

September 21, 2011

The President  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

EXECUTIVE SECRETARIAT

OFFICE OF THE

2011 SEP 26 PM 12:56

RECORDED

Re: Impact of EPA regulatory actions on smaller public power utilities

Dear Mr. President:

The undersigned represent a broad cross-section of nonprofit, consumer-owned public power utilities from across the country. We appreciate your leadership in directing the Administrator of EPA to withdraw the draft Ozone National Ambient Air Quality Standards.

We write today to express concern at the pace and stringency of other expanded EPA regulation of our electric generation resources, which more directly jeopardize our ability to provide affordable, reliable electricity. We take pride that emissions from these resources have declined significantly over the last forty years. This progress is the result of EPA, electric utilities, and other stakeholders working together to achieve that decline in a cost effective manner that provided adequate lead time to develop compliance technologies. Unfortunately, that is no longer the case as EPA moves precipitously in a number of rulemaking processes that will impact electric reliability, resource adequacy and impose significant cost on electric consumers.

Because we are consumer-owned power systems, costs imposed by EPA must be passed on directly to our consumers. We have no shareholders who will earn a rate of return on the capital investments that will be mandated in order to comply with EPA requirements. Moreover, many of our communities contain disproportionate shares of low income consumers and elderly on fixed incomes.

We believe it is critically important that EPA fully evaluate, through a rigorous and transparent process verified by independent peer review, all of the impacts that may be expected from its entire aggressive regulatory agenda and to assure the public that benefits do in fact exceed costs. We do not see this happening. Asserted costs often fail to comport with our operating experiences. Without greater transparency it is impossible to know whether this results from analytic problems or reflects harsh regional impacts masked by national averages. In any case, cost impacts within our communities will intensify some consumers' difficult choices between food, shelter, health care, and rapidly rising energy costs.

Our concern is exacerbated by the fact that EPA does not appear to have done a broad and cumulative assessment of the impacts of all of its various rulemakings taken together. We need to understand all of the requirements as well as their impacts before we can undertake prudent planning for cost effective compliance. We believe that EPA also, in the interest of a fair and transparent process, would want to know, and seek broad public input, on the impacts of its entire regulatory agenda on consumers before implementing its agenda.

The speed of EPA regulatory action prevents careful consideration of the impacts. The expectation that the power sector may comply with new requirements in as few as three years is simply not realistic given our operating experience with the lead times necessary to develop and acquire the required hardware for compliance.

We ask that the EPA regulatory process include a full and transparent study, in which all stakeholders and the public have the ability to provide input, of the impacts of the agency's full power sector regulatory agenda prior to its implementation. We request a fully independent peer review and an open, full public discussion of the EPA regulatory agenda and its costs to consumers.

We appreciate your consideration of our concerns.

Sincerely,



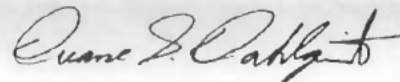
Fred D. Clark, Jr.  
Alabama Municipal Electric Authority  
Montgomery, Alabama



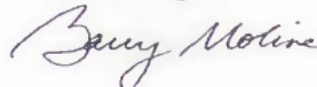
Dan Hodges  
Colorado Association of Municipal Utilities  
Colorado Springs, Colorado



Mike McDowell  
Heartland Consumers Power District  
Madison, South Dakota



Duane S. Dahlquist  
Blue Ridge Power Agency  
Danville, Virginia

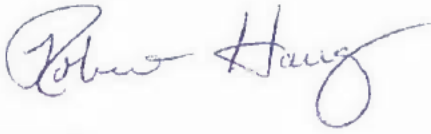


Barry Moline  
Florida Municipal Electric Association  
Tallahassee, Florida



Raj G. Rao  
Indiana Municipal Power Agency  
Carmel, Indiana

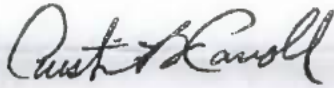




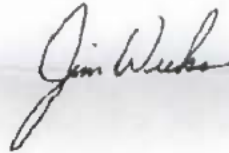
Robert Haug  
Iowa Association of Municipal Utilities  
Ankeny, Iowa



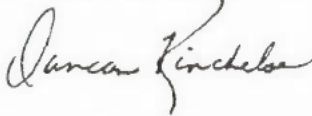
Colin Hansen  
Kansas Municipal Utilities  
McPherson, Kansas



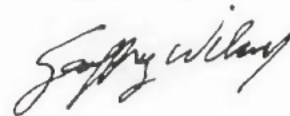
Austin Carroll  
Kentucky Municipal Utilities Association  
Frankfort, Kentucky



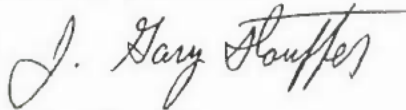
Jim Weeks  
Michigan Municipal Electric Association  
Lansing, Michigan



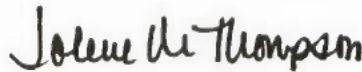
Duncan Kincheloe  
Missouri Association of Municipal Utilities  
Columbia, Missouri



Geoffrey Wilson  
Municipal Energy Agency of Mississippi  
Jackson, Mississippi



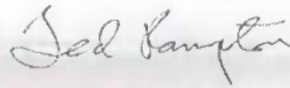
J. Gary Stauffer  
Municipal Energy Agency of Nebraska  
Lincoln, Nebraska



Jolene Thompson  
Ohio Municipal Electric Association  
Columbus, Ohio



Jeffrey Mehlhaff  
South Dakota Municipal Electric Association  
Ft. Pierre, South Dakota



Ted Rampton  
Utah Associated Municipal Power Systems  
Salt Lake City, Utah



Larry LaMaack  
Wyoming Municipal Power Agency  
Lusk, Wyoming

cc: Lisa Jackson, EPA Administrator

Congressional delegations of Alabama, Colorado, Florida, Indiana, Iowa, Kansas, Kentucky, Michigan, Mississippi, Missouri, Nebraska, Ohio, South Dakota, Virginia, Utah, and Wyoming



# Correspondence Management System

Control Number: AX-11-001-5999

Printing Date: September 27, 2011 01:12:06



## Citizen Information

**Citizen/Originator:** McCleery, Steve

Organization: New Mexico Junior College  
Address: 5317 Lovington Highway, Hobbs, NM 88240

**Carroll, Charley**

Organization: New Mexico Junior College  
Address: 5317 Lovington Highway, Hobbs, NM 88240

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-5999      **Alternate Number:** N/A  
**Status:** For Your Information      **Closed Date:** N/A  
**Due Date:** N/A      **# of Extensions:** 0  
**Letter Date:** Sep 19, 2011      **Received Date:** Sep 27, 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 - Cross State Air Pollution Rule - Petition for Reconsideration Docket No.  
EPA-HQ-OAR-2009-0491  
**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  
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 27, 2011

## History





NEW MEXICO JUNIOR COLLEGE

Office of the President

September 19, 2011

Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

Re: Cross State Air Pollution Rule – Petition for Reconsideration  
Docket No. EPA-HQ-OAR-2009-0491

Dear Administrator Jackson:

I am writing on behalf of New Mexico Junior College in support of the August 23, 2011 Southwestern Public Service Company (SPS) petition for reconsideration and request for stay of the Cross State Air Pollution Rule (CSAPR).

As indicated in SPS's petition, EPA chose to include Texas in the CSAPR year-round emission reduction programs without providing the public with an opportunity to comment on that decision. Moreover, EPA is requiring SPS and other Texas utilities to comply with CSAPR beginning in 2012, a short five months after the rule was finalized. This requirement has significant consequences for our local economy and the wellbeing of the people of our community.

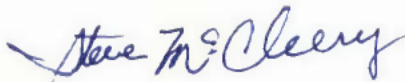
SPS serves our local area, and about half its power comes from coal. As the SPS petition indicates, to comply with this rule by Jan. 1, 2012, SPS will be forced to reduce operation of its coal-fired power plants and rely significantly more on natural gas-fired electric generation. As a result, CSAPR will drive up electricity costs significantly. SPS demonstrates in its petition that the cost of increasing its reliance on natural gas plants could be up to \$200 to \$250 million in 2012 alone. It is energy consumers like New Mexico Junior College that ultimately pay this cost.

More importantly, as described in the SPS petition, we are concerned that CSAPR could harm the reliability of the electric system. We and all the people of the Texas Panhandle and Eastern New Mexico rely on the SPS electric system for our livelihoods and well-being. Especially after

the record temperatures we've experienced this year, we believe it is vital that EPA design CSAPR and all of its other rules to ensure that our region has access to reliable electricity.

For these reasons, we urge you to grant SPS's petition and stay CSAPR pending reconsideration of the rule.

Sincerely,

A handwritten signature in blue ink that reads "Steve McCleery". The signature is fluid and cursive, with the first name "Steve" and last name "McCleery" clearly legible.

Steve McCleery, Ed.D.  
President

A handwritten signature in blue ink that reads "Charley Carroll". The signature is cursive and elegant, with a large, sweeping flourish at the end of the last name.

Charley Carroll  
Director of Physical Plant





# Correspondence Management System

Control Number: AX-11-001-6003

Printing Date: September 27, 2011 11:51:41



## Citizen Information

**Citizen/Originator:** Garlington, Dub

Organization: Plains Dairy

Address: 300 North Taylor P.O. Box 30, Amarillo, TX 79105

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6003      **Alternate Number:** N/A  
**Status:** For Your Information      **Closed Date:** N/A  
**Due Date:** N/A      **# of Extensions:** 0  
**Letter Date:** Sep 15, 2011      **Received Date:** Sep 26, 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- Cross State Air Pollution Rule - Petition for Reconsideration Docket No. EPA-I JQ-OAR-2009-0491  
**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  
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 27, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OAR	Sep 27, 2011

# DAILY READING FILE



Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

September 15, 2011

2011 SEP 26 PM 2:47

OFFICE OF THE  
EXECUTIVE SECRETARIAT

Re: Cross State Air Pollution Rule – Petition for Reconsideration  
Docket No. EPA-HQ-OAR-2009-0491

Dear Administrator Jackson:

I am writing on behalf of Plains Dairy, LLC in support of the August 23, 2011 Southwestern Public Service Company (SPS) petition for reconsideration and request for stay of the Cross State Air Pollution Rule (CSAPR).

As indicated in SPS's petition, EPA chose to include Texas in the CSAPR year-round emission reduction programs without providing the public with an opportunity to comment on that decision. Moreover, EPA is requiring SPS and other Texas utilities to comply with CSAPR beginning in 2012, a short five months after the rule was finalized. This requirement has significant consequences for our local economy and the wellbeing of the people of our community.

SPS serves our local area, and about half its power comes from coal. As the SPS petition indicates, to comply with this rule by Jan. 1, 2012, SPS will be forced to reduce operation of its coal-fired power plants and rely significantly more on natural gas-fired electric generation. As a result, CSAPR will drive up electricity costs significantly. SPS demonstrates in its petition that the cost of increasing its reliance on natural gas plants could be up to \$200 to \$250 million in 2012 alone. It is energy consumers like Plains Dairy, LLC that ultimately pay this cost.

We estimate that the increased energy costs 13% increase of our overall bill which equates to 80,000 plus a year.

More importantly, as described in the SPS petition, we are concerned that CSAPR could harm the reliability of the electric system. We and all the people of the Texas Panhandle and Eastern New Mexico rely on the SPS electric system for our livelihoods and well-being. Especially after the record temperatures we've experienced this year, we believe it is vital that EPA design CSAPR and all of its other rules to ensure that our region has access to reliable electricity.

For these reasons, we urge you to grant SPS's petition and stay CSAPR pending reconsideration of the rule.

Sincerely,

*Dub Garlington*  
Dub Garlington  
President

Cc: Senator John Cornyn  
Senator Kay Bailey Hutchison  
Congressman Bill Flores





# Correspondence Management System

Control Number: AX-11-001-6009

Printing Date: September 27, 2011 01:54:28



## Citizen Information

**Citizen/Originator:** Schumacher, Rod M

Organization: Roswell Regional Hospital  
Address: 117 East 19th Street, Roswell, NM 88201

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-6009 **Alternate Number:** N/A  
**Status:** For Your Information **Closed Date:** N/A  
**Due Date:** Oct 11, 2011 **# of Extensions:** 0  
**Letter Date:** Sep 15, 2011 **Received Date:** Sep 26, 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 Cross State Air Pollution Rule - Petition for Reconsideration Docket No. EPA-HQ-OAR-2009-0491  
**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  
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	Sep 27, 2011	Oct 11, 2011	N/A
<b>Instruction:</b> 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
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# DAILY READING FILE



Rod M. Schumacher  
Chief Executive Officer

September 15, 2011

Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

RE: Cross State Air Pollution Rule – Petition for Reconsideration  
Docket No. EPA-HQ-OAR-2009-0491

OFFICE OF THE  
EXECUTIVE SECRETARY

2011 SEP 26 PM 2:46

RECEIVED

Dear Administrator Jackson:

As the CEO of Roswell Regional Hospital, a general acute care hospital located in Roswell, New Mexico, I am writing in support of the above-referenced Petition for Reconsideration, recently file by or on behalf of Southwestern Public Service (SPS). The Petition for Reconsideration requests a stay of the application of the "Cross State Air Pollution Rule" (CSAPR). As SPS indicates in its Petition, it appears that your agency has chosen to include the State of Texas in the CSAPR year-round emission reduction programs. This decision was made apparently without calling for public comment, so we have had no prior opportunity to address this issue. Further, it appears that your agency is requiring that SPS and other Texas utilities comply with CSAPR beginning in 2012, a scant five months after the new rule became final. Such an abbreviated schedule for implementation is likely to have significant negative impact both on our local economy as a whole, and on the individual residents of our community.

Electrical power for our local area is supplied by SPS, and it is my understanding that approximately half of the power generated by SPS comes from coal. If SPS is forced to comply with your new rule by January 1, 2012, then SPS will have no choice but to reduce operation of its coal-fired power plants, and then rely much more heavily on natural gas-fired electrical generators. There is no question that additional reliance on natural gas will drive up the cost of power, and this increased cost is therefore the direct result of CSAPR. SPS has demonstrated that the costs associated with increased reliance on natural gas plants will range from \$200 - \$250 million in 2012 alone. We cannot begin to estimate the specific impact these cost increases will have on our utility bills here at RRH, but it will be significant. We





have no ability to pass those increased costs along to our customers, so we must simply absorb that as an additional cost of doing business.

In addition to the increased costs, we are also concerned about the continued reliability of the power generating system in our area. In the Texas Panhandle and Eastern New Mexico, we rely almost entirely on the SPS system, and any disruption in the ability of SPS to provide continuous and readily available power will greatly reduce the abilities of businesses and individuals in these areas to prosper.

We hope the SPS Petition will be granted. Thank you for this opportunity to provide input.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rod M. Schumacher", written in a cursive style.

Rod M. Schumacher  
Chief Executive Officer

RMS/tla



# Correspondence Management System

Control Number: AX-11-001-6010

Printing Date: September 27, 2011 12:30:59



## Citizen Information

**Citizen/Originator:** Burud, Richard G

Organization: Nobles Cooperative Electric

Address: 22636 U.S. Hwy. 59 - P.O. Box 788, Worthington, MN 56187-0788

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6010

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Oct 11, 2011

**# of Extensions:** 0

**Letter Date:** Sep 20, 2011

**Received Date:** Sep 26, 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 Cross State Air Pollution Rule - Petition for Reconsideration Docket No. EPA-HQ-OAR-2009-0491

**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 27, 2011	Oct 11, 2011	N/A
<b>Instruction:</b> 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
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**Nobles Cooperative  
Electric**

22636 U.S. Hwy. 59 - P.O. Box 788  
Worthington, MN 56187-0788  
Telephone: (507) 372-7331  
Facsimile: (507) 372-5148

Serving Nobles and Murray Counties

September 20, 2011

The Honorable Lisa Jackson  
EPA Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20004

Dear Administrator Jackson:

I am writing in regard to recent EPA rules that set National Emission Standards for Hazardous Air Pollutants ("NESHAP") for compression ignition and spark ignition stationary Reciprocating Internal Combustion Engines ("RICE") and request that EPA favorably respond to the reconsideration of the 2010 final RICE NESHAP rules by eliminating certain restrictions on non-emergency annual hours of operation.

Among the engines covered by the RICE NESHAP rules are small diesel engines used primarily for emergency standby power and occasionally for peak shaving to manage electric load. These rules will prohibit the use of these small emergency units for peak-shaving programs beginning May 2013 without the addition of expensive emission reduction technology. The additional cost associated with these requirements likely make it economically prohibitive for the continued use of these engines for peak-shaving programs.

Peak-shaving programs enhance electric reliability and lower cost to the consumer by reducing demand on central station power supplies. The engines are used on a limited basis and are run fewer hours than the 100 hours allowed in the rule for general non-emergency operation. Were EPA to remove the prohibition on these engines for peak-shaving and demand reduction purposes, the result would be no more run-time than that which is already provided for in the rule and no measurable public health risk or environmental harm.

In light of these factors, I request that you modify the final RICE NESHAP rules by including unrestricted peak-shaving and demand reduction operation within the 100 hours per year provided in the rule for maintenance and readiness testing. Thank you for your consideration of this very important matter.

