



E. SCOTT PRUITT
ADMINISTRATOR

September 21, 2017

Mr. Daniel Jude Kelly
Vice President and Associate General Counsel
Vistra Energy
1601 Bryan Street
Dallas, Texas 75201

Re: Response to Petition for Reconsideration and Administrative Stay

Dear Mr. Kelly:

Thank you for your petition for reconsideration and administrative stay dated February 13, 2017, to U.S. Environmental Protection Agency Acting Administrator Catherine McCabe regarding the EPA's December 13, 2016, final rule titled, "Air Quality Designations for the 2010 Sulfur Dioxide (SO₂) Primary National Ambient Air Quality Standard – Supplement to Round 2 for Four Areas in Texas: Freestone and Anderson Counties, Milam County, Rusk and Panola Counties, and Titus County" (81 FR 89870). In the petition, Vistra Energy Corporation requests that the EPA reconsider and immediately stay the effective date of the final rule for the three areas in Texas designated as nonattainment for the 2010 SO₂ Primary National Ambient Air Quality Standard.

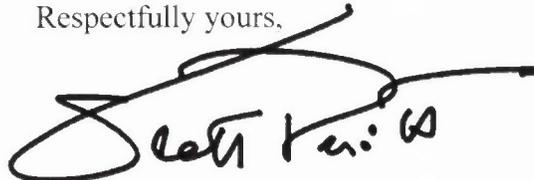
We applaud the state and company's commitment to setting up a monitoring network and stand ready to provide constructive guidance regarding the best methods for collecting air quality information for these areas. After review of the information contained in your petition, we intend to undertake an administrative action with notice and comment to revisit the nonattainment designation for the portions of Freestone and Anderson Counties, Rusk and Panola Counties and Titus County. While the notice-and-comment action is pending, the SO₂ nonattainment designations for portions of Freestone and Anderson Counties, Rusk and Panola Counties and Titus County set out in the December 13, 2016, *Federal Register* remain effective.

While the designations for these areas remain effective, the EPA is considering a variety of administrative options for revisiting them, some of which may alleviate associated and pending planning obligations. It is our intent to provide clarity regarding any potential changes before the state or regulated entity expend resources investing in regulatory obligations that are currently required. Accordingly, in order to better assist us in considering the available administrative

options, we remain interested in a continued dialogue to discuss the state agency and stakeholder resource decisions likely to be impacted during the pendency of this review.

If you have any questions, please contact me or have your staff contact Anna Marie Wood of the Office of Air Quality Planning and Standards at wood.anna@epa.gov or (919) 541-3604.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a large, sweeping flourish above the name.

E. Scott Pruitt