Jackson:

Reliable, safe and affordable transportation impacts every individual, family and business. As Vice President for the Eastern District of the United Brotherhood of Carpenters, the men and women I represent rely heavily on my their vehicles to maintain their living. Given that your agencies are now developing national fuel economy standards for 2017-2025, I wanted to share my views.

I am concerned that your agencies are going down a regulatory path on fuel economy that will result in large job losses and other harmful costs to the economy. I encourage NHTSA and EPA to adopt a single, national fuel economy standard that considers America's needs for increased fuel economy without sacrificing affordability, safety or jobs. NHTSA and EPA have already set strong standards for 2012-2016 that raised the fleet average by 40% to 35 miles per gallon. Looking forward, technology improvements should continue to support increases in fuel economy and greenhouse gas standards. However, overreaching regulations can place a significant cost burden on all businesses like mine.

A "one-size-fits-all" approach does not work for my trade. I am not alone. Every day, others like me -- plumbers, electricians, construction workers, and building contractors -- depend on a variety of transportation needs, and it is vital that we have vehicles that fit our business needs and remain affordable. Our trades are still recovering from the recession and have a long way to go. Aggressive fuel economy standards that would raise the cost of vehicles would put us at an even further disadvantage, resulting in the loss of our businesses' competitiveness and profitability and the loss of jobs.

The next phase of fuel economy standards for 2017-2025 should not pick winners and losers, but should support a variety of technologies and fuel diversity to preserve affordability. I encourage you to carefully balance these factors as you weigh sensible fuel economy standards, especially as our nation's fragile economy continues to recover.

Sincerely,


Frank Spencer
Eastern District Vice President

OFFICE OF THE
EXECUTIVE SECRETARIAT

2011 AUG -8 PM 1:57

RECEIVED



Correspondence Management System

Control Number: AX-11-001-3378

Printing Date: August 08, 2011 04:13:06



Citizen Information

Citizen/Originator: Ericsson, Sally

Organization: Office of Management and Budget
Address: 725 17th Street, NW, Washington, DC 20503

Metzenbaum, Shelley

Organization: Office of Management and Budget
Address: 725 17th Street, NW, Washington, DC 20503

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3378 **Alternate Number:** N/A
Status: Pending **Closed Date:** N/A
Due Date: Aug 23, 2011 **# of Extensions:** 0
Letter Date: Jul 29, 2011 **Received Date:** Aug 8, 2011
Addressee: DA-Deputy Administrator **Addressee Org:** EPA
Contact Type: MEM (Memo) **Priority Code:** Normal
Signature: DX-Direct Reply **Signature Date:** N/A
File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.
Subject: DRF - Priority Goals: FY 2011 First Quarter and Second Quarter Performance Review Feedback
Instructions: DX-Respond directly to this citizen's questions, statements, or concerns
Instruction Note: N/A
General Notes: N/A
CC: Brigid Lowery - OSWER-CPA
Kecia Thornton - OSWER
Linda Huffman - OECA
Michelle Crews - OSWER
OAR - Office of Air and Radiation -- Immediate Office
OEAE - Office of External Affairs and Environmental Education
OECA - OECA -- Immediate Office
OP - Office of Policy
OSWER - OSWER -- Immediate Office
OW - Office of Water -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OCFO	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

DAILY READING FILE



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

RECEIVED

2011 AUG -8 PM 1:57

OFFICE OF THE
EXECUTIVE SECRETARIAT

To: Robert Perciasepe, Deputy Administrator, Environmental Protection Agency
Maryann Froehlich, Performance Improvement Officer, Environmental Protection Agency

From: Sally Ericsson, OMB Associate Director for Natural Resources, Energy and Science Programs
Shelley Metzenbaum, OMB Associate Director for Performance and Personnel Management

Re: Priority Goals: FY 2011 First Quarter and Second Quarter Performance Review Feedback

Date: July 29, 2011

OMB has completed its review of the Environmental Protection Agency's (EPA) High Priority Performance Goals (Priority Goals) based on first and second quarter data submitted to Performance.gov, as well as fourth quarter data, assessments completed by each EPA Goal Leader, and ongoing conversations with your Goal Leaders and their teams. Following these reviews, we are writing to provide an update on those areas where we will be working with your Goal Leaders to increase the likelihood of success. At this time, we want to focus on three goals:

- **Greenhouse Gas Reporting.** We understand that EPA elected to extend the reporting deadline from March 31 to September 30 for the Greenhouse Gas Reporting Rule. We recognize that this decision was not entered into lightly and was based on significant feedback from stakeholder and industry groups impacted by the reporting rule. Therefore, we support EPA's decision in order to ensure that the electronic GHG reporting system is operational and thoroughly tested by the industry prior to reporting so that EPA and the public can receive high quality data reports. Please continue to update the RMO on this goal in the coming months to continue to track the goal to the revised target completion date of December 15, 2011.
- **Light Duty Vehicles.** To adequately characterize EPA's implementation strategy for the light duty vehicles goal, we ask that you include more detail on how the spot check process figures into the eventual goal of greenhouse gas emissions reductions. For example, please describe how the spot check process contributes toward industry compliance, and why the agency may need to spot check a higher percentage of new vehicle certification applications as a result of this new rule. Also, to the extent possible, please include information in the progress update on the results of spot checks performed

thus far. Among other data points, EPA should include the percentage of vehicle certification applications it has spot checked up to that point, and whether the spot checks uncovered instances of inaccurately reported data in certification applications.

- **Chesapeake Bay.** Due to feedback from the States, EPA also delayed the due date for Phase II Watershed Implementation Plans by one quarter. We are comfortable with this added flexibility for the States and hope it will be helpful in achieving the goals of the Chesapeake Bay Total Maximum Daily Load.

Based on our review of progress, we do not feel there is any need for follow-up this quarter on:

- Water Enforcement
- Brownfields, and
- Drinking Water.

We commend EPA for its continued progress on these Priority Goals. We will be in touch with Maryann Froehlich, your Performance Improvement Officer, to arrange specific follow-up discussions as necessary. Over the next year, OMB will issue guidance and provide tools to help agencies implement the GPR Modernization Act. EPA has named a Chief Operating Officer and Performance Improvement Officer and data-driven progress reviews on near-term Priority Goals (High Priority Performance Goals identified in the FY 2011 budget) by agency leaders or COOs should have begun no later than June 30. In addition, we encourage you to begin selecting Priority Goals for FY 2012-FY 2013 and starting discussions with OMB on these in July with a final submission of goals to OMB concurrent with submission of the FY 2013 budget. Finally, we thank EPA for its active participation in the cross-agency working groups on Goal Setting and Internal Agency reviews. We look forward to hearing your feedback on how we can best support agency and inter-agency action.

Please do not hesitate to contact us with any questions or if there are ways we can help you make greater progress on your goals.

cc: Jeffrey Zients, Chief Performance Office/ OMB Deputy Director for Management
Mike Shapiro, Goal Leader for Drinking Water and Chesapeake Bay, EPA
Beth Craig, Goal Leader for GHG Reporting Rule and Light Duty Vehicles GHG, EPA
Catherine McCabe, Goal Leader for Water Enforcement, EPA
Barry Breen, Goal Leader for Brownfields, EPA
Janet Irwin, Deputy Associate Director, Natural Resources Division, OMB
Dustin Brown, Deputy Associate Director for Performance and Personnel Management, OMB
Mike Hickey, Environment Branch Chief, OMB
Tera Fong, Examiner for Drinking Water Goal, OMB
Kimberly Miller, Examiner for Chesapeake Bay, OMB

Mike Clark, Examiner for GHG Reporting Rule, OMB

John MacNeil, Examiner for Light Duty Vehicles, OMB

Jody Barringer, Examiner for Brownfields, OMB

Nicole Comisky, Examiner for Enforcement, Environment Branch Performance lead, OMB

Asma Mirza, Performance Manager, OMB

Joshua Freely, Performance Improvement Council Portfolio Manager



SOUTH BROWARD DRAINAGE DISTRICT

RECEIVED
2011 AUG -8 PM 1:57
OFFICE OF THE
EXECUTIVE SECRETARIAT

August 1, 2011

Ms. Lisa P. Jackson
Administrator
U. S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, D.C. 20460

RE: NUMERIC NUTRIENT CRITERIA FOR THE STATE OF FLORIDA

Dear Administrator Jackson:

On July 21, 2011, the Board of Commissioners of the South Broward Drainage District (SBDD) gave their unanimous support to the petition filed with the U.S. Environmental Protection Agency (EPA) by the Florida Department of Environmental Protection (FDEP) on April 22, 2011, regarding numeric nutrient criteria for the State of Florida. In their petition, FDEP documented that Florida has one of the pre-eminent programs in the country for effectively managing nutrient pollution in its waters, and requested that EPA take the following actions: (1) withdraw its January 2009 determination that numeric nutrient criteria are necessary in Florida; (2) initiate repeal of 40 C.F.R. § 131.43; and (3) discontinue proposing or promulgating further numeric nutrient criteria in Florida.

SBDD strongly concurs with FDEP's position that Florida's nutrient pollution control program meets the objective standards established by EPA in their March 16, 2011 memo titled "Working in Partnership with States to Address Phosphorous and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions". SBDD further concurs that the primary responsibility for establishing appropriate water quality standards should be left to the states and that Florida has demonstrated a strong commitment to protecting its waters from nutrient pollution and in reducing nutrient loading from all sources of pollution.

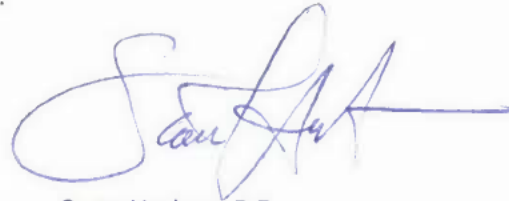
As a local, independent drainage district in South Florida, SBDD works in partnership with state agencies in developing and implementing rules and criteria for detecting, assessing, preventing and/or remedying nutrient problems in the District's waters. Furthermore, SBDD is committed to working with FDEP to effectively managing nutrient pollution in South Florida's waters.

SBDD encourages EPA to give positive consideration to FDEP's petition and to take the actions requested. Thank you for your consideration in this matter.