Sincerely,

Richard G. Burud  
General Manager

OFFICE OF THE  
EXECUTIVE SECRETARIAT

2011 SEP 26 PM 2:46

REC'D





# Correspondence Management System

Control Number: AX-11-001-6011

Printing Date: September 27, 2011 03:21:09



## Citizen Information

**Citizen/Originator:** Alexander, Quinn

**Organization:** City of Canyon, Texas  
**Address:** 301 16th Street, Canyon, TX 79015

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-6011 **Alternate Number:** N/A  
**Status:** For Your Information **Closed Date:** N/A  
**Due Date:** N/A **# of Extensions:** 0  
**Letter Date:** Sep 20, 2011 **Received Date:** Sep 27, 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 - Cross State Air Pollution Rule - Petition for Reconsideration Docket No. EPA-HQ-OAR-2009-0491  
**Instructions:** For Your Information -- No action required  
**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  
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 27, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Assign OAR as lead office	Sep 27, 2011
Martha Faulkner	OAR	Accepted the group assignment	Sep 27, 2011



September 20, 2011

Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

Re: Cross State Air Pollution Rule – Petition for Reconsideration  
Docket No. EPA-HQ-QAR-2009-0491

Dear Administrator Jackson:

Please consider this letter an expression of support for the August 23, 2011 petition of Southwestern Public Service Company (SPS) for reconsideration and request for stay of the Cross State Air Pollution Rule (CSAPR). As a municipality in Texas, the City of Canyon has some authority over energy rates for our constituents. Therefore, we write this letter expressing our support for SPS's petition.

It appears that the EPA has included Texas in the CSAPR program but may not have provided the public with sufficient opportunity to comment on that decision. The City of Canyon opposes that inclusion. We also oppose the implementation calendar, requiring SPS and other Texas utilities to comply beginning in 2012, which is only five months after the rule was finalized. This requirement has significant consequences for our local economy and the wellbeing of the citizens of Canyon.

SPS serves our local area, and roughly half of its power comes from coal. Compliance with this rule could have a significant impact on SPS's operations of its coal-fired power plants, which could result in a significantly higher reliance on natural gas-fired plants, which we believe will very likely result in higher electricity costs. Based on data provided by SPS, the cost of increasing reliance on natural gas plants could be up to \$200 to \$250 million in 2012 alone. It is the customers, such as the City of Canyon and its residents, who ultimately pay this cost. Increased electricity costs will have a negative impact on our citizens and businesses. The greater the cost of electricity, the fewer dollars available by those citizens and businesses to spend in other, more economically positive ways.

We are also concerned that the CSAPR could harm the reliability of the electric system. We respectfully refer you to the *Petition for Reconsideration and Stay* submitted on September 8, 2011 by the Office of the Attorney General of Texas for a description of the many negative

Quinn J. Alexander MAYOR  
Jed Welch MAYOR PRO TEM  
David Logan COMMISSIONER

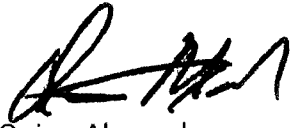
Gary Hinders COMMISSIONER  
Jon Behrens COMMISSIONER  
Randy Criswell CITY MANAGER

impacts the CSAPR would have on our community. The City of Canyon and all the people of this area rely on the SPS electric system to supply our energy needs. We believe it is vital that the EPA design CSAPR and all of its other rules to ensure that our region has access to reliable electricity.

For these reasons, we urge you to grant SPS's petition and stay CSAPR pending reconsideration of the rule.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Quinn Alexander', with a stylized, cursive script.

Quinn Alexander  
Mayor

cc: David Hudson, SPS



# Correspondence Management System

Control Number: AX-11-001-6015

Printing Date: September 27, 2011 01:20:28



## Citizen Information

**Citizen/Originator:** Korpi, Kevin W.

**Organization:** Michigan Forest Products Council  
**Address:** 110 W. Michigan Avenuenue, Lansing, MI 48933

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-6015 **Alternate Number:** N/A  
**Status:** For Your Information **Closed Date:** N/A  
**Due Date:** N/A **# of Extensions:** 0  
**Letter Date:** Sep 20, 2011 **Received Date:** Sep 27, 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 - EPA Maintain Forest Roads as "Non-Point Sources"  
**Instructions:** For Your Information -- No action required  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** OCIR - Office of Congressional and Intergovernmental Relations  
OEAE - Office of External Affairs and Environmental Education  
R5 - Region 5 -- 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	OW	Sep 27, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OW	Sep 27, 2011

## Comments





**Michigan Forest Products Council**  
Business Advocacy for the Forest Products Industry

RECORDED  
2011 SEP 26 PM 4:13

OFFICE OF THE  
EXECUTIVE SECRETARIAT

September 20, 2011

Mr. Jon Carson  
Director, Office of Public Engagement  
Executive Office of the President  
Eisenhower Executive Office Building,  
1650 Pennsylvania Avenue, NW  
Washington, D.C. 20501

Re: EPA Maintain Forest Roads as "Non-Point Sources"

Dear Mr. Carson:

As the leading trade association representing Michigan's forest products industry, the Michigan Forest Products Council is deeply troubled about the 9<sup>th</sup> Circuit Court decision that invalidates 35 years of existing Environmental Protection Agency regulation for our nation's forests. The court ruled that forest roads and their storm water runoff are "point sources" that require a National Pollutant Discharge Elimination System (NPDES) permit under the Clean Water Act. This ruling contradicts current EPA policy, which recognizes these roads as "non-point sources" best regulated by each state. The effects of this ruling, if not mitigated, mean decreased economic activity and lost jobs across all forestry and forestry-related industries in Michigan.

As a result of the ruling, operators of logging roads will need to obtain special permits to continue their activities. Permit requests will simultaneously flood in from numerous states resulting in a bureaucratic backlog, with perhaps more threatening, each permit open to citizen challenge and litigation. Forest owners will spend countless time and money on legal actions with little left over for capital and workforce investment.

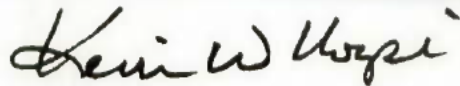
Michigan's forest products industry accounts for 10% of the state's manufacturing sector, sustains 154,000 jobs, generates \$12 billion in annual revenue, and produces sawmills, cabinets, furniture, flooring, pulp, paper, paperboard, lumber, panel board, plywood, oriented strand board, and many other wood products. Far from affecting a small group of forest owners, the negative consequences of this over-reaching court decision will ripple throughout the state. Thousands of forestry, manufacturing and tourism jobs are at stake.

Michigan Forest Products Council  
Letter to EPA Maintain Forest Roads as "Non-point Sources"  
September 20, 2011

The 9<sup>th</sup> Circuit Court's decision is not only costly, but also unnecessary. For years, Michigan has recognized the importance of clean water and a healthy forest ecosystem. With EPA oversight, our state already has a robust oversight system for forest roads.

As a united voice for our state's forestry industry, our organization respectfully requests your office to share these concerns with the EPA, and urge them to support their existing non-source point regulations that have been successful over the past 35 years. We ask that the EPA continue to defend existing regulation during any subsequent court proceedings, including review by the Supreme Court. And if legislation were to come from the Congress which codifies the long standing treatment of forest roads as non point sources, we respectfully ask that the White House fully support standing up for Michigan's forest products industry by supporting this legislation.

Sincerely,



Kevin W. Korpi,  
Executive Director  
Michigan Forest Products Council

Cc: US Senator Debbie Stabenow  
Congressman Dan Benishek  
Administrator Lisa Jackson, Environmental Protection Agency



# Correspondence Management System

Control Number: AX-11-001-6069

Printing Date: September 28, 2011 06:45:05



## Citizen Information

**Citizen/Originator:** Schmidt, Derek

Organization: Kansas Attorney General's Office

Address: 120 S.W. 10th Avenue, 3rd Floor, Topeka, KS 66612-1597

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6069

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Oct 12, 2011

**# of Extensions:** 0

**Letter Date:** Sep 23, 2011

**Received Date:** Sep 28, 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-Stay of the Cross-State Air Pollution Rule-Request for Reconsideration  
EPA-HQ-OAR-2009-0491

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

**Instruction Note:** N/A

**General Notes:** N/A

**CC:** OEAAE - Office of External Affairs and Environmental Education

OP - Office of Policy

R7 - Region 7 -- 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 28, 2011	Oct 12, 2011	N/A
<b>Instruction:</b> 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
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STATE OF KANSAS  
OFFICE OF THE ATTORNEY GENERAL

**DEREK SCHMIDT**  
ATTORNEY GENERAL

September 23, 2011

MEMORIAL HALL  
120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1597  
(785) 296-2215 • FAX (785) 296-6296  
WWW.KSAG.ORG

The Honorable Lisa Jackson  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

**RE: EPA-HQ-OAR-2009-0491**

State of Kansas's Joinder in the State of Nebraska's Request for Reconsideration  
and Stay of the Cross-State Air Pollution Rule (CSAPR)

Dear Administrator Jackson:

The State of Kansas is writing today to join the Petition for Reconsideration and Request for Stay filed by the State of Nebraska on September 22, 2011. The State of Kansas agrees with the State of Nebraska that EPA should reconsider its conclusion that EPA has authority to issue federal implementation plans for covered States under section 110(c). EPA's conclusion is incorrect and contrary to the policy of cooperative federalism that the Clean Air Act adopts. Like Nebraska, Kansas will suffer significant harm if CSAPR is implemented as scheduled. As explained in the letter submitted by Kansas on August 19, 2011 (enclosed), Kansas was not subject to CAIR and thus has not had the four-year period available to CAIR states to implement the controls that will be necessary to meet CSAPR's emissions limitations that go into effect on January 1, 2012. Kansas electric generating units therefore will be forced to adopt costly temporary fixes or, where those are unavailable, shut down entirely to meet CSAPR's requirements in the short time allotted. These measures will cause a severe disruption of Kansas's power generation system and its economy as a whole. Finally, on or before October 7, 2011, the State of Kansas will file a Petition for Reconsideration of CSAPR, which will fully articulate the reasons why Kansas believes EPA should reconsider CSAPR decisions that are unique to Kansas and will detail the harm that Kansas will suffer if the rule is implemented on January 1, 2012 as currently scheduled. *See* 76 Fed. Reg. 48,208 (Aug. 8, 2011).

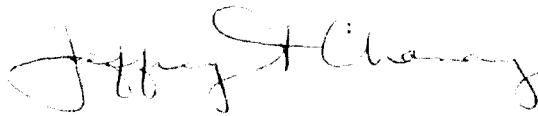
We appreciate your time and consideration of this matter, and welcome the opportunity to discuss these issues further with EPA staff. Please contact me at (785) 296-2215 or [jeff.chanay@ksag.org](mailto:jeff.chanay@ksag.org) if you have any questions or require further information.



The Honorable Lisa Jackson  
September 23, 2011  
Page 2 of 2

Sincerely,

OFFICE OF ATTORNEY GENERAL  
DEREK SCHMIDT

A handwritten signature in cursive script, appearing to read "Jeffrey A. Chanay".

Jeffrey A. Chanay  
Deputy Attorney General, Civil Litigation Division

JAC/dsw

cc: Derek Schmidt, Kansas Attorney General  
Katie Spohn, Special Counsel, Office of Nebraska Attorney General

Curtis State Office Building  
1000 SW Jackson St., Suite 540  
Topeka, KS 66612-1367



Phone: 785-296-0461  
Fax: 785-368-6388  
www.kdheks.gov

Robert Moser, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

August 19, 2011

Mr. Karl Brooks  
Regional Administrator  
U.S. Environmental Protection Agency, Region 7  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101

Environmental Protection Agency  
EPA Docket Center  
Air and Radiation Docket and Information Center  
Mail Code: 6102T  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

RE: **Docket ID No. EPA-HQ-OAR-2009-0491**

Comments on the Federal Implementation Plans for Iowa, Kansas, Michigan, Missouri, Oklahoma, and Wisconsin to Reduce Interstate Transport of Ozone; Proposed Rule; Supplemental

Dear Mr. Brooks and EPA Administration:

On July 6, 2011, the Environmental Protection Agency (EPA) finalized the Cross-State Air Pollution Rule (CSAPR) and also issued a Supplemental Notice of Proposed Rulemaking (SNPR) for "Federal Implementation Plans for Iowa, Kansas, Michigan, Missouri, Oklahoma, and Wisconsin to Reduce Interstate Transport of Ozone." The SNPR was published in the *Federal Register* (76 FR 40662) on July 11, 2011, and requested comment on EPA's conclusion that emissions from Iowa, Kansas, Michigan, Missouri, Oklahoma, and Wisconsin significantly contribute to downwind nonattainment or interfere with maintenance of the 1997 ozone National Ambient Air Quality Standards (NAAQS) in other states.

EPA set a 30-day comment period ending August 22, 2011. Despite EPA's efforts to post everything related to this rule on the EPA website, key decisions and assumptions made in the rulemaking, particularly changes from proposed to final, have not been readily accessible. Although the emissions data are available in the docket, the modeling input and output files are not. As late as a month after signing the rule, information is still being posted to the website. The technical and supporting documentation for the final and proposed rules is over 132,000 pages. Parsing how and why Kansas fits into the proposed rule has been an extremely difficult task for KDHE staff. In the proposed rule, Kansas is linked only to maintenance of the ozone standard in Allegan County, Michigan. The proposed rule is the first opportunity for KDHE to review the technical information

supporting Kansas' significant contribution to Allegan County. A complete analysis of these data will take more time than the current comment period allows. KDHE requests an extension of time to file a more complete set of comments from the currently set date of August 22, 2011 to October 1, 2011. Our preliminary review of the proposed rule and the supporting documentation brings us to the same conclusion for both the final rule and the proposed supplemental rule, which is there is insufficient time for Kansas utilities to comply with either rule.

Of the 28 states that will be subject to the Cross State Air Pollution rule (CSAPR) starting in 2012, all but three were subject to the Clean Air Interstate Rule (CAIR) prior to CSAPR. The three non-CAIR states are Kansas, Nebraska, and Oklahoma. CAIR states have had several years to prepare plans, obtain construction permits, and commence or complete construction of projects to reduce emission of nitrogen oxides and sulfur dioxide. Until very recently, Kansas and the other non-CAIR states have shared uncertainty with respect to interstate transport and future control requirements. Kansas finds itself at a disadvantage, when compared to the CAIR states, when faced with a 2012 compliance deadline. In section VII C. 2. of the CSAPR preamble (76 FR 48279), EPA states:

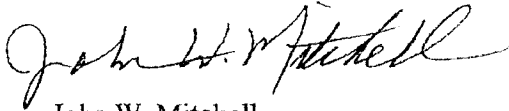
“In 2012, the industry will largely meet the rule’s NO<sub>x</sub> requirements by: Operating an extensive existing set of combustion and post-combustion controls on fossil fuel-fired generators; dispatching lower emitting units more often; and installing and operating a limited amount of relatively simple NO<sub>x</sub> pollution controls in states not previously subject to CAIR.”

EPA acknowledges that utilities in non-CAIR states likely will need to install “relatively simple NO<sub>x</sub> pollution controls,” such as low-NO<sub>x</sub> burners and overfire air, to meet the state emissions budget for 2012. EPA further posted a NO<sub>x</sub> cost threshold of \$500 per ton for states under the Cross-State Air Pollution Rule. Installing combustion NO<sub>x</sub> pollution controls is not a simple task and cannot be completed in the six months time frame the proposed rule would allow. We have current real world costs for installation of such controls and they are higher than the \$500 cost threshold. The rush for Kansas utilities to comply with a 2012 deadline will result in increased costs and the potential for stranded investments resulting from interim measures or “temporary fixes.” For a utility to install low NO<sub>x</sub> burners, a prevention of significant deterioration (PSD) permit generally will be required due to an increase in carbon monoxide emissions. The PSD construction permitting process alone would normally take more than five months. It is highly unlikely that Kansas utilities will be able to install controls and meet the state’s emissions budget for 2012.

Many Kansas facilities are in the planning stages for installation of additional controls to be completed between 2012 and 2015, and have received permits or have applications in process. Emission reductions from approved projects now underway and in 2012 will reduce over 14,000 tons of NO<sub>x</sub> and 18,133 tons of SO<sub>2</sub>. Once these controls are in place, the State of Kansas should be able to meet the assurance levels established in the Cross-State Rule. Kansas needs the time for these plans to be put in place to comply with the proposed rule. We believe that the assumptions made by EPA in terms of cost of compliance and ability to complete pollution control projects in time for the 2012 ozone season are fundamentally flawed and therefore do not accurately reflect the actual impacts the proposed rule will have on the Kansas economy. We formally request that EPA provide the State of Kansas and its affected utilities two additional years to comply with the provisions of the proposed supplemental Cross-State Air Pollution Rule.

I appreciate your time and consideration in this matter and would welcome the opportunity for further discussion between KDHE and EPA staff in the near future. Please contact Tom Gross at (785)296-1692 at [tgross@kdheks.gov](mailto:tgross@kdheks.gov) if you have any questions or require further information.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Mitchell". The signature is fluid and cursive, with the first name "John" being the most prominent.