Sincerely,



Kevin M. Hart, P.E.
SBDD Director



Scott Hodges, P.E.
SBDD Board Chairperson

KM/rm

Attachments

Cc: U. S. Senator Bill Nelson
U.S. Senator Marco Rubio
Members of the U.S. House of Representatives Representing the State of Florida
Representative Jeff Miller
Representative Steve Southerland
Representative Corrine Brown
Representative Ander Crenshaw
Representative Rich Nugent
Representative Cliff Stearns
Representative John Mica
Representative Daniel Webster
Representative Gus Bilirakis
Representative Bill Young
Representative Kathy Castor
Representative Dennis Ross
Representative Vern Buchanan
Representative Connie Mack
Representative Bill Posey
Representative Tom Rooney
Representative Frederica Wilson
Representative Ileana Ros-Lehtinen
Representative Ted Deutch
Representative Debbie Wasserman-Schultz
Representative Mario Diaz-Balart
Representative Allen West
Representative Alcee Hastings
Representative Sandy Adams
Representative David Rivera

**SOUTH BROWARD DRAINAGE DISTRICT
RESOLUTION NO. 2011-11**

**RESOLUTION OF THE SOUTH BROWARD DRAINAGE DISTRICT SUPPORTING THE
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S PETITION TO THE
ENVIRONMENTAL PROTECTION AGENCY REGARDING NUMERIC NUTRIENT
CRITERIA FOR THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the South Broward Drainage District, hereinafter referred to as "District", is a political subdivision of the State of Florida charged with the responsibility of effecting drainage, flood protection, and water management within its geographical boundaries; and

WHEREAS, the District, is committed to protecting its residents and properties against flooding, improving water quality, and providing effective water management for southwest Broward County; and

WHEREAS, the District's boundaries encompass approximately 72.8 square miles; and

WHEREAS, the District's drainage facilities include approximately 150 linear miles of fresh water canals, 7,500 acres of lakes, seven (7) stormwater pump stations, and numerous control structures, culverts and drainage structures; and

WHEREAS, in 2008, a Clean Water Act citizen suit was filed against the United States Environmental Protection Agency (EPA), alleging that it had a mandatory duty to adopt numeric nutrient criteria in the state of Florida ; and

WHEREAS, in January 2009, EPA issued a "Necessity Determination" that numeric nutrient criteria was necessary for Florida and established certain dates and timetables for the implementation of this criteria; and

WHEREAS, in December 2010, EPA promulgated numeric nutrient criteria for Florida's lakes, rivers, and streams and set a date of March 6, 2012 for this criteria to become effective ; and

WHEREAS, EPA is scheduled to propose updated numeric nutrient criteria for South Florida's canals by November 14, 2011 with public input to follow, and the criteria scheduled to be finalized by August 2012; and

WHEREAS, EPA's initial numeric nutrient standards for South Florida's canals, which were proposed in January 2010, generated thousands of public comments questioning the scientific basis of the proposed standards and the economic impacts to South Florida residents; and

WHEREAS, the District has publicly expressed their concerns over EPA's proposed numeric nutrient criteria and the potential economic impacts to the District and the District's residents; and

WHEREAS, in March 2011 EPA Office of Water released a Memorandum titled "Working in Partnership with States to Address Phosphorous and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions" detailing the eight most crucial elements necessary for a state program to effectively manage nutrient pollution; and

4. If any one or more of the covenants, agreements or provisions of this Resolution, shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be separate from the remaining covenants, agreements or provisions and shall in no way affect the validity of all other provisions of this Resolution.

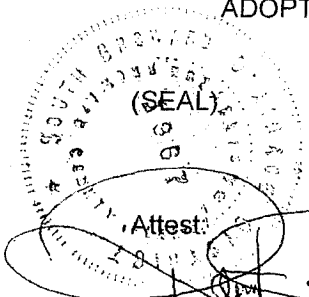
5. This Resolution shall take effect immediately upon its adoption.

In witness whereof, The Chairperson of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has hereunto set his hand and the Secretary of the Board of Commissioners of the SOUTH BROWARD DRAINAGE DISTRICT has caused to be set its seal.

ADOPTED AND DATED this 21st day of July, 2011.

SOUTH BROWARD DRAINAGE DISTRICT

By: [Signature]
Scott Hodges, Chairperson



Attest:
[Signature]
Robert E. Goggin, IV, Secretary

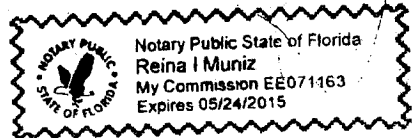
STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Resolution N° 2011-12 was acknowledged before me this 21st day of July, 2011 by SCOTT HODGES and ROBERT E. GOGGIN, IV, as Chairperson and Secretary, respectively of the SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida, on behalf of SOUTH BROWARD DRAINAGE DISTRICT. They are personally known to me.

WITNESS my hand and official seal in the county and state last aforesaid this 21st day of July, 2011.

(NOTARY SEAL OR STAMP)

[Signature]
Notary Public - State of Florida at Large





Correspondence Management System

Control Number: AX-11-001-3380

Printing Date: August 08, 2011 04:31:04



Citizen Information

Citizen/Originator: Hall, Ric

Organization: City of Blakely

Address: 82 Court Square, P.O. Box 350, Blakely, GA 39823

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3380

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Jul 29, 2011

Received Date: Aug 8, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: DRF - Docket ID Nos. EPA-HQ-OAR-2009-0234

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
OSBP - Office of Small Business Programs
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 8, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History



CITY of BLAKELY

82 Court Square

P. O. Box 350

Blakely, Georgia 39823

Phone (229) 723-3677 Fax (229) 723-2520

Pager (229) 870-8940 Cell (229) 724-8270

Ric Hall

Mayor

Email: richall57@hotmail.com

July 29, 2011

Hon. Lisa P. Jackson

Administrator

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, N.W.

Washington, D.C. 20460

EXECUTIVE SECRETARIAT

OFFICE OF THE

2011 AUG - 8 PM 1:57

RECEIVED

Re: Docket ID Nos. EPA-HQ-OAR-2009-0234

Dear Administrator Jackson:

On behalf of the City of Blakely, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology ("EGU MACT") rules. Our community-owned, non-for-profit electric utility serves 2,500 customers. We supply electricity produced in part by coal-fired electric generating units that could be significantly impacted by the proposed EGU MACT rule – even though those coal units are already well-controlled for mercury and for criteria pollutants such as sulfur dioxide and nitrogen oxides.

We have major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use. As a not-for-profit electric utility owned and operated by local government, we support these Executive Orders that call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame.

Our concerns include the following:

- The proposed rules create a risk of having to raise electricity rates, that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.



- The proposed rule raises electricity reliability issues in some regions in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired capacity may face retirement nationally because of the rules, other industry analysts and the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could face retirement.
- EPA's economic and reliability analysis in the proposed rules addresses only impacts from the proposed EGU MACT regulations. The analysis does not address the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed EGU MACT rules include many additional requirements beyond those to reduce mercury emissions. Control of other emissions under the EGU MACT rule may not be necessary or required under the Clean Air Act or based EPA's own hazardous air pollutants study. EPA should consider whether to decline to adopt the rules not related to control of mercury emissions.
- The statutorily imposed three-year time frame for compliance with the EGU MACT rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues that could arise when coal fired power plants must shut down for an extended period to retrofit emissions controls needed to comply with the rule. We respectfully encourage EPA to grant the one-year extension it is statutorily allowed to do and urge that a second year of extension is granted via a presidential order.
- EPA's own Regulatory Impact Analysis (RIA) appears to suggest that only 97 municipal utilities will be affected, and will face a compliance cost of only \$666.3 million annually. These costs appear to significantly underestimate the real impact and show no regional additional impacts in states such as Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas.

Thank you for your consideration.

A handwritten signature in black ink that reads "Ric Hall". The signature is written in a cursive, flowing style.

Ric Hall
Mayor



Correspondence Management System

Control Number: AX-11-001-3419

Printing Date: August 09, 2011 02:06:01



Citizen Information

Citizen/Originator: Durel, L.J. Joey

Organization: Lafayette Consolidated Government

Address: 705 W. University Avenue, P.O. Box 4017-C, Lafayette, LA 70502

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3419

Alternate Number: 70110290000207601548

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Aug 3, 2011

Received Date: Aug 9, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: N/A

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File-RE: Docket ID Nos. EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-201 1-0044

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAEE - Office of External Affairs and Environmental Education
OP - Office of Policy
R6 - Region 6 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OAR	Aug 9, 2011
Gloria Hammond	OAR	OAR-OAQPS	Aug 9, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OAR	Aug 9, 2011

LAFAYETTE
CONSOLIDATED
GOVERNMENT



OFFICE OF THE PRESIDENT

L. J. "JOEY" DUREL, JR.
CITY-PARISH PRESIDENT

705 W. UNIVERSITY AVENUE
P. O. BOX 4017-C
LAFAYETTE, LOUISIANA 70502
TEL: (337) 291-8300
FAX: (337) 291-8399
e-mail: jdurel@lafayetregov.net

August 3, 2011

OFFICE OF THE
EXECUTIVE SECRETARIAT

2011 AUG -9 AM 6:22

RECEIVED

Hon. Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: Docket ID Nos. EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044

Dear Administrator Jackson:

My name is Joey Durel, City-Parish President of the Lafayette Consolidated Government in Lafayette, Louisiana and on behalf of our Lafayette Utilities System, I am writing in regard to the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology rules (EGU MACT). Our community-owned, not-for-profit electric utility serves 62,000 customers. We own a 50% share of a 526 MW coal power plant that will be significantly impacted by the proposed EGU MACT rules.

Our utility has major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use.

As a relatively small not-for-profit electric utility owned and operated by local government, we have standing under all of these Executive Orders to call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame. Our city's specific concerns are as follows:

- The proposed rules do not provide our utility with enough time to comply. The short time frame for compliance risks us having to significantly raise electricity rates that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.
- The proposed rule is unrealistic about the ability of utilities and state or regional energy authorities to avoid electricity reliability issues in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired power plants will be impacted by the rules, other industry analysts and the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could be impacted.
- EPA's economic and reliability analysis in the proposed rules assumes that the mercury MACT regulations are the only major capital expenditures the utility sector will be undertaking in the next four years. The analysis completely dismisses the current state of the economy and the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed rules include many additional controls beyond those to reduce methyl mercury. These controls are not required under the Clean Air Act or the EPA's own hazardous air pollutants study. We respectfully request that EPA withdraw these rules and re-propose them to solely address methyl mercury.
- The statutorily imposed three year time frame for compliance with the rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues when coal fired power plants shut down for retrofit (often during shoulder seasons). We respectfully encourage EPA to grant the one year extension it is statutorily allowed to do and hope that a second year extension is granted via a presidential order.
- Smaller utilities and those that are located in rural areas rural will have difficulties getting vendors and contractors to respond to requests for proposals (RFPs) for a single opportunity to sell a scrubber, activated carbon technology, or baghouse when large utilities will also be seeking larger quantities of such equipment from the same vendors. They are very likely to serve larger utilities first based on economic considerations.
- The EPA's own Regulatory Impact Analysis (RIA) is flawed and suggests that only 97 municipal utilities will face a compliance cost of \$666.30 million annually. These costs underestimate the real impact and show no regional additional impacts in states such as Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas. The costs underestimate the real impact on municipal utilities that own shares of plants that are operated by investor owned utilities.
- The proposed rules assume that the utility sector will still be able to sell or trade coal ash to the cement and wall-board manufacturing sector once they take effect. Our utility shares the concern of many in the electric utility sector that the control technologies needed to reduce acid gases will increase the sodium content of coal ash, thus exceeding the allowable levels in the ASTM standards. Should that

Hon. Lisa P. Jackson

August 3, 2011

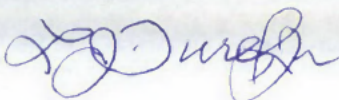
Page 3 of 3

occur, our utility would face additional costs for coal ash management. In addition, the market for trading or selling coal ash would be negatively impacted. The agency's cost analysis did not take this into account.

- The cost of compliance will result in increases in electric rates throughout our community that could drive out businesses or result in job losses because of increased energy costs.

We respectfully request that EPA reevaluate the premises of the proposed EGU MACT rules. We support EPA's efforts to reduce harmful mercury emissions, but believe such efforts need to be realistic and done in a cost effective manner. Close to 50% of the U.S.'s electric generation is fired by coal. The rule as proposed will affect a significant portion of the industry and impact reliability. In addition, we also respectfully request that the agency reconsider regulating acid gases. Regulating acid gases is not required under the Clean Air Act and its inclusion will make it much more costly and difficult to comply with under the existing compliance timelines.

Thank you.



L. J. "Joey" Durel, Jr.
City-Parish President
Lafayette Consolidated Government

c: Secretary Peggy Hatch, Louisiana Department of Environmental Quality



Correspondence Management System

Control Number: AX-11-001-3421

Printing Date: August 09, 2011 04:38:52



Citizen Information

Citizen/Originator: Kodish, Stephanie

Organization: National Parks Conservation Association

Address: 706 Walnut Street, Knoxville, TN 37902

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3421

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Aug 3, 2011

Received Date: Aug 9, 2011

Addressee: DA-Deputy Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: N/A

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File-We write to call your attention to misperceptions advanced in the July 13, 2011 letter submitted by Senator Al Franken and Representative Collin Peterson regarding the viability and cost effectiveness of Selective Catalytic Reduction (SCR) systems and their emission reducing benefits to people, parks and resources.

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAEE - Office of External Affairs and Environmental Education
OP - Office of Policy
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OAR	Aug 9, 2011
Gloria Hammond	OAR	OAR-OTAQ	Aug 9, 2011

History

NATIONAL PARKS CONSERVATION ASSOCIATION

Protecting Parks for Future Generations®

2011 AUG -9 AM 6:22

August 3, 2011

OFFICE OF THE
EXECUTIVE SECRETARIAT

The Honorable Robert Perciasepe
Deputy Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington D.C. 20460

Dear Deputy Administrator Perciasepe,

We write to call your attention to misperceptions advanced in the July 13, 2011 letter submitted by Senator Al Franken and Representative Collin Peterson regarding the viability and cost effectiveness of Selective Catalytic Reduction (SCR) systems and their emission reducing benefits to people, parks and resources. The concerns identified in that letter have been resolved through EPA analysis, industry studies, vendor guarantees and operating practices of coal-fired power plants worldwide that prove SCR to be a successful, malleable and efficient technology. In particular:

- SCR is a mature, adaptable technology that has been proven across a wide range of industrial settings – it has been successfully applied not only to coal combustion but cement kilns, refineries, steel mills, and virtually every type of combustion there is.
- SCR has significantly reduced pollution from many different types of coal, including sub-types of lignite. For instance, Sandow Unit 4 and Oak Grove Units 1 and 2 in Texas are lignite-fired and successfully operate SCR, the latter since 1990.
- SCR can be designed to work under numerous operating conditions – temperatures, gas characteristics, location in the process – including some far more variable than the conditions at issue here. Preliminary technical concerns, often similar to those in this case, have generally been resolved or proven unfounded.
- Vendors of this technology have been willing to guarantee their product at the Milton R. Young facility. Some would require short-term testing to best tailor the SCR to the specific facility.

Indeed, according to the Institute of Clean Air Companies, “SCR has been operated successfully on several lignite-fired units worldwide... [w]ith proper design, lignite applications can be successful.” Statements to the contrary distort the technology’s capability.

SOUTHEAST REGIONAL OFFICE
706 Walnut Street, Suite 200 • Knoxville, TN 37902
(865) 329-2424 • Fax (865) 329-2422
southeast@npca.org • www.npca.org



NATIONAL OFFICE
1300 19th Street, N.W. • Washington, D.C. 20036
(202) 223-NPCA(6722) • Fax (202) 659-0650
npca@npca.org • www.npca.org

We share in Senator Franken and Rep Peterson's support of Clean Air Act goals to protect human health and the environment. We also support the Environmental Protection Agency fulfilling its duty to implement and enforce Clean Air Act programs to accomplish these goals, particularly where states fail to do so, as is the case with North Dakota. The Best Available Retrofit Technology (BART) program under the Regional Haze Rule is a mechanism for improving visibility in our nation's most beloved public lands; iconic places such as Yellowstone, Voyageurs and Theodore Roosevelt national parks and Boundary Waters Canoe Area Wilderness. The same pollutants that obscure scenic vistas masking them in a haze of pollution, not surprisingly, also harm human health and our natural and cultural resources.

The Regional Haze Rule is one of several Clean Air Act programs that promise numerous cobenefits, if only enforced. Pollutants subject to the regional haze program include nitrogen oxides (NO_x), sulfur dioxide (SO₂), particulate matter (PM), ammonia, and sulfuric acid. Emissions of NO_x not only cause light to appear brownish thus diminishing a park visitor's ability to see landscapes but are also a precursor to ground level ozone, which is associated with respiratory diseases, asthma attacks, and decreased lung function. In addition, NO_x emissions react with ammonia, moisture, and other compounds to form particulates that can cause and worsen respiratory diseases, aggravate heart disease, and lead to premature death.¹ Similarly, SO₂ degrades visibility and also increases asthma symptoms, leads to increased hospital visits, and can form particulates that aggravate respiratory and heart diseases and cause premature death.² PM scatters light creating a whitish haze and can also penetrate deep into the lungs and cause a host of health problems, such as aggravated asthma, chronic bronchitis, and heart attacks.³ Therefore, adequately controlling these pollutants will not only allow us to see through the air more clearly but also to breathe it with less risk to our health.

As with each program under the Act, a key outcome of their implementation is to advance air pollution reducing technologies. SCR was not available to the first fleet of coal plants, but the technology advancing function of the Clean Air Act has resulted in the routine installation of the technology at nearly every new coal plant today, thus reducing approximately 90% of NO_x emission from applicable units. In sharp contrast, North Dakota has proposed lesser technologies that would likely result in an approximate 25% reduction in NO_x emissions from subject units. Reductions in NO_x pollution is not only required of new facilities, but existing plants as well.

The regional haze program is designed to make use of these technological advances and ensure that antiquated park-polluting coal plants install the best available retrofit controls that appropriately consider compliance costs as required by the Clean Air Act. Regarding costs, for example EPA, among others, has demonstrated that Minnesota's estimates are "inflated and unreasonable." Depending on the configuration of the system, a more accurate estimate of capital investment would be 30 – 50% less than \$500 million; operating costs are likewise far lower than estimated by

¹ EPA, Health – Nitrogen Dioxide, <http://www.epa.gov/air/nitrogenoxides/health.html> (last visited Apr. 1, 2011).

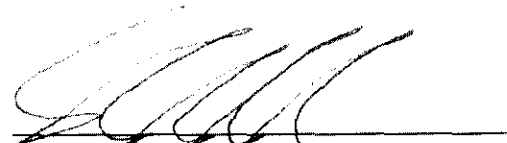
² EPA, Health – Sulfur Dioxide, <http://www.epa.gov/air/sulfurdioxide/health.html> (last visited Apr. 1, 2011).

³ EPA, Health & Environment – Particulate Matter, <http://www.epa.gov/air/particlepollution/health.html> (last visited Apr. 1, 2011).

Minnkota. In spite of this, EPA notes that Minnkota's inflated cost estimates are still well within the range of costs borne by its peers, and that the use of SCR to reduce pollution is cost effective.

SCR is not only technically feasible and cost effective at the North Dakota plants, but will also result in visibility improvements at the effected parks and wilderness areas and better air qulaity for thousands or our members as well as the residents of North Dakota, Minnesota and other neighbor states. We respect the role of EPA as the ultimate arbitor of the Clean Air Act and support Agency measures to ensure that states with the least sensible plans for improving air quality be revised.

Sincerely,



Stephanie Kodish
Clean Air Counsel
National Parks Conservation Association
706 Walnut Street, Suite 200
Knoxville, TN 37919

Scott Strand
Executive Director
Minnesota Center for Environmental
Advocacy
26 E. Exchange St., Suite 206
St. Paul, MN 55101

Kari Volkmann-Carlsen
Advancement Director
Voyageurs National Park Association
126 N. Third St. Suite 400
Minneapolis, MN 55401

Bruce Pendery, Staff Attorney
Wyoming Outdoor Council
444 East 800 North
Logan, UT 84321

Paul Danicic
Executive Director
Friends of the Boundary Waters Wilderness
401 N. Third Street, Suite 290
Minneapolis, MN 55401

David Baron
Managing Attorney
Earthjustice
1625 Massachusetts Avenue, NW, Suite 702
Washington, DC 20036

Anne Hedges
Program Director
Montana Environmental Information Center
P.O. Box 1184
Helena, MT 59624

Kristin Henry
Staff Attorney
Sierra Club
85 Second Street
San Francisco, CA 94105-3441

Jeremy Nichols
Climate and Energy Program Director
WildEarth Guardians
1536 Wynkoop, Suite 301
Denver, Colorado 80202



Correspondence Management System

Control Number: AX-11-001-3425

Printing Date: August 09, 2011 10:30:31



Citizen Information

Citizen/Originator: Theiss, Davis

Organization: City of Ellaville
Address: 55 wilson Street Post Office Box 31806, Ellaville, GA 31806

Constituent: N/A

Committee: N/A Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3425 Alternate Number: N/A
Status: Pending Closed Date: N/A
Due Date: N/A # of Extensions: 0
Letter Date: Jul 26, 2011 Received Date: Aug 9, 2011
Addressee: AD-Administrator Addressee Org: EPA
Contact Type: LTR (Letter) Priority Code: Normal
Signature: N/A Signature Date: N/A
File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File-On behalf of the city of Ellaville, Georgia, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology ("EGU MACT") rules.

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OAR	Aug 9, 2011
Gloria Hammond	OAR	OAR-OAQPS	Aug 9, 2011

History

Action By	Office	Action	Date
-----------	--------	--------	------



CITY of ELLAVILLE

55 WILSON STREET, P O Box 839, Ellaville, GA 31806
229-937-2207 (Telephone) 229-937-5569 (Fax)

RECEIVED

2011 AUG -9 AM 6:24

OFFICE OF THE
EXECUTIVE SECRETARIAT

26 July 2011

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Docket ID Nos. EPA-HQ-OAR-2009-0234

Dear Administrator Jackson:

On behalf of the city of Ellaville, Georgia, I am writing regarding the Environmental Protection Agency's (EPA) proposed electric generating unit maximum achievable control technology ("EGU MACT") rules. Our community-owned, non-for-profit electric utility serves approximately 950 customers. We supply electricity produced in part by coal-fired electric generating units that could be significantly impacted by the proposed EGU MACT rule – even though those coal units are already well-controlled for mercury and for criteria pollutants such as sulfur dioxide and nitrogen oxides.

We have major concerns regarding several provisions of the proposed rules. We respectfully request that EPA consider these concerns and evaluate the impact to our utility under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and the Unfunded Mandates Reform Act (UMRA) (Chapters 17 A and 25 of Title 2 of the U.S. Code). We would also request that EPA evaluate the impact of the proposed rules under four presidential executive orders – EO 13563, Improving Regulation and Regulatory Review; EO 13132, Federalism; EO 12866, Regulatory Planning and Review; and EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, and Use. As a not-for-profit electric utility owned and operated by local government, we support these Executive Orders that call for reasonable and cost-effective regulations to achieve reductions in air pollution in a reasonable time-frame.