John W. Mitchell  
Director, Division of Environment

C Rick Brunetti – Bureau of Air  
Tom Gross – Bureau of Air





# Correspondence Management System

Control Number: AX-11-001-6073

Printing Date: September 28, 2011 03:12:47



## Citizen Information

**Citizen/Originator:** Hecht, Michael

**Organization:** Greater New Orleans Inc Regional Economic Alliance

**Address:** 365 Canal Street, New Orleans, LA 70130

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6073

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** N/A

**# of Extensions:** 0

**Letter Date:** Sep 22, 2011

**Received Date:** Sep 27, 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:** Recommendations to the Gulf Coast Ecosystem Restoration Task force

**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

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	GCERTF	Sep 28, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to GCERTF	Sep 28, 2011
(b) (6) Personal Privacy	OEX	Changed Status For Your Information Pending	Sep 28, 2011
(b) (6) Personal Privacy	OEX	Changed File Code 401_127_a General Correspondence Files Record copy 404-141-02-01_141_b Con-	Sep 28, 2011

# DAILY READING FILE RECEIVED

## Message Information

2011 SEP 27 AM 11:00

**Date** 09/22/2011 06:25 PM  
**From** Caitlin Berni <cberni@gnoinc.org>  
**To** LisaP Jackson/DC/USEPA/US@EPA  
**cc** Michael Hecht <mhecht@gnoinc.org>; Robin Barnes <rbarnes@gnoinc.org>;  
Dino Paternostro <dpaternostro@gnoinc.org>  
**Subject** Greater New Orleans, Inc. Recommendations to the Gulf Coast Ecosystem  
Restoration Task Force

OFFICE OF THE  
EXECUTIVE SECRETARIAT

## Message Body

Dear Administrator Jackson,

Please see attached for recommendations to the Gulf Coast Ecosystem Restoration Task Force.

Thank you,

Caitlin Berni

**Caitlin Songy Berni**  
Program Associate  
Confidential Assistant to the President

**Greater New Orleans, Inc.**  
365 Canal Street, Suite 2300  
New Orleans, Louisiana 70130  
O:504.527.6980  
C:985.502.7688  
F:504.527.6970  
cberni@gnoinc.org  
[www.gnoinc.org](http://www.gnoinc.org)  
[www.coastalvitality.org](http://www.coastalvitality.org)

Check out the [Greater New Orleans Reality](#) .



Greater New Orleans, Inc. Recommendations to the Gulf Coast Ecosystem Restoration Task Force.pdf

## OEX Processing Information

Processed Date:

Processed By

PO Office

Category:



10 PARISHES  
Jefferson  
Orleans  
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St. James  
St. John the Baptist  
St. Tammany  
Tangipahoa  
Washington

September 22, 2011

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

Dear Administrator Jackson,

Greater New Orleans, Inc. (GNO, Inc.) submits this letter with recommendations for the Gulf Coast Ecosystem Restoration Strategy being drafted by the Gulf Coast Ecosystem Restoration Taskforce (the Taskforce). GNO, Inc. serves as the economic development alliance for the ten-parish Greater New Orleans region. Our mission is to serve as the catalyst for wealth creation in Southeast Louisiana. To accomplish this mission, GNO, Inc. pursues an aggressive agenda of business development—marketing the region—and product development—improving regional business conditions through policy, workforce, and research initiatives.

GNO, Inc. urges the Taskforce to support efforts to increase business growth and job creation within the coastal protection and restoration industry. The Gulf Coast has a unique and timely opportunity to invest in its economic future and become not only a center of excellence for coastal protection and restoration but also an economic engine for the industry. GNO, Inc. recommends that the Gulf Coast Ecosystem Restoration Strategy include strategies to:

1. Continue to seek ways to speed up the flow of resources for coastal restoration and protection projects;
2. Work with private industry and venture capital investment entities to forge new investment strategies to increase the impact of the federal funding and reduce timing constraints on starting projects;
3. Support and increase opportunities for innovation in technologies and processes to improve coastal protection and restoration;
4. Ensure that universities and community colleges have the resources to better support the coastal protection and restoration industry's workforce needs and to articulate a path to skills development and develop entry points for local workers;
5. Incentivize companies working on coastal restoration to hire locally trained employees;
6. Modify the structure of the National Emergency Grant (NEG); and,
7. Support cross-collaborative efforts within the region to enhance economic growth within the coastal protection and restoration industry.

Coastal protection and restoration can represent significant economic growth. Since 2007, Louisiana alone has seen a 1,500 percent increase in planning, engineering, and construction work in protection and restoration projects. The state Office of Coastal Protection and Restoration (OCPR) estimates that every dollar invested by the state in this industry yields \$11 in direct impact.<sup>1</sup> The massive increase in project activity has resulted in numerous engineering, dredging, surveying, and environmental companies from across the nation and the world

<sup>1</sup> Louisiana Office of Coastal Protection, Annual Report, April 2011.

locating along the Gulf Coast.

GNO, Inc. fully supports the four main goals of the Taskforce's recommendations, but we also encourage the Taskforce to include an element of the strategy that would support the economic potential of growing a coastal protection and restoration industry on the Gulf Coast.

Over the past six months, GNO, Inc. has embarked on an aggressive research project on the question of how to make this happen – how to grow business development and job creation in sustainable industries and, specifically, a new coastal protection and restoration industry. In this sense, coastal protection and restoration has the potential to create jobs and generate revenue through exportable products and services. We have found that, while the stage is set for success, there are a number of challenges.

Through interviews with numerous company executives, industry groups, state officials, and workforce training entities, GNO, Inc., has developed a series of recommendations addressing the challenges and ultimately supporting the economic growth of the Gulf Coast.

**1. Continue to seek ways to speed up the flow of resources for coastal restoration and protection projects.**

Inconsistent timing of the flow of funds undermines the industry's abilities to plan for investment and to create new jobs. Business leaders have made it very clear that this uncertainty damages their ability to grow a steady pipeline, or "book of business," which would allow companies to make a business justification for hiring all the experts needed for a project. Additionally, because of the lack of certainty, projects are funded on a piecemeal, temporary basis rather than as a dedicated long-term investment, making them less effective solutions for permanent job creation in the long run.

**2. Work with private industry and venture capital investment entities to forge new investment strategies to increase the impact of the federal funding and reduce timing constraints on starting projects.**

Following the 2005 storms, the State of Louisiana established the Coastal Financing Corporation (CFC) to assist in garnering private financing to leverage federal funds in the pipeline. The CFC struggled to develop a financing methodology that could work without certainty from federal agencies on the timing of various federal funding sources. More recently, in the aftermath of the BP Deepwater Horizon Oil Spill, the State is looking to develop a type of credit for coastal restoration that would follow the model of carbon credits. The model would allow the State to sell credits created from coastal restoration projects to BP or upriver to either the agribusiness industry or other companies for benefits developed including carbon sequestration, nutrient uptake, river cleaning, etc.

Currently, at least two new venture capital firms are focused, at least in part, on investing in sustainable industries such as coastal restoration. These entities are keenly interested in coordinating with the state and with private industry to forge new investment strategies to increase the impact of the federal funding and reduce timing constraints on starting projects. Federal financing programs, including – but not limited to—the Small Business Administration (SBA) Microloan Program, Community Development Financial Institutions (CDFI) lending, and the Economic Development Administration (EDA) Revolving Loan Fund Program, should be maximized and retooled as needed to maximize opportunities for small businesses and to support business expansion and job creation in the emerging coastal restoration and protection industry.

**3. Support and increase opportunities for innovation in technologies and processes to improve coastal protection and restoration.**

While the slow pace of funding is the greatest obstacle to growth in the industry, another significant challenge is the slow pace of testing and other prohibitions in the regulations governing coastal protection and restoration, often hindering innovative product development and testing. A number of entrepreneurs have developed



potential improvements to coastal restoration processes but regulations within the existing programs, such as the Coastal Wetlands Planning, Protection and Restoration Act (CWPRRA), have prevented the quick testing and implementation of these solutions. States and individual companies lack a centralized place to test and prototype these potential solutions. With Greater New Orleans experiencing “startup fever,” and with state-based research and development tax credits and angel investor tax credits available, the Taskforce should leverage these opportunities to spur new technology development and to ease barriers to entry on innovation.

At the federal level, the Small Business Innovation Research (SBIR) program should be maximized and retooled as needed to allow the coastal restoration and protection industry to realize its fullest potential.

Tulane University—along with GNO, Inc., Idea Village, the University of New Orleans, and the New Orleans BioInnovation Center—is seeking funding from the Economic Development Administration, through the recent i6 Green Challenge, to develop H2NOLA, a proof-of-concept center focused on water-related industries, which will provide an interface between innovators, research universities, industry experts, and investors to streamline the testing and implementation of new product solutions. Replicating this model across the Gulf Coast can assist federal, state, and local government programs in testing and green-lighting new innovative products that can lead to new business development and job creation.

**4. Ensure that universities and community colleges have the resources to better support the coastal protection and restoration industry’s workforce needs and to articulate a path to skills development and develop entry points for local workers.**

Educational institutions have few programs focused on coastal restoration/water management. GNO, Inc. recently conducted a focus group around sustainable jobs with industry leaders, and the top concern was the small number of programs and certifications for coastal restoration, specifically engineering. The Taskforce should encourage and support the coordination and dedication of resources among employers and training entities to ensure that the appropriate training is taking place in local institutions of higher learning.

**5. Incentivize companies working on coastal restoration to hire locally trained employees.**

Many of the companies that perform the actual work of coastal restoration prefer to hire locally trained talent. However, there is—at times—a mismatch between the training in a region and the skills necessary for the available position. A potential solution to this mismatch is to provide incentives to companies to hire locally trained workforce through the creation of a tax credit or wage subsidy, similar to the Work Opportunity Tax Credit (WOTC) implemented for the GO Zone after the 2005 hurricanes for a five-year period. As part of this incentive, companies would agree to work with the local training institutions such as the community colleges and higher education institutions to develop the necessary training programs for their industries. Additionally, with federal support of such incentives, state and local entities could then include additional points for this preferential hiring of local workforce in the contracting process and other competitive processes.

**6. Modify the structure of the National Emergency Grant.**

The Department of Labor granted \$27 million dollars in the form of a National Emergency Grant (NEG) to the five Gulf Coast states in response to the BP Deepwater Horizon Oil Spill. Funds should be maximized to retrain coastal residents for coastal activities.

- Currently, states must draw down funds by June 30, 2012. Extending the deadline to draw down funds by two years would allow workforce training programs to be developed and coordinated with environmental restoration projects.
- The NEG should also be modified to allow for the use of funds to clean, restore, repair, or prepare fishing and oyster grounds for future harvests if the areas were impacted by the BP Deepwater Horizon Oil Spill, with a stipulation that the work is to be performed by coastal businesses and employees.

- Ensure that NEG funding remains in the Gulf Coast, even if states are not able to draw down their full allocations by the deadline. Community colleges should have access to funding in this event.

**7. Support cross-collaborative efforts within the region to enhance economic growth within the coastal protection and restoration industry.**

In an effort to support the Taskforce's goal of finding solutions across the region, GNO, Inc. is working to identify networks of support, including economic development organizations, chambers of commerce, business associations, young leadership groups, and other stakeholders who have not previously been engaged in this issue.

We appreciate the opportunity to share our recommendations to strengthen the Gulf Coast Ecosystem Restoration Strategy. We welcome the opportunity to meet with members of the Taskforce or provide any other background on these recommendations.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Hecht', with a long, sweeping horizontal line extending to the right.

Michael Hecht  
President & CEO  
Greater New Orleans, Inc.



# Correspondence Management System

Control Number: AX-11-001-6097

Printing Date: September 28, 2011 03:08:43



## Citizen Information

**Citizen/Originator:** Harpole, Paul

**Organization:** City of Amarillo

**Address:** 509 South East Seventh Avenue Post Office Box 1971, Amarillo, TX 79105

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6097

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Oct 12, 2011

**# of Extensions:** 0

**Letter Date:** Sep 13, 2011

**Received Date:** Sep 28, 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-Stay of the Cross-State Air Pollution Rule-Request for Reconsideration  
EPA-HQ-OAR-2009-0491

**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  
R6 - Region 6 -- Immediate Office

## Lead Information

**Lead Author:** Trina Wilkerson

**Office:** OAR-OAP-CAMD

**Due Date:** Oct 7, 2011

**Assigned Date:** Sep 28, 2011

**Complete Date:** N/A

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

## Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OAR	Sep 28, 2011	Oct 12, 2011	N/A
<b>Instruction:</b> DX-Respond directly to this citizen's questions, statements, or concerns					
Gloria Hammond	OAR	OAR-OAP	Sep 28, 2011	Oct 7, 2011	N/A
<b>Instruction:</b> DX - DIRECT REPLY - - PREPARE RESPONSE FOR THE SIGNATURE OF THE DIVISION DIRECTOR.					



CITY OF AMARILLO

OFFICE OF THE  
MAYOR

September 13, 2011

RECEIVED  
2011 SEP 27 PM 12:58  
OFFICE OF THE  
EXECUTIVE SECRETARIAT

Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

Re: Cross State Air Pollution Rule – Petition for Reconsideration  
Docket No. EPA-HQ-OAR-2009-0491

Dear Administrator Jackson:

I am writing on behalf of the City of Amarillo, Texas (population 192,000) in support of the August 23, 2011 Southwestern Public Service Company (SPS) Petition for Reconsideration and Request for Stay of the Cross State Air Pollution Rule (CSAPR).

Per Texas law, this municipality has original jurisdiction over the customer electric rates for SPS. Accordingly, we exercise oversight of the expenditures and prudence of certain activities of SPS, which is the reason for my writing this letter.

The City of Amarillo concurs with the allegation in SPS's petition, that EPA chose to include Texas in the CSAPR year-round emission reduction programs without providing the public an opportunity to comment on that decision. Moreover, EPA is requiring SPS to comply with CSAPR beginning in January 2012, an unreasonably short five months after the rule was finalized. CSAPR poses significant consequences for our local economy and the wellbeing of the people of our community who must pay the electric bills directly resulting from the EPA-CSAPR — which is also yet another unfunded mandate foisted upon ratepayers and voters.

SPS serves our local area. About half of its power comes from coal. As the SPS petition indicates, to comply with the rule by January 1, 2012, SPS will be forced to reduce operation of its coal-fired power plants and greatly increase its reliance on natural gas-fired electric generation. As a result, CSAPR will drive up electricity costs significantly. The SPS petition projects that the cost of the increased use of natural gas plants could be \$200 to \$250 million in 2012 alone. It is the citizen consumers of Amarillo who ultimately bear the payment of this cost, and this on top of the economic losses from the historical drought upon our land.



Environmental Protection Agency

September 13, 2011

Page 2

Apart from the economic impact, I am concerned that CSAPR could also harm the reliability of our local electric system. Unlike the eastern United States, there is limited capacity for interconnectivity between our power grid and the rest of the nation, so reliability of our local electric system is more critical in our remote region than in some other areas of the nation. We and all the people of the Texas Panhandle and Eastern New Mexico rely on the SPS electric system for our livelihoods and well-being. The record high temperatures we are experiencing this summer illustrate just how critical it is that SPS, the sole electricity provider for Amarillo, remains both operationally reliable and economically viable.

In summary, implementing CSAPR, as written with the unreasonably short effective date, renders it an irresponsible act that threatens our economy and the reliability of electricity for citizens of Amarillo and the region.

For these reasons, I urge you to grant SPS's petition and, stay CSAPR pending reconsideration of that rule.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Harpole", written in a cursive style.

Paul Harpole  
Mayor



# Correspondence Management System

Control Number: AX-11-001-6100

Printing Date: September 28, 2011 07:18:19



## Citizen Information

**Citizen/Originator:** Stoner, Nancy K.

Organization: Office of Water

Address: 1200 Pennsylvania Avenue, N.W. (4101M), Washington, DC 20460

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6100

**Alternate Number:** N/A

**Status:** For Your Information

**Closed Date:** N/A

**Due Date:** N/A

**# of Extensions:** 0

**Letter Date:** Sep 23, 2011

**Received Date:** Sep 28, 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-Iowa Drainage and Wetland Landscape Systems Initiative

**Instructions:** For Your Information -- No action required

**Instruction Note:** N/A

**General Notes:** N/A

**CC:** ORD - Office of Research and Development -- Immediate Office

R7 - Region 7 -- 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	GCERTF	Sep 28, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to GCERTF	Sep 28, 2011

## Comments

# DAILY READING FILE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

RECEIVED


2011 SEP 27 PM 1:17

SEP 23 2011

OFFICE OF THE  
EXECUTIVE SECRETARIAT  
OFFICE OF WATER

## MEMORANDUM

**SUBJECT:** Iowa Drainage and Wetland Landscape Systems Initiative (Iowa Initiative)

**FROM:** Nancy K. Stoner   
Acting Assistant Administrator

**TO:** Lisa P. Jackson  
Administrator

This memo is in follow-up to the presentation by the Iowa Department of Agriculture and Land Stewardship (IDALS) at the recent Gulf of Mexico Restoration Task Force meeting. OW, ORD, and Region 7 have been actively engaged with IDALS during the evolution and development of this initiative. The origin of the Iowa Initiative began with a project (Iowa CREP<sup>1</sup>) to construct wetlands at the end of existing tile drains to capture nitrates delivered via the tile system before they reach downstream waters. This effort has evolved into the current Iowa Initiative which similarly installs nutrient-removal wetlands but also redesigns the tile drainage system to make it more efficient. The augmentation of the drainage system is a crucial aspect of the current proposal. We see potential in the Iowa Initiative to reduce nitrate loads to surface waters--potentially helping to address hypoxia in the Gulf of Mexico. However, there is some concern that increases in subsurface runoff and nutrient loads may potentially be beyond the capacity of the nutrient-removal wetlands. Moreover, more efficient drainage will also likely drain some existing farmed wetlands. Whether the Iowa Initiative will realize its potential to reduce nitrate delivery to surface waters depends on the resolution of several technical issues outlined below. We believe a prudent course forward is to continue implementation of ongoing pilots designed to collect data to address these issues before EPA supports wide-scale implementation.