Our concerns include the following:

- The proposed rules create a risk of having to raise electricity rates, that could cause our customers economic hardship, particularly those negatively impacted by the current economic climate, such as the unemployed, the underemployed, and those with limited or fixed incomes.
- The proposed rule raises electricity reliability issues in some regions in 2014 when compliance with these rules begins. While EPA estimates that only 9 GW of coal-fired capacity may face retirement nationally because of the rules, other industry analysts and the North American Electric Reliability Corporation (NERC) estimate that at as many as 70 GW of capacity could face retirement.

- EPA's economic and reliability analysis in the proposed rules addresses only impacts from the proposed EGU MACT regulations. The analysis does not address the cumulative impacts from approximately eight major EPA rules affecting air, water, and wastewater from electric utilities in the next five to eight years.
- The proposed EGU MACT rules include many additional requirements beyond those to reduce mercury emissions. Control of other emissions under the EGU MACT rule may not be necessary or required under the Clean Air Act or based EPA's own hazardous air pollutants study. EPA should consider whether to decline to adopt the rules not related to control of mercury emissions.
- The statutorily imposed three-year time frame for compliance with the EGU MACT rules is too short. The electric industry needs at a minimum, an additional two years to avoid reliability issues that could arise when coal fired power plants must shut down for an extended period to retrofit emissions controls needed to comply with the rule. We respectfully encourage EPA to grant the one-year extension it is statutorily allowed to do and urge that a second year of extension is granted via a presidential order.
- EPA's own Regulatory Impact Analysis (RIA) appears to suggest that only 97 municipal utilities will be affected, and will face a compliance cost of only \$666.3 million annually. These costs appear to significantly underestimate the real impact and show no regional additional impacts in states such as Indiana, Ohio, Wisconsin, Michigan, Minnesota, Kentucky, Georgia, Alabama and Texas.

Thank you for your consideration.

Sincerely,



Mayor David Theiss

Cc: Congressman Sanford Bishop
Senator Saxby Chambliss
Senator Johnny Isakson
Stewart-Webster Journal/Patriot-Citizen
The Tri-County Journal
The Americus Times Recorder



South Carolina Farm Bureau Federation
PO Box 754 • Columbia, SC • 29202.0754
803.796.6700 • Fax 803.936.4496
www.scfb.org

RECEIVED

2011 AUG -9 PM 12: 32

OFFICE OF THE
EXECUTIVE SECRETARIAT

July 27, 2011

The Honorable Ray LaHood
Secretary
Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Secretary LaHood and Administrator Jackson:

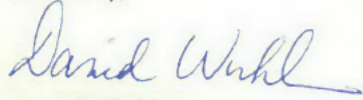
With 110,000 family members in 47 county Farm Bureaus across the state, we at the South Carolina Farm Bureau represent members from all walks of life. The main purpose of the Farm Bureau is to represent, protect, and enhance the economic interests of our members. As such, we must emphasize to you that the economic vitality of the agriculture sector relies heavily on the success of the automobile industry. As your agencies develop new national fuel economy standards for 2017-2025, we wanted to share our views.

We are concerned that your agencies are going down a regulatory path on fuel economy that will result in large job losses and other harmful costs to the economy. We encourage NHTSA and EPA to adopt a single, national fuel economy standard that considers America's needs for increased fuel economy while preserving affordable choices for customers and businesses to meet their transportation needs. NHTSA and EPA have already set strong standards for 2012-2016 that raised the fleet average by 40% to 35 miles per gallon. Looking forward, technology improvements should continue to support increases in fuel economy and greenhouse gas standards. However, we recognize that overreaching regulations can place a significant cost burden on individuals and families, especially those on farms who rely on different kinds of automobiles of all sizes to perform daily functions.

A "one-size fits all" approach does not work for farmers, as the needs of farmers are vastly different from other types of automobile customers. Farmers need big trucks and other large vehicles to haul equipment and perform a variety of necessary tasks. The next phase of fuel economy standards for 2017-2025 should not pick winners and losers, but should support a variety of technologies and fuel diversity to preserve affordability. Additionally, if fuel economy standards increase too quickly, the cost of owning a vehicle will go up, which means the cost of farming will also go up. The result could put jobs across the country at risk.

At the South Carolina Farm Bureau, job preservation is our priority, and we hope that you will consider in your rulemaking what is at stake for our business. The cost of overreaching is the loss of our business's competitiveness and profitability. We encourage you to carefully balance these factors as you weigh sensible fuel economy standards, especially as our nation's economy continues to recover.

Sincerely,

A handwritten signature in blue ink that reads "David Winkles". The signature is written in a cursive style with a long, sweeping tail on the letter "l".

David Winkles

President



Correspondence Management System

Control Number: AX-11-001-3471

Printing Date: August 09, 2011 02:32:22



Citizen Information

Citizen/Originator: VanNutter, Heath R.

Organization: State of Indiana

Address: 1112 Green Acres Drive, Kokomo, IN 46901

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3471

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Aug 3, 2011

Received Date: Aug 9, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File - After reviewing provisions of the proposed Hazardous Air Pollutants ("HAPs") Rule and consulting with the electric utilities and generators in my district, I respectfully request that you reconsider and extend compliance schedules and provide flexibility to utilities as you develop a HAPs Rule.

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAEE - Office of External Affairs and Environmental Education
OP - Office of Policy
R5 - Region 5 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 9, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

DAILY READING FILE



STATE OF INDIANA HOUSE OF REPRESENTATIVES

THIRD FLOOR STATE HOUSE
INDIANAPOLIS, INDIANA 46204

Heath R. VanNatter
1112 Green Acres Dr.
Kokomo, IN 46901
Toll Free: 1-800-382-9841
H38@iga.in.gov

COMMITTEES:
Utilities and Energy, VICE CHAIR
Courts and Criminal Code
Environmental Affairs
Local Government

August 4, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave. N.W.
Washington, DC 20460

2011 AUG -9 PM 12:32
EXECUTIVE SECRETARIAT
OFFICE OF THE
RECEIVED

Re: Docket No. EPA-HQ-OAR-2011-0044

Dear Administrator Jackson,

After reviewing provisions of the proposed Hazardous Air Pollutants ("HAPs") Rule and consulting with the electric utilities and generators in my district, I respectfully request that you reconsider and extend compliance schedules and provide flexibility to utilities as you develop a HAPs Rule.

The people of Indiana House District 38 are concerned about the impact that the proposed regulation will have on the price of electricity as well as the stability of the power grid. Energy is a major cost of production of doing business. The potential increase in rates that we understand will follow if these rules are enacted as proposed would significantly add to the challenges struggling businesses already face, which will have a negative impact on my constituents.

Further, I understand that the amount of time available for compliance is about three years. The nation's electric utilities will need additional compliance time in order to acquire the materials and labor needed to construct and install the required equipment in that time frame without creating unnecessary cost increases and an unreliable electricity supply. In addition, these projects require substantial engineering, permitting, and regulatory approval, all prior to construction. It is difficult to understand how this can all be done without extending the compliance schedule provided in the proposed rule.

With the billions of dollars at stake in the form of additional capital needed to comply plus the impact on customers, your duty to the public would demand that this rule not be implemented without careful consideration of costs and reliability for consumers. My constituents are concerned about our nation's energy future and the need for certainty about power prices and power availability. Please grant the power sector as much flexibility as you can to comply with the emissions standards. Reasonable and carefully considered rules that mitigate increases in power prices and ensure reliability will support Indiana businesses and allow our state to maintain jobs and be competitive. Given our position in the very competitive world we live in, this is the time for practical, affordable, achievable energy solutions.

In summary, the EPA should reconsider and extend the time allowed for compliance and provide flexibility in implementation of the proposed rule. Your attention to this request is appreciated and I look forward to hearing of your final determination. Should you have any questions or if you or your office would like to speak with me further, please feel free to contact my office at 317-232-9647.

Sincerely,

A handwritten signature in black ink, appearing to read "Heath R. VanNatter". The signature is fluid and cursive, with a long horizontal stroke at the end.

Heath R. VanNatter
Indiana State Representative, District 38

HRV:am



Correspondence Management System

Control Number: AX-11-001-3473

Printing Date: August 09, 2011 02:17:00



Citizen Information

Citizen/Originator: Caswell, Bruce

Organization: The Senate, State of Michigan
Address: P.O. Box 30036, Lansing, MI 48909-7536

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3473

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Aug 3, 2011

Received Date: Aug 9, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File Docket No. EPA-HQ-OW-2008-0667 Concerns cost of implementation of the proposed cooling water intake rule,

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OCIR - Office of Congressional and Intergovernmental Relations
OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R5 - Region 5 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OW	Aug 9, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

DAILY READING FILE



THE SENATE
STATE OF MICHIGAN

RECORDED

2011 AUG -9 PM 12:31

OFFICE OF THE
EXECUTIVE SECRETARIAT

BRUCE CASWELL

16TH DISTRICT

P.O. BOX 30036

LANSING, MI 48909-7536

PHONE: (517) 373-5932

FAX: (517) 373-5944

senbcaswell@senate.michigan.gov

August 3, 2011

The Honorable Lisa Jackson
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Docket No. EPA-HQ-OW-2008-0667

Dear Ms. Jackson:

I represent the 16th Michigan State Senate district, an area serviced in part by Indiana Michigan Power. I write today to you to express my concerns about the effect of the proposed cooling water intake rule on the citizens I serve.

I have concerns about the cost of implementation of the proposed cooling water intake rule, a cost that customers will ultimately bear if companies need to make significant modifications to their cooling systems. Indiana Michigan Power has a facility in Michigan that would be affected by the rule change and could cause rates to increase to cover the cost of making these modifications. I would strongly urge the EPA to modify the proposed rule to allow permitting authorities to consider site-specific factors in situations where the cost of modifications to meet the national standards for fish mortality and intake velocity clearly outweigh the intended benefits. Without such flexibility, facilities that already have greatly reduced impingement and entrainment under state regulations would need to make modifications to their cooling systems that yield little environmental benefit, yet impose significant costs – costs that the consumers will ultimately bear.

I strongly urge you to consider modifying the proposed cooling water intake rule to allow for more flexibility in order to minimize the negative impact it will have on the hardworking men and women of Michigan and the entire country that cannot afford an additional drain on their pocketbooks because of unnecessary regulation by the federal government.