### Brief Project Description and Potential Benefits

IDALS has designed a private/public initiative with the goal of reducing nutrient loads and increasing crop production across the six million acres in Iowa targeted for nitrate transport reduction. The basic design is to replace the aging tile drainage infrastructure with larger drains

<sup>1</sup> The Conservation Reserve Enhancement Program (CREP) in Iowa utilized USDA funds to construct wetlands at the end of tile drains beginning in 2006. USDA has taken the Iowa CREP model and is working to create similar programs in other states. This effort is called the Farmable Wetlands Program and it includes monitoring efforts to evaluate performance. EPA strongly supports the Iowa CREP/Farmable Wetlands efforts.

and relocate some drains to increase drainage efficiency and to install (or restore) nutrient-removal wetlands at the outfall of the tile drain system.

- IDALS anticipates this initiative could reduce the downstream release of subsurface runoff of nitrates by 40-70% and surface runoff pollutants (sediment and phosphorous) by 50%, increase wetland habitat and ecological functions of the landscape, decrease N<sub>2</sub>O greenhouse gas emissions, and optimize crop yield and profitability. The pollutant removal estimates were generated through modeling and monitoring of IA CREP projects, which currently deliver less subsurface flow and nitrogen to the wetland.

#### Discussion of Technical and Policy Issues

EPA staff (OW, R7, and ORD) believe there is potential for the Iowa Initiative to improve local and down-stream water quality by reducing nitrate loads and to provide wildlife habitat via the constructed wetlands. Whether these benefits materialize, however, depends in part on how these wetlands actually operate under increased drainage flow conditions, as well as the extent to which the increase in nitrate loads could exceed the assimilative capacity of the wetlands and shorten the lifespan of the wetlands. In short, there is concern that increases in subsurface transport and nitrate loads may potentially overwhelm the capacity of the nutrient-removal wetlands. Moreover, more efficient drainage will also likely drain some existing farmed wetlands. Nitrate removal wetlands are typically shallow pools with fringe vegetation, potentially providing different habitat than farmed wetlands.<sup>2</sup> There is little information about the initiative's expected impact on the number, extent and quality of existing farmed wetlands that could be drained. In addition, while the redesigned drainage would transport more nitrate into the constructed wetlands, there is an issue as to whether more particulate phosphorus and sediment would be retained in the fields or increase the delivery of dissolved reactive phosphorus downstream.

Other federal and state agencies including FSA, the Corps, and the IA Department of Natural Resources agree these are important issues to address.

In addition to the technical issues, the current proposal presents some policy issues that also need to be addressed. IDALS proposes to use the Initiative's nitrate-removal wetlands as compensatory mitigation for the farmed wetlands that would be drained and for impacts to streams. This poses issues with regard the CWA 404 Mitigation Regulation and the "Swampbuster" provisions, because federal conservation funds cannot be used to finance mitigation for impacts to aquatic resources (USDA's CREP funds are used to construct the wetlands).

Finally, because the Iowa Initiative is designed to capture nitrate-enriched waters for nutrient-removal in constructed wetlands, this could raise the issue of the regulatory status of these constructed wetlands. In general, wetlands constructed in non-waters

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<sup>2</sup> In the Yazoo Pumps Project review, the Corps of Engineers and EPA documented the ecological benefits of farmed wetlands to migratory birds (part of 404 (C) justifications). Several amphibians rely on the specific duration of pools in prairie potholes and farmed wetlands for reproduction.

would remain outside the scope of CWA jurisdiction. However, discharges from constructed wetlands into jurisdictional waters would likely require a CWA 402 permit.

The EPA is participating in and funding demonstration efforts designed to generate information and data to address the technical issues around performance so that we can assess whether the anticipated benefits of the Iowa Initiative are likely to materialize. If these demonstrations confirm that the system can successfully and sustainably reduce nutrient loads to downstream waters, improve water quality, and avoid unacceptable impacts to existing wetlands, the EPA can enthusiastically support this approach. In such case, we in OW would stand ready to fully exercise existing flexibilities in regulation, policy and guidance to advance this approach. Until that time, however, we urge that we continue to focus on developing the science to prove the concept, including through providing funding for continued monitoring of demonstration pilots. The EPA has offered to provide technical and financial resources to support the monitoring of these demonstration projects which, to date, IDALS has declined.

Please let us know if we can be of additional assistance.





# Correspondence Management System

Control Number: AX-11-001-6158

Printing Date: September 28, 2011 02:33:41



## Citizen Information

**Citizen/Originator:** Allen, Sally V.

**Organization:** Gary-Williams Energy Corporation

**Address:** 370 17th Street, Denver, CO 80202-5653

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6158

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Oct 13, 2011

**# of Extensions:** 0

**Letter Date:** Sep 23, 2011

**Received Date:** Sep 28, 2011

**Addressee:** DA-Deputy 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 - Letter from Bob Perciasepe to Winslow Sargeant - Sept 9, 2011 re: Small Entity Representatives - Refining 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:** OAR - Office of Air and Radiation -- Immediate Office  
OEAE - Office of External Affairs and Environmental Education  
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	OSBP	Sep 28, 2011	Oct 13, 2011	N/A
<b>Instruction:</b> 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



## **Small Entity Representatives - Refining**

### **Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards**

Mr. Robert W. Perciasepe  
Deputy Administrator  
US EPA  
Ariel Rios Federal Bldg, Room 3412  
1200 Pennsylvania Avenue NW  
Washington DC 20460

September 23, 2011

Dear Mr. Perciasepe:

The eight refining Small Entity Representatives (SERs) that have participated in the Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards SBAR panel thank you for providing us with copies of your September 9, 2011 response to Winslow Sargeant's August 4 letter to Lisa Jackson and Cass Sunstein.

Mr. Sargeant asserted that EPA was "not in compliance with [SBREFA] due to the lack of information [that EPA] provided" to panel members. He concluded that "a panel conducted under these circumstances is unlikely to succeed in identifying reasonable regulatory alternatives as required by the Regulatory Flexibility Act (RFA)".

We SERs completely agree with the SBA position. EPA has not provided any evidence that information given to SERS to date, before, during and after the June 28 pre-panel and August 18 panel meetings, is or should be adequate for us to comment on the potential impacts of any proposed rule. No rule has been proposed. Your answer that EPA has provided as much information "as is currently available" begs the question. SBREFA establishes an affirmative obligation to provide information to SERs as an integral part of the rulemaking process. Merely disclosing whatever information EPA has at hand is not enough. Specifically, EPA must provide SERs with information sufficient to allow them to investigate whether reasonable alternatives to upcoming rules exist that

would mitigate the rules' impact on small businesses. But at this point, we SERs lack the information necessary to "understand the objectives of this rulemaking and the approaches the EPA could take to meet those objectives". Therefore we are unable to evaluate how this rulemaking might affect us. Indeed, as your letter points out, EPA itself still was in the process of gathering and analyzing data during the SBAR panel process. Those data have not been made available to us.

We ask that you consider carefully the attached comments submitted by the SERs as requested by EPA and the panel staff. They specify in detail why we have been unable to provide substantive information about the possible impact of this rulemaking and why small refineries should be exempt from whatever proposal EPA develops unless and until there is another SBAR panel after SERs have been provided with information sufficient to allow them to participate meaningfully in the process.

We look forward to hearing your response to our concerns. Thank you for your consideration.

<b>Company</b>	<b>Location</b>	<b>SER</b>
American Refining Group	Bradford, PA	Steve L. Sherk
Countrymark Cooperative	Indianapolis & Mt. Vernon, IN	Matt Smorch
CVR Energy Inc.	Coffeyville, KS	John Ditmore
Gary-Williams Energy/ Wynnewood Refining	Denver, CO Wynnewood, OK	Sally V. Allen
Montana Refining	Great Falls, MT	Dexter Busby
Petro Star Inc.	Valdez & North Pole, AK	Richard Curtin
Placid Refining	Dallas, TX; Port Allen, LA	Ron Hurst
Wyoming Refining Co.	Denver, CO; Newcastle, WY	Bob Neufeld

cc: Cass R. Sunstein, Administrator, Office of Information and Regulatory Affairs,  
Office of Management and Budget

Winslow Sargeant, Chief Counsel for Advocacy, Office of Advocacy, US Small  
Business Administration



# Correspondence Management System

Control Number: AX-11-001-6191

Printing Date: September 28, 2011 02:32:18



## Citizen Information

**Citizen/Originator:** Fisher, Greg

**Organization:** Roosevelt County Community Development Corporation

**Address:** 100 South Avenue A, Portales, NM 88130

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6191

**Alternate Number:** N/A

**Status:** For Your Information

**Closed Date:** N/A

**Due Date:** N/A

**# of Extensions:** 0

**Letter Date:** Sep 14, 2011

**Received Date:** Sep 28, 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 - Cross State Air Pollution Rule - Petition for Reconsideration Docket No. EPA-HQ-OAR-2009-0491

**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

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 28, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OAR	Sep 28, 2011

# DAILY READING FILE



Roosevelt County Community Development Corporation  
100 South Avenue A  
Portales, New Mexico 88130 USA  
[www.goportales.com](http://www.goportales.com)

OFFICE OF THE  
EXECUTIVE SECRETARIAT

2011 SEP 28 AM 10:24

REC'D

Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

Re: Cross State Air Pollution Rule – Petition for Reconsideration  
Docket No. EPA-HQ-OAR-2009-0491

Dear Administrator Jackson:

I am writing on behalf of Roosevelt County and the City of Portales, New Mexico in support of the August 23, 2011 Southwestern Public Service Company (SPS) petition for reconsideration and request for stay of the Cross State Air Pollution Rule (CSAPR).

As indicated in SPS's petition, EPA chose to include Texas in the CSAPR year-round emission reduction programs without providing the public with an opportunity to comment on that decision. Moreover, EPA is requiring SPS and other Texas utilities to comply with CSAPR beginning in 2012, a short five months after the rule was finalized.

The SPS region encompassing Eastern New Mexico and West Texas are significant international producers of American-made food products such as organic peanut butter, milk, cotton, grains, biofuel feedstock, and beef products. SPS serves our specific jurisdiction, including Portales and Eastern New Mexico University, and while wind power is increasingly important, about half of our SPS power comes from coal.

As the SPS petition indicates, to comply with this rule by Jan. 1, 2012, SPS will be forced to reduce operation of its coal-fired power plants and rely significantly more on natural gas-fired electric generation. As a result, CSAPR will drive up electricity costs significantly. SPS demonstrates in its petition that the cost of increasing its reliance on natural gas plants could be up to \$200 to \$250 million in 2012 alone. Energy consumers like those in Portales and Eastern New Mexico University will ultimately pay this cost.

We estimate that the increased energy costs will result in millions of dollars in added annual expenses to often struggling consumers and businesses, including cash-strapped universities and drought-parched American agribusiness facilities that are the largest and most stable employers in our region.

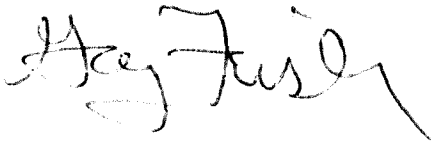


More importantly, as described in the SPS petition, we are concerned that CSAPR could harm the reliability of the electric system. We and all the people of the Texas Panhandle and Eastern New Mexico rely on the SPS electric system for our livelihoods and well-being.

Especially after the record temperatures we've experienced this year, we believe it is vital that EPA design CSAPR and all of its other rules to ensure that our region has access to reliable electricity.

For these reasons, we urge you to grant SPS's petition and stay CSAPR pending reconsideration of the rule.

Sincerely,

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

Greg Fisher, CE&D  
Executive Director



# Correspondence Management System

Control Number: AX-11-001-6192

Printing Date: September 28, 2011 01:20:36



## Citizen Information

**Citizen/Originator:** Glaess, Mark

Organization: Minnesota Rural Electric Association  
Address: 11640 - 73rd Avenue North, Maple Grove, MN 55369

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-6192 **Alternate Number:** N/A  
**Status:** Pending **Closed Date:** N/A  
**Due Date:** Oct 12, 2011 **# of Extensions:** 0  
**Letter Date:** Sep 20, 2011 **Received Date:** Sep 28, 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- Minnesota Rural Electric Association represents 44 member-owned electric cooperatives and 6 generation and transmission cooperative serving some 1.7 million Minnesotans. To now learn your agency is set to implement the National Emission Standards for Hazardous Air Pollutants ("NESHAP") is beyond belief.  
**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) (5) Personal Privacy	OEX	OAR	Sep 28, 2011	Oct 12, 2011	N/A
<b>Instruction:</b> 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



**Minnesota  
Rural Electric Association**

11640 73<sup>rd</sup> Avenue North, Maple Grove, MN 55369  
Phone 763.424.1020 · Fax 763.424.5820 · [www.mrea.org](http://www.mrea.org)

Your Touchstone Energy® Partner 

**DAILY READING FILE**

RECEIVED  
2011 SEP 28 AM 10:24  
OFFICE OF THE  
EXECUTIVE SECRETARIAT

September 20, 2011

The Honorable Lisa Jackson  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20004

Dear Administrator Jackson:

The Minnesota Rural Electric Association represents 44 member-owned electric cooperatives and 6 generation and transmission cooperative serving some 1.7 million Minnesotans. Over 3 decades our members have reduced peak electric use through load control or demand side management. We have been national leaders to curtail large loads that lead to peak usage through the use of standby generators. Our efforts have eliminated the necessity of building a 500 MW coal-based plant. We've been that successful.

To now learn your agency is set to implement the National Emission Standards for Hazardous Air Pollutants ("NESHAP") for compression ignition and spark ignition stationary Reciprocating Internal Combustion Engines ("RICE"), which will end the use of those peaking units, is beyond belief. Or, perhaps it's not. We have watched with increased dismay of EPA laying waste to the rural economy with your haze rule, with your consideration of regulating CCR as a hazardous waste, with EPA confusing efficiencies with emissions through your imposition of New Source Review.

Surely you know, or should know, peak-shaving programs enhance electric reliability and lower cost to the consumer by reducing demand on central station power supplies. The engines are used on a limited basis and are run fewer hours than the 100 hours allowed in the rule for general non-emergency operation. Were EPA to remove the prohibition on these engines for peak-shaving and demand reduction purposes, the result would be no more run-time than that which is already provided for in the rule and no measurable public health risk or environmental harm.

In light of these factors, I request that you modify the final RICE NESHAP rules by including unrestricted peak-shaving and demand reduction operation within the 100 hours per year provided in the rule for maintenance and readiness testing. Thank you for your consideration of this very important matter.

Sincerely,



Mark Glaess  
Manager



# Correspondence Management System

Control Number: AX-11-001-6248

Printing Date: September 29, 2011 12:12:14



## Citizen Information

**Citizen/Originator:** Siegel, Lenny

**Organization:** Center for Public Environmental Oversight, a project of the Pacific Studies Center

**Address:** 278-A Hope Street, Mountain View, CA 94041

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6248

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Oct 13, 2011

**# of Extensions:** 0

**Letter Date:** Sep 26, 2011

**Received Date:** Sep 29, 2011

**Addressee:** AD-Administrator

**Addressee Org:** EPA

**Contact Type:** EML (E-Mail)

**Priority Code:** Normal

**Signature:** N/A

**Signature Date:** N/A

**File Code:** 401\_127\_a General Correspondence Files Record copy

**Subject:** Daily Reading File-Please finalize the TCE Toxicological Review.

**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

Michelle Crews - OSWER

OEAEE - Office of External Affairs and Environmental Education

OP - Office of Policy

OSWER - OSWER -- Immediate Office

R9 - Region 9 - Immediate Office

## Lead Information

**Lead Author:** Stella Spyropoulos

**Office:** ORD-NCEA

**Due Date:** Oct 13, 2011

**Assigned Date:** Sep 29, 2011

**Complete Date:** N/A

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

## Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	ORD	Sep 29, 2011	Oct 13, 2011	N/A
<b>Instruction:</b> DX-Respond directly to this citizen's questions, statements, or concerns					
Harita Rao	ORD	ORD-NCEA	Sep 29, 2011	Oct 13, 2011	N/A
<b>Instruction:</b> N/A					

September 26, 2011

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

Dear Administrator Jackson:

We represent communities across the United States where our water and/or our air is impacted by contamination with trichloroethylene (TCE) or similar toxic substances. We have been waiting for a decade for EPA to finalize a Toxicological Review for this cancer-causing chemical.

We understand that EPA scientists at the National Center for Environmental Assessment are prepared to issue such a document, finding—as indicated in the November, 2009 draft—that TCE is carcinogenic to humans by all pathways, and in essence establishing risk factors that would lead to better protection for ourselves, our families, and our neighbors. But we have learned that release of this assessment has been delayed. **We urge you to release the TCE Toxicological Review immediately and let the scientists do their work without political interference.**

The previous administration pulled EPA's 2001 TCE toxicity assessment and sent the issue to the National Academies of Sciences (NAS) for re-review. In July 2006 the NAS found that the evidence that TCE causes cancer had increased since 2001 and called upon EPA to finalize the assessment. In December 2009, after EPA released its new draft TCE review, EPA's Inspector General issued a report on vapor intrusion that called upon the agency to "finalize toxicity values for TCE and PCE [tetrachloroethylene] in the IRIS database."