Sincerely,

BRUCE CASWELL
State Senator
District 16



Correspondence Management System

Control Number: AX-11-001-3474

Printing Date: August 09, 2011 02:06:21



Citizen Information

Citizen/Originator: Meck, Patsy

Organization: Panola County Economic Development Corporation

Address: 800 West Panola Street, Carthage, TX 75633

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-3474

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Aug 23, 2011

of Extensions: 0

Letter Date: Aug 3, 2011

Received Date: Aug 9, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File -Improve regulations for Mercury and Air Toxins Stop Mercury and Air Toxins Now EPA-HQ-2011-0044

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OEAE - Office of External Affairs and Environmental Education

OP - Office of Policy

R6 - Region 6 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Aug 9, 2011	Aug 23, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

Action By	Office	Action	Date
-----------	--------	--------	------

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave. N.W.
Washington, DC 20460

RECEIVED

2011 AUG -9 PM 12:31

OFFICE OF THE
EXECUTIVE SECRETARIAT

August 3, 2011

Re: Docket No. EPA-HQ-OAR-2011-0044

Dear Administrator Jackson,

I represent the Panola County Economic Development Corporation and write to express my concern about new environmental proposals that will affect the price of electricity.

My community understands the need to improve the quality of our air and to protect our environment, but we also are concerned about the cost of new regulations. We have been advised by our electric utility that the hazardous air pollutants rule and other proposed rules could result in double-digit price increases. We also are told that these price increases could be deferred or mitigated if the EPA adopts more flexible regulations.

As our community tries to grow jobs and increase business investment, energy costs are a significant consideration. A 10-to-20-percent increase in our price of electricity can cost some of our existing businesses thousands of dollars and can mean the difference between profit and loss, adding jobs, or letting people go. The purpose of environmental regulation should not be to hold back our economy or our ability to make a living. The most effective way to protect our environment is to ensure that our economy prospers so that the resources will be available to make improvements.

Please work with the nation's electric utilities to enact environmental regulations that will allow them to operate as efficiently as possible. Businesses need certainty to plan effectively. Please establish and publicize the conditions under which you will grant the one-year compliance extension so that utilities will know how much time they have to comply.

We all want a cleaner environment, but we need common sense regulation to keep our economy going. Overly stringent, inflexible regulations will harm our communities, our businesses, and our nation.

Thank you for the opportunity to comment.

Sincerely,

Patsy Meck
Chairman
Panola County Economic Development Corporation



Correspondence Management System

Control Number: AX-11-001-4607

Printing Date: August 31, 2011 01:54:56



Citizen Information

Citizen/Originator: Mull, Stephen D

Organization: United States Department of State
Address: 2201 C Street, NW, Washington, DC 20520

Constituent: N/A

Committee: N/A Sub-Committee: N/A

Control Information

Control Number: AX-11-001-4607 Alternate Number: N/A
 Status: For Your Information Closed Date: N/A
 Due Date: N/A # of Extensions: 0
 Letter Date: Aug 29, 2011 Received Date: Aug 30, 2011
 Addressee: AD-Administrator Addressee Org: EPA
 Contact Type: EML (E-Mail) Priority Code: Normal
 Signature: SNR-Signature Not Required Signature Date: N/A
 File Code: 401_127_a General Correspondence Files Record copy
 Subject: Daily Reading File The National Security Affairs Calendar for the upcoming months August 31-December 19, 2011 and January 16-November 30, 2012
 Instructions: For Your Information -- No action required
 Instruction Note: N/A
 General Notes: N/A
 CC: Noah Dubin - OEX
 OHS - Office of Homeland Security

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OITA	Aug 31, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Control Created	Aug 31, 2011
(b) (6) Personal Privacy	OEX	Forward control to OITA	Aug 31, 2011

August 29, 2011

SENSITIVE BUT UNCLASSIFIED
FOR OFFICIAL GOVERNMENT USE ONLY

NATIONAL SECURITY AFFAIRS CALENDAR

ONGOING EVENTS

Aug 31	Presidential Elections in Singapore
Sep 1	Libya Contact Group Meeting, Paris
Sep 3-4	10th Anniversary of the Inter-American Democratic Charter Commemoration, Valparaiso

LOOKING FORWARD

Sep 6-9	42nd Pacific Islands Forum, Auckland
Sep 6-8	1st APEC Forestry Ministerial, Beijing
Sep 7-8*	Visit of Foreign Minister Ashiru of Nigeria to Washington
Sep 9-10	G-7 Finance Ministerial Meeting, Marseille
Sep 11	Presidential and Legislative Elections in Guatemala
Sep 12-16	International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna
Sep 12-30	18th Regular Session of the Human Rights Council, Geneva
Sep 13-16	9th Asia-Pacific Economic Cooperation (APEC) Women and Economy Summit, San Francisco

SENSITIVE BUT UNCLASSIFIED
FOR OFFICIAL GOVERNMENT USE ONLY

SENSITIVE BUT UNCLASSIFIED

2

- Sep 13 66th United Nations General Assembly Commences, New York
- Sep 13 Asia-Pacific Economic Cooperation (APEC) High-Level Meeting on Energy Efficiency and Sustainable Transportation, San Francisco
- Sep 14-16 Annual Meeting of the New Champions 2011, Dailian, PRC
- Sep 14 Asia-Pacific Economic Cooperation (APEC) Transportation and Energy Ministerial, San Francisco
- Sep 15 Australia-U.S. Ministerial (AUSMIN) 2011, San Francisco
- Sep 17-19* Visit of Crown Prince Al-Mutahdee Billah of Brunei to Washington
- Sep 17 Parliamentary Elections in Latvia (Snap)
- Sep 18-23 ASEAN Ministers of Energy Meeting, Brunei
- Sep 19-20 66th United Nations General Assembly Non-Communicable Disease High-Level Session, New York
- Sep 19-23 IAEA General Conference, 55th Session, Vienna
- Sep 20 66th United Nations General Assembly Desertification High-Level Session, New York
- Sep 20 Presidential and Legislative Elections in Zambia
- Sep 20 Open Government Partnership (OGP) Summit, New York
- Sep 21 66th United Nations General Assembly General Debate begins, New York
- Sep 22 Subnational Legislative Elections in Saudi Arabia (Snap)

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

3

- Sep 22 Official Launch of the Global Counterterrorism Forum (GCTF), New York
- Sep 23 UN Conference on Facilitating the Entry into Force of the Comprehensive Nuclear Test Ban Treaty, New York
- Sep 23-25* 2011 World Bank/IMF Annual Meetings, Washington
- Sep 24 Legislative Elections in the United Arab Emirates
- Sep 24 Parliamentary Elections in Bahrain (Snap)-1st Round
- Sep 25-26 Asia-Pacific Economic Cooperation (APEC) Senior Officials' Meeting 3, San Francisco
- Sep 26 International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna
- Sep 26-27* International Engagement Conference in Support of Republic of South Sudan (IEC), Washington
- Sep 27-30 Internet Governance Forum (IGF), Nairobi
- Sep 27* Visit of Foreign Minister Portas of Portugal to Washington
- Sep 28* Visit of Foreign Minister Amr of Egypt to Washington
- Oct TBD Election of UN Security Council Non-Permanent Members
- Oct 1 Parliamentary Elections in Bahrain (Snap)-2nd Round
- Oct 3-28 UNGA First (Disarmament and International Security) Committee, New York
- Oct 3-4* Visit of Foreign Minister Westerwelle of Germany to Washington

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

4

- Oct 3* U.S.-Japan Economic Harmonization Initiative High-Level Meeting, Washington
- Oct 4-5* (T) 2nd Round of U.S.-Philippines Bilateral Strategic Dialogue, Washington
- Oct 5-6 North Atlantic Treaty Organization (NATO) Defense Ministers Meeting, Brussels
- Oct 5-6 Pathways to Prosperity Ministerial Meeting, Santo Domingo
- Oct 5-7 The Americas Competitiveness Forum, Santo Domingo
- Oct 9 Parliamentary Elections in Poland
- Oct 9 Presidential Elections in Cameroon
- Oct 9-13 ASEAN Ministerial Meeting on Transnational Crimes (AMMTC), Bali
- Oct 10-11 Summit on the Global Agenda 2011, Abu Dhabi
- Oct 11 Presidential and Legislative Elections in Liberia
- Oct 13* U.S.-India Higher Education Summit, Washington
- Oct 13* Visit of President Lee Myung-Bak for the Republic of Korea to Washington
- Oct 16 G-20 Finance Ministerial, Paris
- Oct 16-17 APEC Workshop on Terrorist Abuse of Non-Profit Organizations, Kuala Lumpur
- Oct 16 Parliamentary Elections in Mauritania
- Oct 17-18 International Congress on Energy Security, Geneva

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

5

Oct 17-21	IAEA: International Conference on the Safe and Secure Transport of Radioactive Materials, Vienna
Oct 17-20	7th UNESCO Youth Forum, Paris
Oct 18-22	ASEAN Defense Ministers' Meeting (ADMM) Retreat, Bali
Oct 18-19	International Energy Agency (IEA) Governing Board and Management Committee Ministerial-Level Meeting, Paris
Oct 21-23	World Economic Forum on the Middle East, Dead Sea, Jordan
Oct 23	Legislative Elections in Tunisia (Snap)
Oct 23	Presidential Elections in Bulgaria
Oct 23	Presidential and Legislative Elections in Argentina
Oct 24-28	International Telecommunication Union (ITU) Telecom World 2011, Geneva
Oct 27	Presidential Elections in Ireland
Oct 30	Presidential Elections in Kyrgyzstan
Oct 31*	U.S.-Indonesia Higher Education Summit, Washington
Nov TBD (T)	Presidential and Parliamentary Elections in Egypt
Nov 1-2	London International Cyber Conference, London
Nov 2	Regional Summit on Afghanistan, Istanbul
Nov 3-4	G-20 Summit, Cannes

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6

Nov 5-6 Presidential and Legislative Elections in Nicaragua

Nov 7-9 APEC Business Advisory Council (ABAC) IV, Honolulu

Nov 8-9 Asia-Pacific Economic Cooperation (APEC) Concluding Senior Officials Meeting and Related Meetings, Honolulu

Nov 10 Asia-Pacific Economic Cooperation (APEC) Finance Ministerial, Honolulu

Nov 10-11 Asia-Pacific Economic Cooperation (APEC) CEO Summit, Honolulu

Nov 11 Asia-Pacific Economic Cooperation (APEC) Ministerial Meeting, Honolulu

Nov 12-13 19th Asia-Pacific Economic Cooperation (APEC) Economic Leaders' Meeting, Honolulu

Nov 12 Parliamentary Elections in Denmark

Nov 13-15 India Economic Summit, Mumbai

Nov 14-18 International Atomic Energy Agency (IAEA) International Conference on Research Reactors, Rabat

Nov 14-18 International Education Week

Nov 14 (T) Parliamentary Elections in Guyana

Nov 17-18 International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna

Nov 17-19 ASEAN Summit and Related Meetings, Bali

Nov 17-18 2011 Black Sea Energy and Economic Forum, Istanbul

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

7

- Nov 17 Plenary Meeting of the Contact Group on Piracy Off the Coast of Somalia, New York
- Nov 19 East Asia Summit (EAS) Meeting, Bali
- Nov 20 Parliamentary Elections in Spain
- Nov 24 Presidential Elections in Gambia
- Nov 25 Parliamentary Elections in Morocco
- Nov 26 Parliamentary Elections in New Zealand
- Nov 28 (T) Presidential and Legislative Elections in the Democratic Republic of Congo
- Nov 28 - Dec 9 17th Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th Session of the Conference of the Parties Serving as a Meeting of the Parties (CMP 7) to the Kyoto Protocol, Durban
- Nov 29 - Dec 1 4th High-Level Forum on Aid Effectiveness, Busan
- Dec 4 Parliamentary Elections in Croatia
- Dec 5-22 Biological Weapons Convention 7th Review Conference, Geneva
- Dec 5 International Afghanistan Conference, Bonn
- Dec 6-7 Organization for Security and Cooperation in Europe (OSCE) Ministerial, Vilnius
- Dec 7-8 North Atlantic Treaty Organization (NATO) Foreign Ministers Meeting, Brussels