- *There is no scientific basis for further delay of the TCE review.* Peer reviewers were strongly supportive of the draft review.
- *More protective TCE standards will not reduce employment.* While it is questionable whether any environmental regulation has a net negative impact on jobs, most industries and government agencies have already stopped using TCE. If anything, more protective TCE regulation will create additional jobs in the environmental cleanup sector.
- *Thousands of communities need protection from TCE.* TCE is one of the most common groundwater contaminants at Superfund sites, military facilities, and other contamination sites. Many of us are exposed to TCE vapors in our homes, schools, and workplaces, and without a new IRIS value we will not receive adequate protection.



TCE exposures pose a widespread and significant risk to public health. Release of the Toxicological Review is overdue. Further delay will needlessly expose even more Americans to this known carcinogen at unsafe levels. We should not allow politics or profits to supersede science. Do not be intimidated by the opponents of environmental protection. **Authorize the release of the final TCE toxicological review now!**

Sincerely,

Kathryn Alcántar, Californians for a Healthy and Green Economy, Oakland, CA

John G. Buddy Andrade, Old Bedford Village Development, Inc., New Bedford, MA

Dvija Michael Bertish, Rosemere Neighborhood Association, Clark County, WA

Chris Borello, Concerned Citizens of Lake Twp./Uniontown IEL Superfund Site, Uniontown, Ohio

Ros Borodkin, Fair Lawn, NJ

Robert W. Bowcock, Integrated Resource Management, Claremont, CA

Stephen Brittle, Don't Waste Arizona, Phoenix, AZ

Laura Carson, Southside Village, NC

Marshall Chandler, Radburn Citizens Association, Fair Lawn, NJ

Ron and Linda Coll, Fair Lawn, NJ

Joan Davidson, Citizens Advisory Board for the Palos Verdes Landfill, Palos Verdes, CA

Ken Deschere, Ithaca South Hill Industrial Pollution, Ithaca, NY

Gabriel Dunsmith, Poughkeepsie, NY

Barry Durand, CTS of Asheville Groundwater Contamination Site CAG, NC

J. M. Ensminger, Agency for Toxic Substances and Disease Registry Camp Lejeune Community Assistance Panel, NC

Amanda Evans-Healy, Victims of TCE Exposure, Hillsboro, OR

John E. Gibbons, John E. Gibbons Associates, Antioch, CA

Lois Gibbs, Center for Health, Environment & Justice, Falls Church, VA

Debra Hall, Hopewell Junction Citizens for Clean Water, Hopewell Junction, NY

Allen Hengst, Environmental Health Group, Washington, DC

Glen E. Horecky, CTS of Asheville Groundwater Contamination Site CAG, NC

Jane Horton, Mountain View, CA

Zoe Kelman, Public Employees for Environmental Responsibility

Barry Kissin, Frederick, MD

Marilyn T. Koenitzer, Corvallis Watch, Corvallis, OR

Marion Lambeth, Durham, NC

Peter C. Little, Department of Anthropology, Oregon State University, OR

Donna A. Lupardo, Member, New York State Assembly, Endicott, NY

Jane Maisel, Bronx Committee for Toxic Free Schools, Bronx, NY

Dave McCoy, Citizen Action New Mexico, Albuquerque, NM

Carol Meschkow, Concerned Citizens of the Plainview-Old Bethpage Community Inc.,  
Plainview, NY

Kathy Moore, Fair Lawn, NJ

Mary Moore, Lindon Park Neighborhood Association, Phoenix, AZ

Maureen Moriarty, Fair Lawn, NJ

Bob Moss, Barron Park Association Foundation, Palo Alto, CA

Joseph Mugivan, Port Washington, NY

Penny Newman, Center for Community Action and Environmental Justice, Riverside,  
CA

Dave Ogren, C.T.S. Citizens Monitoring Council, Buncombe County, NC

Laura Olah, Citizens for Safe Water Around Badger, Merrimac, WI

Bruce Oldfield, New York Vapor Intrusion Alliance and Hillcrest Environmental Action Team, Hillcrest, NY

Dot Rice, Asheville, NC

Lenny Siegel, Center for Public Environmental Oversight, Mountain View, CA

Robert Spiegel, Edison Wetlands Association, Edison, NJ

Ralph Stanton, [http://guamagentorange.info/tce\\_contamination](http://guamagentorange.info/tce_contamination), St Joseph, MO

Karen Vilandry, New Bedford, MA

Pete Voggenthaler, Las Vegas, NV

Christina Walsh, [cleanuprocketdyne.org](http://cleanuprocketdyne.org), West Hills, CA

Laura Ward, FOCUS, Inc., Tallevast, FL

Wanda Washington, FOCUS, Inc., Tallevast, FL

Beth Willis, Frederick Citizens for Bio-lab Safety, Frederick, MD

John Yelenick, Rocky Mountain Arsenal Site Specific Advisory Board, Denver, CO

Kate Zidar, Newtown Creek Alliance, Brooklyn/Queens, NY

cc:

Mathy Stanislaus, U.S. EPA Assistant Administrator, Office of Solid Waste and  
Emergency Response

Paul Anastas, U.S. EPA Assistant Administrator, Office of Research and Development

Cass Sunstein, Administrator, White House Office of Information and Regulatory Affairs



# Correspondence Management System

Control Number: AX-11-001-6250

Printing Date: September 29, 2011 12:10:48



## Citizen Information

**Citizen/Originator:** Putnam, Adam H.

**Organization:** Florida Department of Agriculture and Consumer Services  
**Address:** The Conner Building 3125 Conner Boulevard, Tallahassee, FL 32399

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6250  
**Status:** Pending  
**Due Date:** Oct 13, 2011  
**Letter Date:** Sep 21, 2011  
**Addressee:** AD-Administrator  
**Contact Type:** EML (E-Mail)  
**Signature:** 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.  
**Alternate Number:** N/A  
**Closed Date:** N/A  
**# of Extensions:** 0  
**Received Date:** Sep 28, 2011  
**Addressee Org:** EPA  
**Priority Code:** Normal  
**Signature Date:** N/A  
**Subject:** Daily Reading File-Clean Water Act-Pesticide General Permit  
**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  
OCSP - OCSP - Immediate Office  
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	Sep 29, 2011	Oct 13, 2011	N/A
<b>Instruction:</b> 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



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
COMMISSIONER ADAM H. PUTNAM

---

Delivered via electronic mail

September 21, 2011

Lisa Jackson, Administrator  
United States Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

RE: Clean Water Act - Pesticide General Permit

Dear Administrator Jackson:

The Pesticides Operation and Management Committee (POM) of the State FIFRA Issues Research and Evaluation Group (SFIREG) is a forum for representatives of state pesticide regulation lead agencies to discuss pesticide regulatory issues with the Agency. At our meeting on September 20, 2011, the Committee was given an update on the status of the Pesticide General Permit being developed to comply with the January 7, 2009 Sixth Circuit Court ruling that vacated the November 2006 Final Clean Water Act pesticides rule.

The basic points of the update are as follows:

- The April 9, 2011 version of the Pesticide General Permit (PGP) published by the Agency will be modified to include provisions necessary to respond to Endangered Species Act consultation with the National Marine Fisheries Service.
- These modifications will not be available until shortly before the stay of implementation of the Sixth Circuit Court ruling expires on October 31, 2011.
- There will be no time for comment on these modifications before the stay expires.
- The Endangered Species Act consultation with the United States Fish and Wildlife Service are ongoing and may not be complete by October 31, 2011.
- The modified PGP will affect six states directly (Alaska, Idaho, Massachusetts, New Hampshire, New Mexico, and Oklahoma) and six territories.



- Pesticide applicators in these six states and the territories will have to comply with these modified provisions and submit Notices of Intent by October 31, 2011.
- To the Agency's knowledge only eight states have completed adoption of their PGPs.
- Pesticide applicators in states without completed PGPs will be in violation of the Clean Water Act if they make applications of pesticides to waters of the United States after October 31, 2011, unless they obtain individual permits.

Given the status of the Agency's PGP, the uncertainty as to the provisions of the final version, and the large number of states that have not completed their general permits, the logical path is for the Agency to seek an extension of the stay of implementation granted by the Sixth Circuit for a minimum of another six months. The POM voted to respectfully request that the Agency seek such an extension.

An extension would allow the Agency to receive comment on the modified PGP, for the directly affected states to incorporate the modified provisions into their programs, for states to finalize their PGPs, and for outreach by the Agency to achieve compliance with the provisions of the PGP.

On behalf of the POM and SFIREG, please consider requesting an extension of the stay of implementation of the Sixth Circuit court decision on the applicability of the Clean Water Act to pesticide applications to waters of the United States.

Thank you for your consideration of this request, and please let me know if any additional information is needed.

Sincerely,

**ADAM H. PUTNAM**  
**COMMISSIONER OF AGRICULTURE**

A handwritten signature in black ink, appearing to read 'Steven E. Dwinell', written over a horizontal line.

Steven E. Dwinell, SFIREG Chair



# Correspondence Management System

Control Number: AX-11-001-6271

Printing Date: September 29, 2011 11:36:34



## 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-11-001-6271 **Alternate Number:** N/A  
**Status:** For Your Information **Closed Date:** N/A  
**Due Date:** N/A **# of Extensions:** 0  
**Letter Date:** Sep 26, 2011 **Received Date:** Sep 28, 2011  
**Addressee:** Indira Garcia **Addressee Org:** Department of State  
**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  
September 12, 2011- November 30, 2011  
**Instructions:** For Your Information -- No action required  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** Noah Dubin - OEX  
OEAE - Office of External Affairs and Environmental Education  
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	Sep 29, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OITA	Sep 29, 2011

September 26, 2011

SENSITIVE BUT UNCLASSIFIED  
FOR OFFICIAL GOVERNMENT USE ONLY

NATIONAL SECURITY AFFAIRS CALENDAR

ONGOING EVENTS

Sep 12-30	18th Regular Session of the Human Rights Council, Geneva
Sep 25-26	Asia-Pacific Economic Cooperation (APEC) Senior Officials' Meeting 3, San Francisco
Sep 25-28	World Food Program (WFP) Conference, Bamako
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	6th UN Internet Governance Forum (IGF), Nairobi
Sep 27*	Visit of Foreign Minister Portas of Portugal to Washington
Sep 27-28*	Visit of Foreign Minister Zarifi of Tajikistan to Washington
Sep 28*	Visit of Foreign Minister Amr of Egypt to Washington
Sep 28 - Oct 1	4th Review Conference of the Treaty on Conventional Forces in Europe, Vienna
Sep 29*	Visit of Foreign Minister Olugbenga Ashiru of Nigeria to Washington
Sep 29 - Oct 1	Parliamentary Elections in Seychelles

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LOOKING FORWARD

Oct 1	Parliamentary Elections in Bahrain (Snap)-2nd Round
Oct 2-5	2nd Meeting of the Sub-Group on Media Exchanges under the U.S.-Russia Bilateral Presidential Commission's Working on Education, Culture, Sports and Media, Moscow
Oct 3-28	UNGA First (Disarmament and International Security) Committee, New York
Oct 3*	U.S.-Japan Economic Harmonization Initiative High-Level Meeting, Washington
Oct 5-6	North Atlantic Treaty Organization (NATO) Defense Ministers Meeting, Brussels
Oct 5-6	4th Pathways to Prosperity Ministerial Meeting, Santo Domingo
Oct 5-7	The Americas Competitiveness Forum, Santo Domingo
Oct 5*	Visit of President Lobo of Honduras to Washington
Oct 5-7*	Corporate Council on Africa (CCA) Biennial U.S.-Africa Business Summit, Washington
Oct 7*	Visit of Prime Minister Essebsi of Tunisia to Washington
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 10-11	International Forum for a Nuclear-Free World, Astana
Oct 11	Presidential and Legislative Elections in Liberia
Oct 11*	Visit of Prime Minister Luksic of Montenegro to Washington
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 13-14	Council of Europe Forum for the Future of Democracy, Limassol, Cyprus
Oct 14-15	G-20 Finance Ministerial, Paris
Oct 16-17	Asia-Pacific Economic Cooperation (APEC) Workshop on Terrorist Abuse of Non-Profit Organizations, Kuala Lumpur
Oct 17-18	International Congress on Energy Security, Geneva
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 20*	Visit of Prime Minister Stoltenberg of Norway to Washington
Oct 21-23	World Economic Forum on the Middle East, Dead Sea, Jordan



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 27*	Visit of Prime Minister Necas of the Czech Republic to Washington
Oct 27-28	123rd Session of the Steering Committee for Nuclear Energy, Nuclear Energy Agency, Paris
Oct 30	Presidential Elections in Kyrgyzstan
Oct 31*	U.S.-Indonesia Higher Education Summit, Washington
Nov TBD*	U.S.-Israel Strategic Dialogue, Washington
Nov 1-2	London International Cyber Conference, London
Nov 2	Regional Summit on Afghanistan, Istanbul
Nov 3-4	G-20 Summit, Cannes
Nov 5-6	Presidential and Legislative Elections in Nicaragua
Nov 5-6	Presidential Elections in Guatemala-2nd Round
Nov 7-9	Asia-Pacific Economic Cooperation (APEC) Business Advisory Council (ABAC) IV, Honolulu
Nov 8-9	Asia-Pacific Economic Cooperation (APEC) Concluding Senior Officials Meeting and Related Meetings, Honolulu

Nov 9*	U.S.-Vietnam Human Rights Dialogue, Washington
Nov 10	Asia-Pacific Economic Cooperation (APEC) Finance Ministerial, Honolulu
Nov 10-11	Asia-Pacific Economic Cooperation (APEC) CEO Summit, Honolulu
Nov 10-11	17th Meeting of the Heads of State and Government of the South Asian Association for Regional Cooperation (SAARC), Addu City
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 13	North American Leaders Summit (NALS), Honolulu
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 16-17	Visit of President Obama to Australia to Commemorate the 60th Anniversary of the U.S.-Australia Alliance
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
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 21 (T)	Parliamentary Elections in Egypt
Nov 22	International Energy Forum (IEF) Executive Board Meeting, Riyadh
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 4	Parliamentary Elections in Russia

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
Dec 9	Ministerial Conference on Internet Freedom, The Hague
Dec 10	Presidential Inauguration in Argentina
Dec 11 (T)	Parliamentary Elections in Cote d'Ivoire
Dec 12-19	World Trade Organization (WTO) Ministerial Conference, Geneva
 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 3-5	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
Feb 27-28	Mobile World Conference, Barcelona

Mar TBD	Presidential Elections in Egypt
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 12-14	International Energy Forum (IEF) Ministerial Meeting, Kuwait City
Mar 26-27	2nd Nuclear Security Summit, Seoul
Mar 29	Parliamentary Elections in Iraq
Apr 14-15	6th Summit of the Americas, Cartagena
Apr 22	Presidential Elections in France-1st Round
May 6	Presidential Elections in France-2nd Round
May 15-22	NATO/G-8 Summits, Chicago
May 16	Presidential Elections in the Dominican Republic
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 4-8	25th World Gas Conference: "Gas: Sustaining Future Global Growth", Kuala Lumpur
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
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](mailto:sarkiss@state.sgov.gov) or [sarkiss@state.gov](mailto:sarkiss@state.gov).



# Correspondence Management System

Control Number: AX-11-001-6299

Printing Date: September 29, 2011 03:07:26



## Citizen Information

**Citizen/Originator:** Christensen, Dale

Organization: Renville Sibley Cooperative Power Association

Address: P.O. Box 68, Danube, MN 56230-0068

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6299

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Oct 13, 2011

**# of Extensions:** 0

**Letter Date:** Sep 22, 2011

**Received Date:** Sep 29, 2011

**Addressee:** AD-Administrator

**Addressee Org:** EPA

**Contact Type:** LTR (Letter)

**Priority Code:** Normal

**Signature:** AA-OAR-Assistant Administrator  
- OAR

**Signature Date:** N/A

**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 like to request that EPA favorably respond to the reconsideration of the 2010 final RICE NESHAP rules by eliminating certain restrictions on non-emergency annual hours of operation.

**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

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 29, 2011	Oct 13, 2011	N/A
<b>Instruction:</b> 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

# Renville Sibley Cooperative Power Association

Your Touchstone Energy® Cooperative

P.O. Box 68 • Danube, MN 56230-0068

(320) 826-2593 • (800) 826-2593

Fax (320) 826-2679

renville-sibley@renville-sibley.coop



2011 SEP 29 AM 8:47  
OFFICE OF THE  
EXECUTIVE SECRETARIAT

RENY D

September 22, 2011

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

Dear Administrator Jackson;

The recent EPA rules that set National Emission Standards for Hazardous Air Pollutants (NESHAP) for compression ignition and spark ignition stationary Reciprocating Internal Combustion Engines ("RICE") is concerning to many in our industry. I would like to request that EPA favorably respond to the reconsideration of the 2010 final RICE NESHAP rules by eliminating certain restrictions on non-emergency annual hours of operation.

Many of the generating units covered by the RICE NESHAP rules are small diesel engines used primarily for emergency standby power and occasionally for peak-shaving to manage electric load. These rules will prohibit the use of these small emergency units for peak-shaving options beginning in May of 2013 without the installation of expensive emission reduction technology. The additional cost associated with these requirements will likely make it economically prohibitive for the use of these engines for peak-shaving programs after May, 2013.