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

8

Dec 10 Presidential Inauguration in Argentina

Dec 12-19 World Trade Organization (WTO) Ministerial Conference, Geneva

 2012 Jan 16-19 5th World Future Energy Summit, Abu Dhabi

Jan 22 Presidential Elections in Finland-1st Round

Jan 23 - Feb 17 World Radiocommunications Conference 2012 (WRC-12), Geneva

Jan 25-29 World Economic Forum Annual Meeting, Davos-Klosters

Feb TBD 48th Munich Security Conference, Munich

Feb 5 Presidential Elections in Finland-2nd Round

Feb 12 Presidential Elections in Turkmenistan

Feb 26 Presidential Elections in Senegal

Mar 4 Presidential Elections in Russia

Mar 5-9 International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna

Mar 10-11 Legislative Elections in El Salvador

Mar 12-17 6th World Water Forum, Marseille

Mar 26-27 2nd Nuclear Security Summit, Seoul

Mar 29 Parliamentary Elections in Iraq

Apr 14-15 6th Summit of the Americas, Cartagena

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

9

Apr 22	Presidential Elections in France-1st Round
May TBD	NATO Summit, Chicago
May TBD	38th G-8 Summit, Chicago
May 6	Presidential Elections in France-2nd Round
May 18-19	2012 European Bank for Reconstruction and Development (EBRD) Annual Meeting, London
May 20	Presidential Elections in the Dominican Republic
May 31 - Jun 1	African Development Bank Annual Meeting, Arusha
Jun 4-6	UN Conference on Sustainable Development (UNCSD) or Rio + 20, Rio de Janeiro
Jun 4-8	International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna
Jun 10	Legislative Elections in France-1st Round
Jun 17	Legislative Elections in France-2nd Round
Jul 1	Presidential and Legislative Elections in Mexico
Jul 8-10	Organization of American States (OAS) General Assembly, Cochabamba
Jul 21-25 (T)	19th Annual ASEAN Regional Forum, Phnom Penh
Jul 27 - Aug 12	XXX Summer Olympic Games, London
Aug 14	Presidential Elections in Kenya-1st Round

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

10

Aug 29 - Sep 9	Paralympic Games, London
Sep 10-14	International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna
Sep 17-21	International Atomic Energy Agency (IAEA) General Conference, Vienna
Oct 8	Legislative Elections in Slovenia
Oct 28	Parliamentary Elections in Ukraine
Nov 18-20 (T)	21st Annual ASEAN Summit, Phnom Penh
Nov 29-30	International Atomic Energy Agency (IAEA) Board of Governors Meeting, Vienna

* = Taking Place in Washington

(T) = Tentative

TBD = To Be Determined

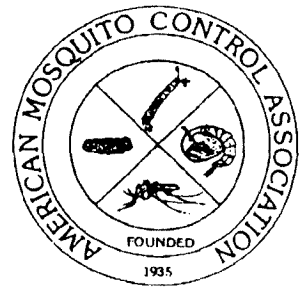
For additions/updates/corrections/changes:

Please email Saadia Sarkis at sarkiss@state.sgov.gov or sarkiss@state.gov.

SENSITIVE BUT UNCLASSIFIED



Individuals enhancing the health and quality of life through the suppression of mosquitoes, other vectors and pests of public health importance.



A Partner in the EPA's Pesticide Environmental Stewardship Program

31 August 2011

Board of Directors

OFFICERS

William Meredith

President

Thomas Wilmot

President-Elect

Roxanne Connelly

Vice-President

Janet McAllister

President 2010

Douglas Carlson

President 2009

Gary Hatch

Treasurer

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

REGIONAL DIRECTORS

Larry Smith

Industry Director

Yasmin Rubio-Palis

Latin America-Caribbean

Stanton Cope

Mid-Atlantic

William C. Reinert

North Atlantic

Jim Stark

North Central

James Lunders

North Pacific

Henry Lewandowski

South Atlantic

Dennis Walette

South Central

Steve Mulligan

South Pacific

John Holick

West Central

The American Mosquito Control Association (AMCA) membership welcomes the opportunity to provide clarification and address inconsistencies in a letter sent to you co-signed by the Honorable Representative Markey and the Honorable Representative Napolitano regarding implementation of an NPDES permitting program for mosquito and vector control. The letter from the Honorable Representatives suggests that a permitting program is necessary because current FIFRA regulations are not sufficient to protect our waterways or endangered species.

As you know, the AMCA is a not-for-profit professional association of 1700 public health officials, academicians, county trustee/commissioners and mosquito control professionals dedicated to providing leadership, information and education leading to the enhancement of health and quality of life through the suppression of mosquito and other vector transmitted diseases and the reduction of annoyance levels caused by mosquitoes and other vectors and pests of public health importance. This is accomplished through the use of integrated mosquito management procedures, which includes the use of duly registered public health pesticides, when warranted. Indeed, the AMCA and its' members have been recognized by your own agency as a Pesticide Environment Stewardship Partner ("PESP) through our innovative measures to protect the environment our citizens live in while protecting those same citizens personal health and well being from mosquitoes and mosquito borne diseases.

The letter accurately states that in the 40 years that the EPA has administered the Clean Water Act (CWA), the agency has never issued a

EDITORS

Clark E. Wood, Editor

AMCA Newsletter

Lal S. Mian, Editor

Journal of the AMCA

EXECUTIVE DIRECTOR

Sarah Gazi

TECHNICAL ADVISOR

Joseph Conlon

AMCA - American Mosquito Control Association
15000 Commerce Parkway, Suite C - Mt. Laurel, New Jersey 08054
• Phone: 856-439-9222 • Fax: 856-439-0525 • E-mail: amca@mosquito.org •
<http://www.mosquito.org>

CWA permit that included limitations on the application of a pesticide directly applied into a body of water. The letter further suggests that the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has not been adequate to protect the environment based on sampling performed in 2006 by the US Geological Survey (USGS) that detected measurable concentrations of pesticides in 90% of surface waters it analyzed.

However, the USGS fails to mention that these detections almost exclusively involved organochlorine legacy pesticides such as DDT, chlordane, hexachlorobenzene, aldrin, dieldrin, and others that are either severely restricted or completely banned today. In truth, the vast majority of these chemicals were utilized in applications having nothing to do with mosquito control and many were applied before the CWA and FIFRA even came into being. To be sure, none are used in mosquito control at present. Therefore, a CWA permitting program for prospective pesticide applications to control mosquitoes and protect public health will not remedy the legacy of past pesticide use stated in the letter. In addition, if currently registered pesticides are detected in surface water, U.S. EPA or the states *have* taken action to address the problem under FIFRA. For example, U.S. EPA recently required several additional environmental labeling restrictions to address pyrethroid residues found in surface **water**.

In addition, the letter urges EPA to adopt the three Reasonable Prudent Alternatives (RPA's) proposed by the National Marine and Fisheries Service ("NMFS) and suggests that "none of these three RPA's would impose significant additional burdens in the implementation of the PGP", further suggesting that "no pesticide applicators will be affected in Delaware or Vermont by the conservation measures contained in the RPA's....and only a small number of pesticide applicators will be affected in the District of Columbia, Idaho, Washington, Massachusetts, New Hampshire, or on Tribal lands".

Mosquito control agencies in Idaho and Washington that are accountable to their taxpayer constituents beg to differ. Budget predictions in these states alone foresee significant financial and operational impacts from attempting to comply with the permit and proposed RPA's. Resources required to be diverted from integrated mosquito management methodologies toward RPA compliance will ultimately result in fewer and less effective public health measures performed for the citizens these districts serve. In these austere times at federal, state and municipal levels, budgets cannot simply be increased to accommodate new compliance costs that had not existed since either CWA or FIFRA were enacted.

Furthermore, despite the Honorable Representative's comments, AMCA does not believe the RPA's provide common sense adjustments to the PGP. AMCA submitted comments to EPA on July 20, 2011 to docket EPA-HQ-OW-2010-0257 regarding our concerns about the NMFS Biological Opinion. These comments are attached below for reference.

The AMCA strongly supports the Services' charter to protect threatened and endangered species from adverse environmental impacts from pesticide use and USEPA's regulatory efforts to help achieve that noble goal. Nonetheless, we also believe that decisions that can profoundly affect the health and well-being of humans and wildlife be made upon the best available evidence and the prudence to enact them in a sustainable manner for all

concerned. The current RPA's do not balance these two critical components of a sustainable environment.

Thank you very much for your attention to this important matter. If you have any questions or concerns, please contact me at 904-215-3008.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph M. Conlon".

Joseph M Conlon
Technical Advisor
American Mosquito Control Association



Correspondence Management System

Control Number: AX-11-001-4694

Printing Date: September 01, 2011 12:23:15



Citizen Information

Citizen/Originator: Bates, Joseph

Organization: Arkansas Department of Health
Address: 4815 West Markham Street, Little Rock, AR 72205-3867

Constituent: N/A

Committee: N/A **Sub-Committee:** N/A

Control Information

Control Number:	AX-11-001-4694	Alternate Number:	N/A
Status:	For Your Information	Closed Date:	N/A
Due Date:	N/A	# of Extensions:	0
Letter Date:	Aug 22, 2011	Received Date:	Sep 1, 2011
Addressee:	AD-Administrator	Addressee Org:	EPA
Contact Type:	LTR (Letter)	Priority Code:	Normal
Signature:	SNR-Signature Not Required	Signature Date:	N/A
File Code:	401_127_a General Correspondence Files Record copy		
Subject:	DRF - Urge EPA to take aggressive steps to insure that the coal-fired generating plants in Arkansas and the nation are required to install the most modern and effective pollution control equipment to reduce the pollution that they cause		
Instructions:	For Your Information -- No action required		
Instruction Note:	N/A		
General Notes:	N/A		
CC:	OEAE - Office of External Affairs and Environmental Education R6 - Region 6 -- Immediate Office		

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OAR	Sep 1, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OAR	Sep 1, 2011



Arkansas Department of Health

4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000
Governor Mike Beebe

August 22, 2011

Lisa P. Jackson, Administrator
U.S. Environmental Protections Agency
1200 Pennsylvania Ave., N.W.
Mail Code: 1101 A
Washington, DC 20460

Dear Administrator Jackson,

I am writing you in my capacity as Deputy State Health Officer for Arkansas and Chief Science Officer for the Department of Health. I urge you to take aggressive steps to insure that the coal-fired generating plants in Arkansas and the nation are required to install the most modern and effective pollution control equipment to reduce the pollution that they cause. We have one coal fire plant here in Arkansas that has no scrubbers of any kind. As you well know, the pollutants from these plants cause a whole series of serious health problems. Please act aggressively to protect the health of the U.S. citizens.

Sincerely,

Joseph Bates, MD, MS
Deputy State Health Officer
Chief Science Officer

RECORDED
2011 SEP - 1 AM 11:09
OFFICE OF THE
EXECUTIVE SECRETARIAT



Correspondence Management System

Control Number: AX-11-001-4696

Printing Date: September 01, 2011 12:46:42



Citizen Information

Citizen/Oriinator: Simpson, Jerry

Organization: Phoenix Red Angus
Address: 9512 Simpson Road, Waxhaw, NC 28173

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-4696 Alternate Number: N/A
Status: For Your Information Closed Date: N/A
Due Date: N/A # of Extensions: 0
Letter Date: Aug 26, 2011 Received Date: Sep 1, 2011
Addressee: AD-Administrator Addressee Org: EPA
Contact Type: LTR (Letter) Priority Code: Normal
Signature: N/A Signature Date: N/A
File Code: 401_127_a General Correspondence Files Record copy
Subject: Daily Reading File-I am writing you because increasing the ozone standard will not only hinder us from adding jobs, it will cause unemployment rates to soar.
Instructions: For Your Information -- No action required
Instruction Note: N/A
General Notes: N/A
CC: OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R4 - Region 4 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OAR	Sep 1, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OAR	Sep 1, 2011



Phoenix Red Angus
9512 Simpson Rd
Waxhaw NC 28173
704-843-5785(H) 704-302-2940(C)
simpson_jerry@msn.com

RECEIVED
2011 SEP -1 AM 11:09
OFFICE OF THE
EXECUTIVE SECRETARIAT

August 26, 2011

Ms. Lisa Jackson, Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Ms. Jackson,

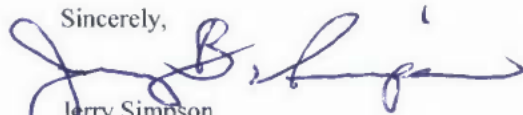
As a county commissioner in Union County, North Carolina, I am well aware the incredible need to promote job expansion in an attempt to turn our economy around. For us to move our country – and Union County – back to financial stability, good paying jobs are essential. I am writing you because increasing the ozone standard will not only hinder us from adding jobs, it will cause unemployment rates to soar.

The manufacturing industry is uniquely tied to the ozone standard and please do not ignore the fact that business operations will suffer if the standard is set at unreasonable levels. The additional costs that will be incurred to be compliant will take away from money that is needed to keep our people working. Manufacturing is a major part of our region's economy and any hardship it experiences is felt by us all.

Our country is at a pivotal point where it will either move forward or slide further into the recession. I have witnessed in North Carolina levels of poverty and unemployment that I didn't think possible. We simply cannot levy tougher government regulations on businesses and gain the financial progress we so desperately need. Our government should be creating ways to lessen regulatory burdens, not increase them.

I hope you consider the ramifications of what a higher ozone standard has on our country's economy. The decision you make stands to increase unemployment if it goes beyond a reasonable measure, and the standard we have now is sufficient and is working. If it is increased, your agency will have placed a higher importance on the existence of clean air than on human dignity and our country's prosperity.

Sincerely,



Jerry Simpson
Commissioner, Union County

Cc: The White House Office of Public Engagement and Intergovernmental Affairs
White House Chief of Staff Bill Daley
Senator Richard Burr
Senator Kay Hagan



Correspondence Management System

Control Number: AX-11-001-4698

Printing Date: September 01, 2011 12:02:45



Citizen Information

Citizen/Originator: **Berry, John**

Organization: United States Office of Personnel Management

Address: 1900 E Street, NW, Washington, DC 20415

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-4698

Alternate Number: N/A

Status: For Your Information

Closed Date: N/A

Due Date: N/A

of Extensions: 0

Letter Date: Aug 31, 2011

Received Date: Sep 1, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: MEM (Memo)

Priority Code: Normal

Signature: SNR-Signature Not Required

Signature Date: N/A

File Code: 401_127_a General Correspondence Files Record copy

Subject: Daily Reading File- 2011 Combined Federal Campaign

Instructions: For Your Information -- No action required

Instruction Note: N/A

General Notes: N/A

CC: Valerie Washington - AO-IO

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
No Record Found.					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
(b) (6) Personal Privacy	OEX	OARM	Sep 1, 2011

History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OARM	Sep 1, 2011

Comments

DAILY READING FILE

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415



The Director

2011 SEP -1 AM 11:08

OFFICE OF THE
EXECUTIVE SECRETARIAT

August 31, 2011

MEMORANDUM FOR DEPARTMENT AND AGENCY HEADS

FROM: JOHN BERRY
DIRECTOR *John Berry*

SUBJECT: 2011 Combined Federal Campaign

The 50th Anniversary season of the Combined Federal Campaign (CFC) starts September 1! We're gearing up for a big Golden Anniversary, so please encourage support for the CFC at your agency. I don't have to tell you that the need is deep this year—the news reflects it every day.

President John F. Kennedy created the CFC in 1961. It has been 50 years since he asked us to consider not what our country can do for us, but what we can do for our country. This year, I ask you, and every Federal worker, to consider why we give.

We give because it feels right. Because we speak of high ideals, and we are as good as our word. Because we are moved by an event, an image, a catastrophe. Because we, too, have known hardship. We give in memory of those lost, and in hopes that others will be saved. We give because we can.

We give because we go beyond the call of duty to serve and protect the American people—Federal workers, postal employees and military personnel pledged over \$280 million dollars in each of the last two years.

We often focus on the dollar amount raised, because it marks our combined impact on the charities we support. But this year I'm asking each local CFC to also inspire new and greater numbers of donors, with a new award for the campaigns that show the greatest increase in participation. Let's make this 50th year an outstanding year—one that marks a new era that will endure for the next fifty years.

I've enclosed materials to help you encourage potential donors and promote on-line giving in your campaign area. If you or your staff have any questions or need assistance, please don't hesitate to call or e-mail Keith Willingham, Director, Combined Federal Campaign, at (202) 606-2564 or at cfc@opm.gov.

cc: Chief Human Capital Officers

ADDITIONAL INFORMATION AND RESOURCES

Encourage Participation among Newly Hired Employees

Throughout its history, the CFC has received contributions from an average 57 percent of the Federal workforce. In order to counter anticipated trends in donor loss through retirements, I am requesting your assistance in educating employees, and particularly newly hired Federal employees, postal employees and military personnel, about this important program.

I encourage Department and Agency Heads to send the following message in an employee email to help educate Federal contributors about the CFC:

Suggested Email to Employees

50 years ago, President Kennedy established the Combined Federal Campaign (CFC). The CFC enables you, as a Federal employee, to donate to the charity of your choice through your payroll system.

Donating through CFC is one of the best ways you can give to charity because:

- it gives your charity steady revenue throughout the next year
- it has low overhead costs, so more money goes to your charity
- it's convenient for you (in most cases, you can donate online) and your tax records
- it shows all Americans that Federal employees care about our communities

As Federal employees, we serve America every day, at all levels of government. The CFC offers an opportunity to also serve privately, by supporting charitable organizations.

This year marks the 50th year since President John F. Kennedy created the CFC. 50 years since he asked us to consider not what our country can do for us, but what we can do for our country. This year, I ask you to consider why we give.

We give because it feels right. Because we speak of high ideals, and we are as good as our word. Because we are moved by a word, an image, a catastrophe. Because we, too, have known hardship. We give in memory of those lost, and in hopes that others will be saved. We give because we can.

We give because we go beyond the call of duty to serve and protect the American people.

You will have an opportunity to make a pledge this fall. You determine how much you can contribute and which participating organization(s) receives your contribution. Even the smallest of donations can go a long way.

Payroll deduction lets you spread your contribution across the entire year. For example, if you contribute the minimum payroll deduction of \$26 and are paid twice a month for 26 pay periods during the year, \$1 will be deducted from your pay check each pay period.

Spreading your contribution out over the year may allow you to contribute a larger amount and increase the benefits you can provide.

To learn more about the CFC, you can talk to the CFC keyworkers who will be distributing the Charity List and pledge forms.

Encourage Volunteer Support to Administer the CFC

The CFC would not occur at all without the support of each Department and Agency and its employees. Further, the involvement of Federal employees as CFC representatives is a key reason that the CFC has historically been one of the most cost-effective fundraising mechanisms for nonprofit organizations.

I certainly understand that all of us are stretched for resources—so are many of the charities and families supported by CFC. For this and other reasons, I recommend allowing your employees to serve as CFC Loaned Executives, Coordinators, and Keyworkers to the extent possible during the campaign period as well as encouraging employees to serve on their Local Federal Coordinating Committee. These positions are often a great way to develop professional skills such as public speaking, financial accountability, and building public-private sector partnerships, among others. Since the CFC is a recognized Federal program, it is not appropriate to place these employees on leave or make employees take leave to administer the CFC within your agency.

I encourage Department and Agency Heads to send the following message to your senior executives, supervisors and managers located at your headquarters and at regional/field offices in an email to encourage support for the CFC:

Suggested Email to Senior Executives, Supervisors and Managers

The Combined Federal Campaign (CFC) is the world's largest workplace giving campaign. Last year, Federal employees raised over \$280 million on behalf of charitable organizations across the country and overseas. This year, the CFC marks its 50th anniversary at a time of greater than usual need.

The CFC would not be successful without the administrative support of Federal employees at each Department/Agency. Federal employees may serve as CFC Loaned Executives, Coordinators, and Keyworkers to the extent possible during the campaign period to ensure a smooth campaign is administered with little or no disruption to the business of the Department/Agency. I encourage you to provide the local non-profit CFC administrator with resources, as available, to assist in a successful CFC at your location. Please contact [insert contact name and phone number/email] if you can provide staff to help administer the CFC at your location.

In addition, I encourage you to consider volunteering to serve on the Local Federal Coordinating Committee in your location. To do so, please go to OPM's website at <http://www.opm.gov/cfc/Search/Locator.asp>, click on the drop down State menu and

click on your state to find the LFCC contact in your location. The LFCC contact can provide you with more information on how to volunteer in this role. These positions are often a great way for employees to develop professional skills such as public speaking, financial accountability, and building public-private sector partnerships, among others. Since the CFC is a recognized Federal program, it is not appropriate to place these employees on leave or make employees take leave to administer the CFC within your agency. Thank you for your cooperation and support of the CFC.

Lower Administrative Expense with Online Giving

Finally, I bring to your attention the CFC module available through Employee Express, a convenient, user-friendly Federal human resource automated system that gives many employees direct control over key payroll and personnel information without having to use forms or visit a personnel or payroll office. If your Department/Agency uses Employee Express, I encourage you to look into obtaining the CFC module available through Employee Express. The CFC option allows your employees to make contributions through the CFC in an automated, secure and convenient fashion. This option also will help reduce the cost to administer the CFC and to your payroll offices in that CFC data submitted through Employee Express is automatically uploaded into payroll office systems and transmitted to the local CFC administrator, thus eliminating the need for manual entry by the payroll offices and local CFC administrator as well as the manual collection of pledges from employees by Keyworkers and Coordinators. If your Department/Agency does not already use Employee Express, but might be interested in it, please visit the Employee Express website at www.employeeexpress.gov for information and contacts.