As you may know, peak-shaving programs enhance electric reliability and lower cost to the consumer by reducing demand on central station power supplies. These engines are used on a limited basis and could be operated fewer than the 100 hours that is allowed in the rule for general non-emergency operation. If EPA was to remove the prohibition on these engines for peak-shaving and demand reduction purposes, the

result would be no additional run time than that which is already provided for in the rule and no measurable public health risk or environmental harm will occur.

Please consider modifying the final RICE NESHAP rules by including unrestricted peak-shaving and demand reduction within the 100 hour per year limit that is already provided in the rule for maintenance and readiness testing. Thank you for your consideration of this very important matter.

Cooperatively,

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

Dale Christensen - CEO





# Correspondence Management System

Control Number: AX-11-001-6302

Printing Date: September 29, 2011 03:59:32



## Citizen Information

Citizen/Originator: Kaieda, Banri

Organization:

N/A

Address:

Address Unknown

Constituent: N/A

Committee: N/A

Sub-Committee: N/A

## Control Information

Control Number: AX-11-001-6302

Alternate Number: N/A

Status: Pending

Closed Date: N/A

Due Date: N/A

# of Extensions: 0

Letter Date: Sep 13, 2011

Received Date: Sep 29, 2011

Addressee: AD-Administrator

Addressee Org: EPA

Contact Type: LTR (Letter)

Priority Code: Normal

Signature: AD-Administrator

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-I am writing to inform you that I have left my former position as Minister of Economy, Trade and Industry effective August 30th.

Instructions: AD-Prepare draft response for the Administrator's signature

Instruction Note: N/A

General Notes: N/A

CC: OEAAE - 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	OITA	Sep 29, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OITA	Sep 29, 2011
(b) (6) Personal Privacy	OEX	Changed Status For Your Information Pending	Sep 29, 2011
(b) (6) Personal Privacy	OEX	Changed File Code 401_127_a General Correspondence Files Record copy 404-141-02-01_141_b Con-	Sep 29, 2011

(Provisional translation)

September 13, 2011

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

Excellency,

I am writing to inform you that I have left my former position as Minister of Economy, Trade and Industry effective August 30th.

Having been appointed Minister in January 2011, I have done my best to expand trade and investment with many countries including your country, to promote industrial and economic cooperation, and to tackle commonly shared global challenges such as energy and environmental issues.

Please allow me to express my sincere appreciation for your support regarding the massive damage resulting from the Great East Japan Earthquake as well as the nuclear power plant incident that occurred in March this year. Although we still face many issues surrounding the nuclear power plant incident, I am convinced that through the knowledge and kind assistance received from each country, we will overcome these hardships.

I would also like to take this opportunity to express my sincere gratitude for your kind cooperation and support throughout my time served as METI Minister.

Japan, in accordance with the "Basic Policy on Comprehensive Economic Partnerships" which was decided by the Cabinet last November, has been actively working on high-level bilateral and multilateral EPAs to realize economic partnerships that will withstand comparison with the trend of other such relationships, though the participation judgment is late due to the earthquake, while promoting gathering information on TPP Agreement.

It is my pleasure to inform you that Mr. Yukio Edano has been appointed as the new Minister of METI. I do hope that you will accord the new Minister and METI the same goodwill and assistance that you so kindly granted me.

Please accept my warm personal regards.

Respectfully yours,

Banri Kaieda



# Correspondence Management System

Control Number: AX-11-001-6360

Printing Date: September 30, 2011 10:02:24



## Citizen Information

**Citizen/Originator:** Ripley, Laura

Organization: U.S. Environmental Protection Agency  
Address: 1200 Pennsylvania Avenue, Washington, DC 20460

**Bennett, Barbara J**

Organization: Environmental Protection Agency  
Address: 1200 Pennsylvania Avenue NW, Washington, DC 20460

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6360  
**Status:** Closed  
**Due Date:** N/A  
**Letter Date:** Sep 28, 2011  
**Addressee:** AD-Administrator  
**Contact Type:** EML (E-Mail)  
**Signature:** SNR-Signature Not Required  
**File Code:** 401\_127\_a General Correspondence Files Record copy  
**Subject:** DRF - On Behalf of Barbara J. Bennett - Job Creation - Superfund Appropriation and State Revolving Funds  
**Instructions:** Immediate Closure  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** N/A

**Alternate Number:** N/A  
**Closed Date:** Sep 30, 2011  
**# of Extensions:** 0  
**Received Date:** Sep 30, 2011  
**Addressee Org:** EPA  
**Priority Code:** Normal  
**Signature Date:** N/A

## Lead Information

**Lead Author:** N/A

### Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	N/A	Sep 30, 2011	N/A	N/A
Instruction: N/A					

## Supporting Information

**Supporting Author:** N/A

### Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

## History



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 28 2011

OFFICE OF THE  
CHIEF FINANCIAL OFFICER

**MEMORANDUM**

**SUBJECT:** Job Creation – Superfund Appropriation and State Revolving Funds

**FROM:** Barbara J. Bennett  
Chief Financial Officer

A handwritten signature in black ink, appearing to read "Barbara J. Bennett", is written over the printed name and title.

**TO:** Assistant Administrators  
General Counsel  
Inspector General  
Associate Administrators  
Regional Administrators (Region I – X)  
Deputy Regional Administrators (Region I – X)  
Senior Budget Officers  
Regional Comptrollers

President Obama recently unveiled the American Jobs Act to help create jobs of the future and help us put more people back to work. While EPA is not part of that legislation, the Administration has requested that the agency take a proactive approach to job creation while protecting human health and the environment. This request stems from the agency's success with the American Recovery and Reinvestment Act resources where the agency received over \$7 billion, obligated nearly 100 percent of these resources, and has expended 86 percent. The Administration has identified two areas where the EPA can assist in creating jobs imminently: Superfund construction projects and the State Revolving Fund projects.

Critical to the jobs creation efforts, the agency continues to support the SRF projects which finance many valuable infrastructure improvements to public drinking water and wastewater systems. We ask you to continue your diligent efforts with states and local governments to persuade them to accelerate the award of SRF contracts, particularly for contracts with "shovel-ready" work to be done. We envision the EPA Regional Administrators, Deputy Regional Administrators, and their staffs working closely with applicants to encourage early submission of applications and actively seeking to expedite the finalization of these SRF contracts.

In addition, the Superfund construction program is essential to cleaning up the nation's highest priority sites to make our communities safer and healthier. For Superfund construction projects, the agency is tasked with redirecting roughly \$40 million of unobligated Superfund resources. We do understand that there were plans in place to obligate these resources. However, in support of the Administration's priorities, OSWER has identified several new and discrete on-going construction projects which will be

able to create new jobs in a relatively short timeframe. OCFO is proactively working with OSWER, and will require assistance from OARM, OECA, OEI, and OGC to attain the \$40 million dollar resource level for this effort.

As a starting point, OSWER, with the assistance of all Regions, has identified approximately \$25 million to redirect from investigation projects to these construction projects from within the Superfund Remedial program. These resources are expected to be obligated by September 30, 2011. The remaining \$15 million will be identified from other programs funded from the Superfund appropriation. Due to the reprogramming threshold, OCFO will be submitting a reprogramming request to the Office of Management and Budget and the House and Senate Appropriation Committees to effect the second tranche. The table below provides projected year end available balances by National Program Managers that those offices should plan to reprogram to the Superfund Remedial program. The NPMs will be coordinating with the respective Regions on the identified resources, as appropriate. After year end closure, OCFO will take action to hold the identified resources in reserve pending Congressional reprogramming approval.

Estimated Amount to be Reprogrammed			
NPM	from Payroll	from Extramural	Total to be reprogrammed
OARM	699.0	2,201.0	2,900.0
OCFO	1,213.0	1,287.0	2,500.0
OECA	785.0	0.0	785.0
OEI	50.0	0.0	50.0
OGC	100.0	0.0	100.0
OSWER	1,800.0	0.0	1,800.0

Thank you for your support and timely assistance with this effort especially during this busy time. Should you need additional information or have further questions, please feel free to contact me, or your staff may contact Laura Ripley in the Office of Budget at 202-564-1582.

cc: Lisa P. Jackson, Administrator  
Bob Perciasepe, Deputy Administrator  
Diane Thompson  
John Reeder  
Bob Sussman  
Lisa Garcia  
Janet Woodka





# Correspondence Management System

Control Number: AX-11-001-6388

Printing Date: September 30, 2011 12:17:08



## Citizen Information

**Citizen/Originator:** Monsrud, Michael

Organization: Itasca-Mantrap Co-op. Electrical Association  
Address: PO Box 192, Park Rapids, MN 56470

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6388      **Alternate Number:** N/A  
**Status:** For Your Information      **Closed Date:** N/A  
**Due Date:** N/A      **# of Extensions:** 0  
**Letter Date:** Sep 23, 2011      **Received Date:** Sep 30, 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 - Recent EPA rules that set National Emission Standards for Hazardous Air Pollutants for compression ignition and spark ignition stationary Reciprocating Internal Combustion Engines; Request that EPA favorably respond to the reconsideration of the 2010 final RICE NESHAP rules by eliminating certain restrictions on non-emergency annual hours of operation  
**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  
R5 - Region 5 -- 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 30, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OAR	Sep 30, 2011



## DAILY READING FILE

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Your Touchstone Energy\* Cooperative  
The power of human connections



September 23, 2011

The Honorable Lisa Jackson  
EPA Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20004

Dear Administrator Jackson:

I am writing in regard to recent EPA rules that set National Emission Standards for Hazardous Air Pollutants ("NESHAP") for compression ignition and spark ignition stationary Reciprocating Internal Combustion Engines ("RICE") and request that EPA favorably respond to the reconsideration of the 2010 final RICE NESHAP rules by eliminating certain restrictions on non-emergency annual hours of operation.

Among the engines covered by the RICE NESHAP rules are small diesel engines used primarily for emergency standby power and occasionally for peak shaving to manage electric load. These rules will prohibit the use of these small emergency units for peak-shaving programs beginning May 2013 without the addition of expensive emission reduction technology. The additional cost associated with these requirements likely make it economically prohibitive for the continued use of these engines for peak-shaving programs.

Peak-shaving programs enhance electric reliability and lower cost to the consumer by reducing demand on central station power supplies. The engines are used on a limited basis and are run fewer hours than the 100 hours allowed in the rule for general non-emergency operation. Were EPA to remove the prohibition on these engines for peak-shaving and demand reduction purposes, the result would be no more run-time than that which is already provided for in the rule and no measurable public health risk or environmental harm.

In light of these factors, I request that you modify the final RICE NESHAP rules by including unrestricted peak-shaving and demand reduction operation within the 100 hours per year provided in the rule for maintenance and readiness testing. Thank you for your consideration of this very important matter.

Sincerely,

Michael Monsrud, President-CEO  
Itasca-Mantrap Co-op. Electrical Ass'n.



# Correspondence Management System

Control Number: AX-11-001-6403

Printing Date: September 30, 2011 03:33:23



## Citizen Information

**Citizen/Originator:** Homer, Joe L

**Organization:** City of Groom Texas  
**Address:** PO Box 217, Groom, TX 79039

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6403      **Alternate Number:** N/A  
**Status:** For Your Information      **Closed Date:** N/A  
**Due Date:** N/A      **# of Extensions:** 0  
**Letter Date:** Sep 23, 2011      **Received Date:** Sep 30, 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 Cross State Air Pollution Rule - Petition for Reconsideration Docket No. EPA-HQ-OAR-2009-0491  
**Instructions:** For Your Information -- No action required  
**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  
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 30, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Assign OAR as lead office	Sep 30, 2011
(b) (6) Personal Privacy	OEX	Control Taken Over	Sep 30, 2011

# DAILY READING FILE



OFFICE OF THE  
EXECUTIVE SECRETARIAT

September 20, 2011

Lisa P. Jackson  
Office of the Administrator  
Environmental Protection Agency  
Room 3000, Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, DC 20004

RE: Cross State Air Pollution Rule-Petition for Reconsideration  
Docket No. EPA-HQ-OAR-2009-0491

Dear Administrator Jackson:

I am writing on behalf of the City of Groom, Texas in support of the August 23, 2011 Southwestern Public Service Company (SPS) petition for reconsideration and request for stay of the Cross State Air Pollution Rule (CSAPR).

As indicated in SPS's petition, EPA chose to include Texas in the CSAPR year-round emission reduction programs without providing the public with an opportunity to comment on that decision. Moreover, EPA is requiring SPS and other Texas utilities to comply with CSAPR beginning in 2012, a short five months after the rule was finalized. This requirement has significant consequences for our local economy and the well-being of the people of our community.

SPS serves our local area, and about half of its power comes from coal. As the SPS petition indicates, to comply with this rule by Jan. 1, 2012, SPS will be forced to reduce operation of its coal-fired power plants and rely significantly more on natural gas-fired electric generation. As a result, CSAPR will drive up electricity costs significantly. SPS demonstrated in its petition that the cost of increasing its reliance on natural gas plants could be up to \$200 to \$250 million in 2012 alone. It is energy consumers like the citizens of the City of Groom, Texas that ultimately pay this cost.

We estimate that the increased energy costs will cause many of our older citizens who live on a fixed income to choose between buying medicine or food or paying their utility bills to meet these increased costs. The rest of our citizens will be forced to make similar decisions—pay taxes and mortgages or pay utility bills. The City of Groom, Texas provides a building, at no cost, for the local food bank to store their goods, for WIC to meet with clients, for the local after school Boy and Girl Scout programs, and the local Senior Citizens for meals. The increase in energy bills will force us to make decisions about what we can provide for free and what we will have to begin to charge for.



More importantly, as described in the SPS petition, we are concerned that CSAPR could harm the reliability of the electric system. We and all the people of the Texas Panhandle and Eastern New Mexico rely on the SPS electric system for our livelihoods and well-being. Especially after the record temperatures we've experienced this year, we believe it is vital that EPA design CSAPR and all of its other rules to ensure that our region has access to reliable electricity.

For these reasons, we urge you to grant SPS's petition and stay CSAPR pending reconsideration of the rule.

Sincerely,

A handwritten signature in cursive script that reads 'Joe L. Homer'.

Joe L. Homer, Mayor  
City of Groom, Texas



# Correspondence Management System

Control Number: AX-11-001-6411

Printing Date: September 30, 2011 03:24:17



## Citizen Information

**Citizen/Originator:** White, Arnette C

Organization: Executive Office of the President, Office of Management Budget

Address: 725 17th Street, N.W., Washington, DC 20503

**Zients, Jeffrey D**

Organization: Office of Management and Budget

Address: 725 17th St., NW, Washington, DC 20503

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-6411      **Alternate Number:** N/A  
**Status:** For Your Information      **Closed Date:** N/A  
**Due Date:** N/A      **# of Extensions:** 0  
**Letter Date:** Sep 30, 2011      **Received Date:** Sep 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:** DRF - Apportionment of the Continuing Resolution(s) for Fiscal Year 2012  
**Instructions:** For Your Information -- No action required  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** OARM - OARM -- Immediate Office  
OCIR - Office of Congressional and Intergovernmental Relations  
OEAE - Office of External Affairs and Environmental Education  
OP - Office of Policy

## 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	OCFO	Sep 30, 2011

## History





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

DEPUTY DIRECTOR  
FOR MANAGEMENT

September 30, 2011

OMB BULLETIN NO. 10-04

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Apportionment of the Continuing Resolution(s) for Fiscal Year 2012

1. Purpose and Background. H.R. 2017 will provide continuing appropriations for the period October 1, 2011 through, October 4, 2011. I am automatically apportioning amounts provided by this continuing resolution (CR) as specified in section 3. This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A-11, sections 120 and 123, and applies to this CR and any extensions of this CR.

2. Amounts Provided. Section 101 of H.R. 2017 provides such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in H.R. 2017, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriation Acts: the Department of Defense Appropriations Act, 2011 (division A of Public Law 112-10), and the Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112-10).

Section 101(b) reduces the rate for operations provided by section 101 by 1.503 percent (see Attachment A for details).

Furthermore, Section 117 provides that notwithstanding Section 101 funds made available in title IX of division A of Public Law 112-10 for "Overseas Contingency Operations" shall be available at a rate for operations not to exceed the rate permitted by H.R. 2219 (112<sup>th</sup> Congress) as passed by the House of Representatives on July 8, 2011.

3. Automatic Apportionments. Attachment A contains more detailed instructions on calculating the annualized amount provided by the CR. In order to calculate the amount automatically apportioned through the period ending October 4, 2011 (and any extensions thereof) multiply the annualized amount provided by the CR by the lower of:

- the percentage of the year (pro-rata) covered by the CR (e.g., for H.R. 2017 use 1.09 percent), or
- the historical seasonal rate of obligations for the period of the year covered by the CR.

Unless determined otherwise by your RMO, all automatically apportioned CR funds are apportioned as Category B (lump sum), regardless of quarterly restrictions (i.e., amounts on Category A) imposed in last year's apportionment. Limitations on programs (i.e., other Category Bs) and footnotes included in last year's apportionment remain in effect under the CR.

Section 115 applies the 1.503 percent reduction specified in section 101(b) to FY 2012 discretionary advance appropriations enacted in a prior year bill that become available on October 1<sup>st</sup>. This automatic apportionment does not apply to those accounts. Your RMO will apportion those accounts separately.

4. Accounts with Zero Funding Excluded from Automatic Apportionment (this section does not apply to the first CR through October 4<sup>th</sup>; applies to any extensions of the CR). As was the case under the CR Bulletins for FY 2010 and FY 2011, if either the House or Senate has reported or passed a bill that provides no funding for an account at the time the CR is extended, this automatic apportionment does not apply to that account. (Reported bills are those that have been filed by the full House or Senate Appropriations Committee for floor action.) The agency may submit a written apportionment request to OMB to request funds for the account during the period of the CR, if needed. This restrictive funding action is to ensure that the agency does not impinge on the final funding prerogatives of the Congress.

5. Programs under Section 111. Funds for appropriated entitlements and other mandatory payments, and activities under the Food and Nutrition Act of 2008, are automatically apportioned amounts as needed to carry out programs at a rate to maintain program levels under current law, i.e., at the FY 2012 level. However, this automatic apportionment does not apply to programs with more complex funding structures. Agencies should contact their RMO representatives to determine if their account is automatically apportioned or if a written apportionment is required.


With regard to the associated administrative expenses for those programs, section 111 does not apply. The associated administrative expenses are automatically apportioned at the pro-rata level based on FY 2011 annualized levels (section 101, including the 1.503 percent reduction in 101(b)).

6. Credit Limitations. If there is an enacted credit limitation (i.e., a limitation on loan principal or commitment level) in FY 2011, then the automatic apportionment is the pro-rata share of the credit limitation or the budget authority (i.e., for subsidy cost), whichever is less. To calculate amounts available, see exhibit 123B of OMB Circular No. A-11.

7. Written Apportionments. If an agency seeks an amount for a program that is different from the total amount automatically apportioned, you must request a written apportionment from OMB. OMB expects to grant only a very limited number of written apportionment requests. Every request must be accompanied by a written justification that includes the legal basis for the exception apportionment. In a change to past practice, agencies no longer need to request a new written apportionment for each extension of the CR (unless otherwise required by your RMO). Instead, in the case of accounts that receive a written apportionment at any time during the CR period, the automatic apportionment will apply to such accounts under any subsequent extensions of the CR, provided that the total amount apportioned during the CR period does not exceed the total annualized level of the CR. However, any footnotes on the written

apportionment continue to apply to the accounts, when subsequently operating under the automatic apportionment.

8. Spending Plans. For accounts for which OMB required spending plans in FY 2011, or clearance of spending plans requested by the Congress, agencies should work with their RMO to determine which accounts will require updated spending plans under the FY 2012 CR apportionment. For those accounts, the automatic apportionment will make funds available 10 days after submission of those spending plans to OMB.



Jeffrey D. Zients  
Deputy Director for Management

Attachment(s)

Attachment A: Continuing Resolution Frequently Asked Questions

Attachment B: Non-CHIMP Cancellations Recurring in a 2012 Continuing Resolution

Attachment C: Changes in Mandatory Programs Recurring in a 2012 Continuing Resolution

## Continuing Resolution Frequently Asked Questions

**1. What is the annualized level (rate for operations) provided by the continuing resolution (CR)?**

The FY 2012 CR annualized level (rate for operations):

- take the full year amount enacted in the appropriations acts making funds available for FY 2011 (i.e., FY 2011 enacted appropriations net of any account specific rescissions, bill rescissions, and across-the-board reductions) [Attachment B identifies the recurring account specific rescissions/reductions.];
- add or subtract transfers mandated by law (only "shall transfer", not "may transfer" or "shall transfer up to" language);
- reduce the calculated total level by 1.503 percent (see below for exemptions).

*See item number 2 for determining the exemptions to the 0.2 percent across-the-board reduction from section 1119 of PL 112-10.*

*See item number 3 for determining the exemptions to the 1.503 percent across-the-board reduction from section 101(b) of H.R. 2017.*

**2. What funding levels are exempt from applying the FY 2011 0.2 percent across-the-board reduction (section 1119, PL 112-10) to the calculation of the FY 2012 CR rate for operations (annualized level)?**

Discretionary authority appropriated or otherwise made available by division A of PL 112-10 is exempt from applying the 0.2 percent across-the-board FY 2011 reduction to the FY 2012 CR rate for operations (annualized level) calculation. Additionally, only those funds in division B of PL 112-10 designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) or as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010 are exempt from applying the 0.2 percent reduction to the FY 2012 rate for operations.

Legislative anomalies in H.R. 2017 that have "notwithstanding" section 101 language and provide a specified rate for operations (annualized level) are also exempt from applying the 0.2 percent across-the-board reduction.

**3. What funding levels are exempt from applying the 1.503 percent reduction into the FY 2012 CR rate for operations (annualized level)?**

Section 114 of H.R. 2017 exempts funds designated as Overseas Contingency Operations/Global War on Terror from the 1.503 percent reduction.

Legislative anomalies in H.R. 2017 that have "notwithstanding" Section 101 language and provide a specified rate for operations are also exempt.

Since 101(b) of H.R. 2017 reduces the overall rate for operations as identified in section 101(a), when spending authority from offsetting collections is used to determine that rate for operations, those spending authority levels are also reduced by 1.503 percent.

**4. What is the apportioned amount provided by the automatic apportionment under a CR?**

The amount automatically apportioned (whole dollars) through the period ending October 4, 2011 (and any CR extensions of that period) is calculated by multiplying the **annualized level provided by the CR** (see item number 1) by the **lower** of:

- the **percentage of the year** covered by the CR (rounded to the nearest hundredth; for H.R. 2017, use 4 days/366 days = 1.09 percent);  
**or**
- the **historical seasonal rate** of obligations for the period of the year covered by the CR (see exhibit 123A of OMB Circular No. A-11).

**5. How should the phrase "project or activity" be applied in determining the CR level?**

In the context of determining the rate for operations under the CR, OMB has interpreted the term "project or activity" to refer to the total appropriation, that is, the account (Treasury Appropriations Fund Symbol (TAFS) level). The Government Accountability Office's (GAO's) view has been consistent with OMB's (see page 8-24 of the Principles of Federal Appropriations Laws, Third Edition, Volume II, issued by GAO).

**6. How should mandatory appropriations be treated?**

A continuing resolution is an appropriations bill. As such, it normally does not affect mandatory appropriations provided in substantive or authorizing legislation. Therefore, for accounts with a mix of discretionary and mandatory appropriations, the mandatory budget authority component that is enacted in substantive or authorizing legislation should be taken out before calculating the amount provided by the CR. Changes in and limitations on mandatory programs that were enacted in 2011 Appropriations Acts are assumed to continue during the duration of the CR under the terms and conditions provided in such Acts. Attachment C lists the recurring changes in mandatory programs.

**7. How will section 112 of H.R. 2017 regarding civilian personnel compensation and benefits be apportioned by OMB?**

Section 112 allows OMB limited authority to mitigate furloughs under the short-term CR. It does not provide additional total budget authority for the fiscal year. Rather, it allows OMB to apportion the BA at a more accelerated rate than the daily rate (pro-rata share). OMB will

be applying this authority in the most restrictive fashion. Before requesting a written apportionment from OMB, you must receive pre-approval from your OMB representative with budget responsibility for the account. OMB will require written documentation that the following pre-condition from section 112 of the CR has been satisfied by the agency: *"except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses."*

- 8. If my account received a CR written apportionment, what amounts are available to my account once the full-year appropriations is enacted and until OMB approves my first apportionment for the fiscal year?**

Once a full-year FY 2012 appropriation is enacted, accounts that received a CR written apportionment may continue at that CR apportioned rate until they receive their first written apportionment for the fiscal year only if the final enacted level of appropriations is equal to or greater than the FY 2012 short-term CR (H.R. 2017) annualized level. This guidance supplements instructions in OMB Circular A-11, section 120.28. If the final enacted FY 2012 appropriation is lower than the FY 2012 short-term CR annualized level, then Circular A-11 section 120.28 applies.



**ATTACHMENT B: Non-CHIMP<sup>1</sup> Cancellations Recurring in a 2012 Continuing Resolution**  
(budget authority in millions of dollars)

Appropriations Bill:	FY 2011 Enacted	2012 CR
<b>Agriculture and Rural Development:</b>		
USDA, Common Computing Environment.....	-3	---
USDA, Agriculture Buildings and Facilities and Rental Payments.....	-45	-7
USDA, Departmental Administration.....	-2	---
USDA, Buildings and Facilities [Agriculture Research Service].....	-230	-8
USDA, Buildings and Facilities [National Institute of Food and Agriculture].....	-1	-1
USDA, Salaries and Expenses [Animal and Plant Health Inspection Service].....	-11	-10
USDA, Buildings and Facilities [Animal and Plant Health Inspection Service].....	-1	-1
USDA, Payments to States and Possessions.....	-1	---
USDA, Wetlands Reserve Program.....	-3	---
USDA, Water Bank Program.....	-1	---
USDA, Wildlife Habitat Incentives Program.....	-10	---
USDA, Rural Community Advancement Program.....	-1	---
USDA, Distance Learning, Telemedicine, and Broadband Program.....	-64	-18
<b>Total, Agriculture and Rural Development.....</b>	<b>-373</b>	<b>-45</b>
<b>Commerce, Justice, Science:</b>		
DOC, Census, Working Capital Fund.....	-50	-50
DOC, Salaries and Expenses [National Telecommunications and Information].....	-5	---
DOJ, Working Capital Fund.....	-26	-26
DOJ, Justice Assistance.....	-4	-4
DOJ, State and Local Law Enforcement Assistance.....	-35	-35
DOJ, Juvenile Justice Programs.....	-3	-3
DOJ, Community Oriented Policing Services.....	-10	-10
<b>Total, Commerce, Justice, Science.....</b>	<b>-133</b>	<b>-128</b>
<b>Defense:</b>		
DOD, Aircraft Procurement, Navy.....	-491	-465
DOD, Procurement of Ammunition, Navy and Marine Corps.....	-12	-12
DOD, Shipbuilding and Conversion, Navy.....	-22	-22
DOD, Other Procurement, Navy.....	-9	-9
DOD, Aircraft Procurement, Army.....	-14	-14
DOD, Missile Procurement, Army.....	-9	-9
DOD, Procurement of Weapons and Tracked Combat Vehicles, Army.....	-122	-36
DOD, Other Procurement, Army.....	-198	-50
DOD, Aircraft Procurement, Air Force.....	-729	-341
DOD, Other Procurement, Air Force.....	-37	-37
DOD, Research, Development, Test, and Evaluation, Defense-wide.....	-10	---
DOD, Research, Development, Test and Evaluation, Army.....	-163	---
DOD, Research, Development, Test, and Evaluation, Air Force.....	-199	---
<b>Total, Defense.....</b>	<b>-2,015</b>	<b>-995</b>

**ATTACHMENT B: Non-CHIMP<sup>1</sup> Cancellations Recurring in a 2012 Continuing Resolution**

(budget authority in millions of dollars)

Appropriations Bill:	FY 2011 Enacted	2012 CR
<b>Energy and Water Development:</b>		
DOE-NNSA, Weapons Activities.....	-50	-50
DOE-NNSA, Defense Nuclear Nonproliferation.....	-45	-45
DOE-NNSA, Office of the Administrator.....	-6	-6
DOE-NNSA, Naval Reactors.....	-1	-1
DOE, Other Defense Activities.....	-3	-3
DOE, Defense Environmental Cleanup.....	-12	-12
DOE, Fossil Energy Research and Development.....	-140	-16
DOE, Strategic Petroleum Reserve.....	-86	-15
DOE, Naval Petroleum and Oil Shale Reserves.....	-2	-1
DOE, Science.....	-15	-14
DOE, Clean Coal Technology.....	-16	---
DOE, Non-defense Environmental Cleanup.....	-1	-1
DOE, Electricity Delivery and Energy Reliability.....	-4	-4
DOE, Nuclear Energy.....	-6	-6
DOE, Energy Efficiency and Renewable Energy.....	-30	-30
DOE, Nuclear Waste Disposal.....	-3	-3
DOE, Uranium Enrichment Decontamination and Decommissioning Fund.....	-10	---
DOE, Departmental Administration.....	-82	-16
Corps of Engineers, Mississippi River and Tributaries (Yazoo Pumps).....	-22	---
Corps of Engineers, Investigations.....	-3	-5
Corps of Engineers, Construction.....	-173	-106
Denali Commission.....	-15	-1
<b>Total, Energy and Water Development.....</b>	<b>-725</b>	<b>-335</b>
<b>Financial Services and General Government:</b>		
GSA, Federal Buildings Fund.....	-25	-25
EXOP, Partnership Fund for Program Integrity Innovation.....	-5	-5
NARA, Repairs and Restoration.....	-3	---
Salaries and Expenses [Privacy and Civil Liberties Oversight Board].....	-2	-1
<b>Total, Financial Services and General Government.....</b>	<b>-35</b>	<b>-31</b>
<b>Homeland Security:</b>		
DHS, Departmental Operations.....	-4	-1
DHS, Citizenship and Immigration Services.....	-21	-1
DHS, Salaries and Expenses [United States Secret Service].....	-1	---
DHS, Federal Air Marshals.....	-4	-2
DHS, Aviation Security.....	-13	-15
DHS, Transportation Security Support.....	-2	---
DHS, Salaries and expenses [Federal Law Enforcement Training Center].....	-1	-1
DHS, Immigration and Customs Enforcement.....	-18	-18
DHS, Construction [Immigration and Customs Enforcement].....	-10	---
DHS, Customs and Border Protection.....	-35	-5
DHS, Automation Modernization, Customs and Border Protection.....	-10	-10
DHS, Border Security Fencing, Infrastructure, and Technology.....	-129	-129
DHS, Operating Expenses [United States Coast Guard].....	-14	---
DHS, Reserve Training.....	-3	---
DHS, Acquisition, Construction, and Improvements (U.S. Coast Guard).....	-10	-10
DHS, Office of Health Affairs.....	-1	---
DHS, United States Visitor and Immigrant Status Indicator Technology.....	-33	-28
DHS, Infrastructure Protection and Information Security.....	-17	-17
DHS, State and Local Programs.....	-11	-3
DHS, Management and Administration.....	-1	-1
DHS, National Pre-disaster Mitigation Fund.....	-20	-20
DHS, Research, Development, Acquisitions and Operations.....	-60	---
DHS, Research, Development, and Operations.....	-11	---
<b>Total, Homeland Security.....</b>	<b>-429</b>	<b>-261</b>

**ATTACHMENT B: Non-CHIMP<sup>1</sup> Cancellations Recurring in a 2012 Continuing Resolution**  
(budget authority in millions of dollars)

Appropriations Bill:	FY 2011 Enacted	2012 CR
<b>Interior and Environment:</b>		
USDA, Forest Service, FLAME Wildfire Suppression Reserve Fund.....	-200	---
DOI, FWS, Landowner Incentive Program.....	-3	---
DOI, NPS, Urban Park and Recreation Fund.....	-1	---
DOI, Wildland Fire Management.....	-200	-200
EPA, State and Tribal Assistance Grants.....	-140	-140
<b>Total, Interior and Environment.....</b>	<b>-544</b>	<b>-340</b>
<b>Labor, HHS, and Education:</b>		
HHS, Refugee and Entrant Assistance.....	-25	-16
HHS, Public Health and Social Services Emergency Fund (Emergency Cancellation).....	-1,259	---
Labor, Training and Employment Services.....	-125	---
Labor, Office of Job Corps.....	-75	-75
Labor, Working Capital Fund [Departmental Management].....	-4	---
SSA, Federal Old-age and Survivors Insurance Trust Fund (P.L. 112-10).....	-75	-75
<b>Total, Labor, HHS, Education.....</b>	<b>-1,563</b>	<b>-166</b>
<b>Legislative Branch:</b>		
Capitol Visitor Center.....	-15	-8
<b>Military Construction and Veterans Affairs:</b>		
DOD, Military Construction, Defense-wide.....	-149	-126
DOD, Base Closure Account 2005.....	-232	-232
DOD, Military Construction, Navy and Marine Corps.....	-61	-61
DOD, Military Construction, Army.....	-263	-263
DOD, Military Construction, Air Force.....	-122	-122
VA, Medical Support and Compliance.....	-34	-34
VA, Medical Support and Compliance.....	-100	---
VA, Medical Services.....	-1,000	---
VA, Medical Facilities.....	-15	-15
VA, Medical Facilities.....	-100	---
VA, Construction, Major Projects.....	-75	-75
VA, Information Technology Systems.....	-147	---
<b>Total, Military Construction, Veterans Affairs.....</b>	<b>-2,298</b>	<b>-928</b>
<b>State and Foreign Operations:</b>		
State, Diplomatic and Consular Programs.....	-55	-55
State, Buying Power Maintenance.....	-17	---
State, International Narcotics Control and Law Enforcement.....	-7	-7
State, Economic Support Fund.....	-120	-120
State, Assistance for Europe, Eurasia and Central Asia.....	-19	-19
State, Development Assistance Program.....	-1	-1
State, Assistance for the Independent States of the Former Soviet Union.....	-12	-3
Export-Import Bank Loans Program Account.....	-275	---
<b>Total, State and Foreign Operations.....</b>	<b>-506</b>	<b>-205</b>
<b>Transportation and Housing and Urban Development:</b>		
Transportation, Capital Assistance for High Speed Rail & Intercity Passenger Rail Service.....	-400	-400
Transportation, Capital Investment Grants.....	-280	-280
HUD, Housing Certificate Fund.....	-50	-50
HUD, Other Assisted Housing Programs.....	-41	-7
<b>Total, Transportation and Housing.....</b>	<b>-771</b>	<b>-737</b>
<b>TOTAL, Discretionary Cancellations.....</b>	<b>-9,407</b>	<b>-4,179</b>

\* Denotes a number less than \$500K.