It has been proven your leadership and endorsement of the CFC goes a long way towards ensuring its success within your Departments and Agencies. Please take the time this year to encourage your employees' participation in the CFC via monetary contributions and assistance by volunteering to help administer the CFC. You may also consider periodic reminders to employees throughout the CFC solicitation period and personal participation in special fundraising events, which are designed to draw attention to the CFC within your Departments and Agencies.

CFC Geographic Boundaries

It has come to our attention that some Federal Departments and Agencies are attempting to conduct national campaigns for their employees by having all employees participate in the CFC of the National Capital Area located in Washington, DC, or to conduct regional campaigns by having all employees participate in one designated campaign located within a certain region.

Requiring employees to participate in campaigns outside the geographic area of their official duty station is contrary to CFC regulations at 5 CFR § 950.103(h). This regulation specifically provides that, "A Federal employee may participate in a particular CFC only if that employee's official duty station is located within the geographic boundaries of that CFC." Please ensure

your campaigns are conducted accordingly. Federal employees can determine their appropriate campaign by visiting OPM's CFC website at www.opm.gov/cfc/Search/Locator.asp and selecting the State where their official duty station is located.

Thank you for your support of the CFC. If you have any questions or need assistance, please contact OPM's CFC at (202) 606-2564 or at cfc@opm.gov.



Correspondence Management System

Control Number: AX-11-001-4714

Printing Date: September 01, 2011 02:26:50



Citizen Information

Citizen/Originator: O'Conner, Charles D

Organization: American Lung Association

Address: 1301 Pennsylvania Avenue NW, Washington, DC 20004-1725

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

Control Information

Control Number: AX-11-001-4714

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: Sep 15, 2011

of Extensions: 0

Letter Date: Sep 1, 2011

Received Date: Sep 1, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: DX-Direct Reply

Signature Date: N/A

File Code: 404-141-02-01_141_b Controlled and Major Corr. Record copy of the offices of Division Directors and other personnel.

Subject: Daily Reading File-We write today to respectfully request an official estimate of the date for release of the Obama Administration's decision on the reconsideration of the National Ambient Air Quality Standards for ozone.

Instructions: DX-Respond directly to this citizen's questions, statements, or concerns

Instruction Note: N/A

General Notes: N/A

CC: OEAE - Office of External Affairs and Environmental Education
OP - Office of Policy
R5 - Region 5 -- Immediate Office

Lead Information

Lead Author: N/A

Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Sep 1, 2011	Sep 15, 2011	N/A
Instruction: DX-Respond directly to this citizen's questions, statements, or concerns					

Supporting Information

Supporting Author: N/A

Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

History

AMERICAN LUNG ASSOCIATION®

Fighting for Air

Albert A. Rizzo, M.D.
Chair
National Board of Directors

Ross P. Lanzafame, Esq.
Chair-Elect
National Board of Directors

H. James Gooden
Past-Chair

Christine L. Bryant
Secretary/Treasurer

Geri Reinardy, M.P.A.
Speaker
Nationwide Assembly

Marcia D. Williams, Ed.D.
Speaker-Elect
Nationwide Assembly

NATIONAL HEADQUARTERS

Charles D. Connor
President &
Chief Executive Officer

1301 Pennsylvania Ave., NW
Suite 800
Washington, DC 20004-1725
Phone: (202) 785-3355
Fax: (202) 452-1805

14 Wall St.
Suite 8C
New York, NY 10005-2113
Phone: (212) 315-8700
Fax: (212) 608-3219

www.LungUSA.org

September 1, 2011

The Honorable William Daley
Chief of Staff
The White House
Washington, DC 20500

Dear Mr. Daley:

Two years ago, the Obama Administration announced a decision to reconsider the National Ambient Air Quality Standard for ozone. Since that time, the final decision has been delayed four times. We write today to respectfully request an official estimate of the date for release of the Obama Administration's decision on the reconsideration of the National Ambient Air Quality Standards for ozone. Since the current standard has been in place since 1997 and the Clean Air Scientific Advisory Committee has advised the President that it does not adequately protect public health, the American Lung Association urges the Administration to make an immediate, life-saving decision on this long overdue measure.


Thank you again for inviting us to provide you and your staff the compelling reasons for a much more protective standard for ozone than the standards adopted by the Bush Administration in 2008. As we shared with you, millions of infants, children, older adults, and people with chronic diseases can't avoid breathing smog. They depend upon the U.S. Environmental Protection Agency to follow the Clean Air Act and protect their health. EPA estimated that measures to reduce ozone pollution will save as many as 12,000 lives each year. With each month of delay, another thousand lives are threatened. Millions more risk asthma attacks, trips to the emergency room or days away from their jobs or school.

Ozone is the nation's most pervasive air pollutant, threatening the health of millions of people each year. The American Lung Association joined with many leading health and medical organizations to applaud the administration's decision to reconsider the 2008 standards for one overriding reason: a more protective ozone standard will save lives. The initial deadline for action was more than one year ago but the nation is still holding its breath and being kept waiting for a new standard that follows the science and the law - and protects health.

It is long past time to complete this work. The reconsideration process provided ample time for public comments and participation in public hearings. Interested stakeholders have had the opportunity to meet with you and with others in the OMB Office of Information and Regulatory Affairs. We deeply appreciate your taking the time to meet with the American Lung Association as well as leading public health and medical organizations and environmental groups to hear our views.

We ask today that the President direct OMB to complete its review to allow Administrator Jackson to set a health-based ozone standard based on the science now so the pollution reductions may begin. We urge you to act today in the public interest and set a new ozone standard to protect public health.

Sincerely,



Charles D. Connor
President & CEO

THE WHITE HOUSE
WASHINGTON

RECEIVED

2011 SEP 12 PM 12:53

OFFICE OF THE
EXECUTIVE SECRETARIAT

August 31, 2011

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Speeding Infrastructure Development through
More Efficient and Effective Permitting and
Environmental Review

To maintain our Nation's competitive edge, we must ensure that the United States has fast, reliable ways to move people, goods, energy, and information. In a global economy, where businesses are making investment choices between countries, we will compete for the world's investments based in part on the quality of our infrastructure.

Investing in the Nation's infrastructure brings both immediate and long-term economic benefits -- benefits that can accrue not only where the infrastructure is located, but also to communities all across the country. And at a time when job growth must be a top priority, well-targeted investment in infrastructure can be an engine of job creation and economic growth.

In partnership with State, local, and tribal agencies, the Federal Government has a central role to play in ensuring that smart infrastructure projects move as quickly as possible from the drawing board to completion. Through permitting processes, Federal executive departments and agencies (agencies) ensure that projects are designed and constructed consistent with core protections for public health, safety, and the environment. Additionally, the environmental review process requires agencies to consider alternatives and public input, which helps agencies identify project designs that are safe and cost-effective, and that enjoy public support.

In the current economic climate it is critical that agencies take steps to expedite permitting and review, through such strategies as integrating planning and environmental reviews; coordinating multi-agency or multi-governmental reviews and approvals to run concurrently; setting clear schedules for completing steps in the environmental review and permitting process; and utilizing information technologies to inform the public about the progress of environmental reviews as well as the progress of Federal permitting and review processes. Of course, the Federal Government is only one actor in the multifaceted permitting and review processes. Infrastructure projects can be delayed due to project design or uncertain funding, or while awaiting reviews or approvals required by State, local, tribal, or other jurisdictions beyond the control or authority of the Federal Government. Nevertheless, agencies must do everything in their control to ensure that their processes for reviewing infrastructure proposals work efficiently to protect our environment, provide for public participation and certainty of process, ensure safety, and support vital economic growth.

As an immediate step to improve the effectiveness and efficiency of Federal permitting and review processes, this memorandum instructs agencies to (1) identify and work to expedite permitting and environmental reviews for high-priority infrastructure projects with significant potential for job creation; and (2) implement new measures designed to improve accountability, transparency, and efficiency through the use of modern information technology. Relevant agencies should monitor the progress of priority projects; coordinate and resolve issues arising during permitting and environmental review; and develop best practices for expediting these decisions that may be instituted on a wider scale, consistent with applicable law.

Section 1. Expedited Review of High-Priority Infrastructure Projects. (a) Within 30 days of the date of this memorandum, the Secretaries of Agriculture, Commerce, Housing and Urban Development, the Interior, and Transportation shall each select up to three high-priority infrastructure projects subject to review by their respective departments for expedited review based on the criteria outlined in subsection (b) of this section, and shall submit their selections to the Chief Performance Officer, who also serves as the Deputy Director for Management of the Office of Management and Budget.

(b) The secretaries identified in subsection (a) of this section shall select high-priority projects, in consultation with heads of other relevant agencies, based on the following criteria:

- (i) the project will create jobs, with consideration given to the magnitude and timing of the direct and indirect employment impacts;
- (ii) all necessary funding to implement the project has been identified and is reasonably expected to be secured within 6 months of completion of the Federal permitting and review processes; and
- (iii) the significant remaining permit decisions, environmental reviews, consultations, or other actions required before construction can commence on the project are within the control and jurisdiction of the executive branch of the Federal Government and can be efficiently and effectively completed within 18 months of the date of this memorandum, with priority given to projects for which required Federal actions can be completed within 12 months of the date of this memorandum.

(c) All agencies rendering permitting decisions, conducting environmental reviews, completing consultations, or taking other actions related to the high-priority projects selected pursuant to this memorandum shall, consistent with applicable law and to the maximum extent practicable, expedite and coordinate their reviews, decisions, consultations, or other actions, and take related actions as necessary, consistent with available resources, including those actions relating to safety, public health, environmental protection, and public participation.

(d) Agencies, consistent with applicable law, shall use the experience gained from expediting the high-priority projects selected under this memorandum, and from reviewing other projects throughout the permitting process, to identify and implement administrative, policy, technological, and procedural best practices that will improve the efficiency and effectiveness of Federal permitting and environmental

review for infrastructure projects, while providing for public participation and protecting public health, safety, and the environment.

Sec. 2. Improving Accountability, Transparency, and Efficiency through Information Technology. To improve the accountability, transparency, and efficiency of Federal permitting and review processes, each agency rendering permitting decisions, conducting environmental reviews, completing consultations, or taking other actions related to any of the projects selected under section 1 of this memorandum shall, consistent with applicable law, make relevant information readily available to the public. To this end:

(a) For each selected high-priority project, within 60 days of the date of this memorandum and on a regular basis thereafter, agencies shall track, and make available to the public on agency websites, information related to the actions required to complete Federal permitting, reviews, and other actions required to proceed with the priority project, including:

(i) a list of all the actions required by each applicable agency to complete Federal permitting, reviews, and other actions necessary to proceed with the project;

(ii) the expected completion date for each such action;

(iii) a point of contact at the agency accountable for each such action; and

(iv) in the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.

(b) Within 90 days of the date of this memorandum, the Chief Information Officer (CIO) and the Chief Technology Officer (CTO) shall work with appropriate counterparts at agencies to launch the pilot phase of a centralized, online tool that aggregates the information for each of the priority projects described under section 1 of this memorandum, in a manner that facilitates easy access, enables the public to assess the status of permits required for infrastructure projects, and engages the public in new and creative ways of using the information.