<sup>1</sup> Excludes offsets that are the result of cancelling or blocking spending from mandatory programs. See Attachment C on CHIMPS for this information.

**ATTACHMENT C: Changes in Mandatory Programs Recurring in a 2012 Continuing Resolution**  
(Budget authority in millions of dollars)

<b>Changes to Mandatory Programs (CHIMPs) by Appropriations Subcommittee:</b>	<b>2011 Enacted</b>	<b>2012 CR</b>
<b>Agriculture and Rural Development:</b>		
USDA, Federal Crop Insurance Corporation Fund.....	-75	-75
USDA, Commodity Credit Corporation Export Loans Program Account.....	-331	-15
USDA, Commodity Credit Corporation Fund (Biomass Crop Assistance Program in 2012).....	-87	-89
USDA, Commodity Credit Corporation Fund (Mohair Marketing Assistance Loans).....	*	*
USDA, Watershed Rehabilitation Program.....	-165	-165
USDA, Farm Security and Rural Investment Programs (EQIP).....	-350	-512
USDA, Farm Security and Rural Investment Programs (Wetlands Reserve Program).....	-98	-633
USDA, Farm Security and Rural Investment Programs (Conservation Stewardship).....	---	-152
USDA, Rural Economic Development Grants (Cushion of Credit).....	-207	-207
USDA, Supplemental Nutrition Assistance Program.....	-15	-11
USDA, Child Nutrition Programs (Obligation Delay).....	-117	-133
<b>Total, Agriculture and Rural Development.....</b>	<b>-1,445</b>	<b>-1,992</b>
<b>Commerce, Justice, and Science:</b>		
DOC, NOAA, Promote and Develop Fishery Products Transfer.....	-68	-105
DOJ, Assets Forfeiture Fund.....	-495	-495
DOJ, Crime Victims Fund (Obligation Delay).....	-5,820	-7,075
DHS, Citizenship and Immigration Services Transfer.....	-4	-4
<b>Total, Commerce, Justice, and Science.....</b>	<b>-6,387</b>	<b>-7,679</b>
<b>Financial Services:</b>		
Treasury, Forfeiture Fund.....	-400	-400
FDIC, Deposit Insurance Fund Transfer to the OIG.....	-43	-43
Postal Service, Transfers to the OIG & Postal Regulatory Commission (PRC).....	-258	-258
Postal Service, Discretionary Offsetting Collections for Transfers to the OIG & PRC.....	+258	+258
Bureau of Consumer Financial Protection Fund.....	+1	---
<b>Total, Financial Services.....</b>	<b>-442</b>	<b>-443</b>
<b>Homeland Security:</b>		
Treasury, Forfeiture Fund.....	-23	-23
<b>Interior and Environment:</b>		
USDA, Capital Improvement and Maintenance.....	-11	-12
DOI, Mineral Leasing and Associated Payments.....	-40	-42
DOI, Geothermal Lease Revenues, Payment to Counties.....	-8	-7
DOI, NPS, Land Acquisition and State Assistance.....	-30	-30
DOI, Compact of Free Association.....	+14	+14
<b>Total, Interior and Environment.....</b>	<b>-75</b>	<b>-77</b>
<b>Labor, HHS, and Education:</b>		
HHS, Consumer Operated and Oriented Plan Program Account.....	-2,200	-2,200
HHS, Children's Health Insurance Fund.....	-3,500	-3,500
HHS, CMS Program Management, High Risk Pools.....	+55	+55
Education, Student Financial Assistance (Pell Grants).....	-529	---
Education, Student Aid Administration.....	-31	---
Education, Academic Competitiveness/SMART Grant Program.....	-560	---
<b>Total, Labor, HHS, and Education.....</b>	<b>-6,765</b>	<b>-5,645</b>
<b>State and Foreign Operations:</b>		
State, Diplomatic and Consular Programs, H-1B & L Fraud Prevention Cancellation.....	-140	---
<b>Transportation and Housing and Urban Development:</b>		
Transportation, Federal-aid Highways, rescission of mandatory contract authority.....	-3,130	-2,500
Transportation, NHTSA, contract authority rescissions.....	-76	-76
<b>Total, Transportation and Housing and Urban Development.....</b>	<b>-3,206</b>	<b>-2,576</b>
<b>TOTAL, Changes to Mandatory Programs (CHIMPS).....</b>	<b>-18,483</b>	<b>-18,435</b>

\* Denotes a number less than \$500K.

1 All FY 2011 CHIMPs have been rebased as mandatory and are not included in any FY 2011 Enacted levels. They are only displayed for comparison purposes.



# Correspondence Management System

Control Number: AX-11-001-4937

Printing Date: September 08, 2011 11:01:22



## Citizen Information

**Citizen/Originator:** Fischer, Trey Martinez

**Organization:** Texas House of Representatives

**Address:** Post Office box 2910, Austin, TN 78760-2910

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-4937

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Sep 22, 2011

**# of Extensions:** 0

**Letter Date:** Aug 31, 2011

**Received Date:** Sep 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:** Daily Reading File - As a matter of policy and practice, I believe that the State of Texas has failed to adequately address air quality issues in our state.

**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  
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	Sep 8, 2011	Sep 22, 2011	N/A
<b>Instruction:</b> 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



TEXAS HOUSE OF REPRESENTATIVES  
**TREY MARTINEZ FISCHER**  
 STATE REPRESENTATIVE, DISTRICT 116  
 Bexar County

**Chairman:**  
 Mexican American Legislative Caucus  
**Vice Chairman:**  
 Select Committee on State Sovereignty

**Member:**  
 House Committee on Natural Resources  
 House Committee on Ways & Means

August 31, 2011

Ms. Lisa Jackson  
 Administrator,  
 U.S. Environmental Protection Agency  
 Ariel Rios Building  
 1200 Pennsylvania Ave., N.W.  
 Mail Code 101A  
 Washington, DC 20460

RECEIVED  
 2011 SEP - 8 AM 6:39  
 OFFICE OF THE  
 EXECUTIVE SECRETARIAT

Dear Administrator Jackson:

As a matter of policy and practice, I believe that the State of Texas has failed to adequately address air quality issues in our state. Lax policy and enforcement on the part of the state has failed to reduce levels of pollution that foul the air in urban communities and put them in non-attainment status relative to the Clean Air Act.

Consequently, I appreciate – and fully support – the work of the Environmental Protection Agency (EPA), and the Obama administration, on the Cross State Air Pollution Rule (CSAPR). As a state legislator, I support the EPA decision to impose more stringent standards designed to reduce NOx and SO2 emissions from industrial sources in this rule. It will, in my opinion, help citizens in states and communities across the nation breathe easier.

I do, however, have concerns about implementing this rule. Specifically, I am concerned about the extremely short timeline that Texas and power providers have to comply with CSAPR.

Let there be no doubt that I support the new CSAPR standards. However, based on information I have from power providers and the municipal utility that serves the community I represent, compliance with the timeline set out in the CSAPR rule is extremely difficult without putting jobs, power prices and reliability of the electric system itself at risk.





Administrator Jackson  
August 31, 2011  
Page 2

For example, I understand that installing new scrubber technology at facilities can take as long as 18 months or more. There simply is no way to meet the end of year deadline given this set of facts.

I firmly believe it is government's role to set strict pollution measures and actively enforce them. However, I also believe that industry should be given an appropriate amount of time to comply.

I, like you, want the new standards in place and enforced. However, my appeal is that you reconsider the timeline for compliance. We can, and should, have cleaner air in my home state of Texas - and across the nation. However, we do not need to put jobs, consumer prices or reliability at risk in doing so.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Trey Martinez Fischer', with a stylized flourish extending to the right.

Trey Martinez Fischer  
Chairman, Mexican American Legislative Caucus  
Texas State Representative, District 116



# Correspondence Management System

Control Number: AX-11-001-4940

Printing Date: September 08, 2011 11:10:07



## Citizen Information

**Citizen/Originator:** Kahele, Gilbert

Organization: The Senate -State Capitol Hawaii  
Address: 415 S. Beretania Street # 208, Honolulu, HI 96813

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-4940 **Alternate Number:** N/A  
**Status:** For Your Information **Closed Date:** N/A  
**Due Date:** N/A **# of Extensions:** 0  
**Letter Date:** Aug 30, 2011 **Received Date:** Sep 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- I hope the Hu Honua project can begin to move forward quickly, as it will create more than 80 construction jobs in the short term and about 40 fulltime permanent jobs.  
**Instructions:** For Your Information -- No action required  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** OAR - Office of Air and Radiation -- Immediate Office  
OCIR - Office of Congressional and Intergovernmental Relations  
OEAE - Office of External Affairs and Environmental Education  
R9 - Region 9 - 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	R9	Sep 8, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Assign OAR as lead office	Sep 8, 2011
(b) (6) Personal Privacy	OEX	Control Taken Over	Sep 8, 2011



## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

RECEIVED

2011 SEP -8 AM 6:38

OFFICE OF THE  
EXECUTIVE SECRETARIAT

August 30, 2011

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

Aloha Ms. Jackson:

I would like to commend your Region 9 staff for careful review of the proposed Hu Honua Bioenergy facility on Hawai'i Island. The EPA's review of, and determination of, having "no objection" to the project's air permit application is appreciated.

In the Hawai'i Legislature, as we wade through the economic and energy issues facing our State, I am keenly aware of the importance of moving forward on renewable energy projects, particularly stable sources that do not fluctuate with the sun or wind.

Hu Honua is one such project. I hope it can begin to move forward quickly, as it will create more than 80 construction jobs in the short term and about 40 fulltime permanent jobs for plant operation. The timber industry and other indirect jobs are estimated at another 120 to 130. These jobs are crucial – the county is experiencing unemployment rates higher than the national average.

It will also help Hawai'i to reduce its dependence on fossil fuels, providing 10 percent of the island's electricity, enough to power about 14,000 homes. Hu Honua's electric production will offset 250,000 barrels of oil a year. This puts one of our islands further on the path to energy self-sufficiency and keeps an estimated \$25 million from leaving our local economy to buy oil. I am sure you are aware that unlike the rest of the nation, which has access to other energy sources, Hawai'i is not just dependent on fossil fuel, but on oil, a product that is seeing increased demand globally. A day doesn't go by that policymakers don't address this issue.

This project is crucial to restore many jobs to the local community and stabilize Hawai'i's energy supply. It is located in an area that has suffered from the demise of the sugar industry, leaving too many without meaningful work. I understand the challenges that face our families; the need

August 30, 2011

Page 2 of 2

for some to drive long distances from East to West to work. The opportunity of decent jobs close to home is like a dream in this economy. These are not things to delay.

It is my hope that the Hu Honua Bioenergy project will move forward quickly. Hawai'i's energy future and green jobs sector depends on it.

Hau'oli Ka Mana'o,

A handwritten signature in black ink, appearing to read "Gilbert Kahele". The signature is fluid and cursive, with the first name "Gilbert" and last name "Kahele" clearly distinguishable.

Gilbert Kahele  
Hawai'i State Senator, District 2  
Hilo, Puna, Ka'u  
415 S. Beretania St., #208  
Honolulu, Hawai'i 96813  
TEL: 808.586.6760  
FAX: 808.586.6689  
[senkahele@capitol.hawaii.gov](mailto:senkahele@capitol.hawaii.gov)

cc: Jared Blumenfeld, Regional Administrator  
U.S. Environmental Protection Agency Region 9  
75 Hawthorne Street  
San Francisco, CA 94105



# Correspondence Management System

Control Number: AX-11-001-4941

Printing Date: September 08, 2011 11:05:33



## Citizen Information

**Citizen/Originator:** LeoGrande, William M.

**Organization:** American University

**Address:** 4400 Massachusetts Avenue, N.W., Washington, DC 20016

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-4941

**Alternate Number:** N/A

**Status:** For Your Information

**Closed Date:** N/A

**Due Date:** N/A

**# of Extensions:** 0

**Letter Date:** Aug 12, 2011

**Received Date:** Sep 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:** DRF - Thank you to the Administrator for nomination of George Pavlou for the 2011 Roger W. Jones Award for Executive Leadership

**Instructions:** For Your Information -- No action required

**Instruction Note:** N/A

**General Notes:** N/A

**CC:** R2 - Region 2 -- 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	OARM	Sep 8, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OARM	Sep 8, 2011

## Comments



AMERICAN UNIVERSITY

W A S H I N G T O N , D C

OFFICE OF THE DEAN

August 12, 2011

Lisa P. Jackson  
USEPA Headquarters Ariel Rios Building  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

Dear Ms. Jackson,

On behalf of the School of Public Affairs at American University, I want to thank you for your nomination of George Pavlou for the 2011 Roger W. Jones Award for Executive Leadership.

This year's nominations were among the finest we have ever reviewed, and the selection process was challenging for all involved. After careful consideration, the Selection Committee has named Margaret "Peggy" Gilligan, Associate Administrator for Aviation Safety and John Montgomery, Director of Research for the Naval Research Laboratory as the 2011 recipients of the Roger W. Jones Award for Executive Leadership.

There was an abundance of exceptionally qualified candidates for the Roger Jones Award this year, and your nomination contributed to this excellence. The Selection Committee was impressed by the exceedingly high caliber and diversity of accomplishments displayed among the nominees. The senior executives were notable for their extraordinary achievements as well as for their commitment to continuity of government.

We value your participation in the Roger W. Jones Award, and your thoughtful acknowledgement of outstanding efforts can only encourage excellence in the U.S. Environmental Protection Agency. We look forward to receiving your nominations in the future.

Sincerely,

William M. LeoGrande

Cc: George Pavlou

OFFICE OF THE  
EXECUTIVE SECRETARIAT

2011 SEP -8 AM 6:38

RECEIVED

SCHOOL OF PUBLIC AFFAIRS

4400 MASSACHUSETTS AVENUE, NW WASHINGTON DC 20016-8022 202-885-2940 FAX: 202-885-2353

[www.american.edu/spa](http://www.american.edu/spa)





# Correspondence Management System

Control Number: AX-11-001-4945

Printing Date: September 08, 2011 11:29:16



## Citizen Information

**Citizen/Originator:** Prince, Deloris

Organization: City of Port Arthur, Texas

Address: P.O. Box 1089, Port Arthur, TX 77641-1089

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-4945

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Sep 22, 2011

**# of Extensions:** 0

**Letter Date:** Aug 30, 2011

**Received Date:** Sep 8, 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-The City of Port Arthur is extremely grateful to be one of EPA's Environmental Showcase Communities. I would like to share a little information about our city and the reason why we are so elated about our visit with you.

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

**Instruction Note:** N/A

**General Notes:** N/A

**CC:** Lisa Garcia - OECA-OEJ

OCIR - Office of Congressional and Intergovernmental Relations

OEAE - Office of External Affairs and Environmental Education

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	R6	Sep 8, 2011	Sep 22, 2011	N/A
<b>Instruction:</b> 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

DELORIS "BOBBIE" PRINCE, MAYOR  
MORRIS ALBRIGHT, III, MAYOR PRO TEM

COUNCIL MEMBERS:  
RAYMOND SCOTT, JR.  
ELIZABETH "LIZ" SEGLER  
HAROLD DOUCET, JR.  
JOHN BEARD, JR.  
ROBERT E. WILLIAMSON  
DERRICK FREEMAN  
KERRY THOMAS



STEPHEN FITZGIBBONS  
CITY MANAGER

SHERRI BELLARD  
ACTING CITY SECRETARY

VAL TIZENO  
CITY ATTORNEY

August 30, 2011

To: The Honorable Lisa Jackson - EPA Administrator

The City of Port Arthur is extremely grateful to be one of EPA's Environmental Showcase Communities. I would like to share a little information about our city and the reason why we are so elated about our visit with you.

Our city has been blessed by the presence of many oil refineries and chemical plants. These facilities provided many of our residents the opportunity to build homes, provide limited entertainment for their families and the ability to educate their children as part of a thriving Westside.

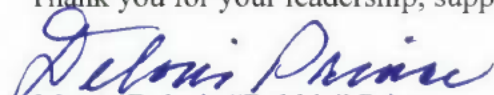
These benefits came with environmental concerns. Those concerns are more visible in what is known as the Westside of Port Arthur. I grew up in this community. This area was once a thriving area of Port Arthur that was basically self-sufficient. Many years ago, the tide of jobs turned with substantial reductions at petrochemical plants and many residents found themselves unemployed. This turn of events changed the face of Port Arthur.

The Westside community is made up of approximately 3,000 people, with 99% of those residents being African Americans. It has a poverty rate of 25%. It is bordered on the west and north by refineries just one street away. The nearest doctor's office and pharmacy are approximately 4.3 miles from the Westside; and the nearest grocery store is 4.2 miles.

There are three large public assisted multi-family complexes located in this community. Carver Terrace, part of the Port Arthur Housing Authority, is immediately across the street from what was once a refinery tank farm. It is also located near several pipelines (these pipelines are very near the vicinity of the children's playground at Carver Terrace). This complex has about 300 units with over 1,000 residents, many of whom are unemployed.

We have worked with your staff to develop a holistic EJ Plan to transform Port Arthur. This plan has the support of our community stakeholders. We need your help to bring about this transformation.

Thank you for your leadership, support and assistance.

  
Mayor Deloris "Bobbie" Prince

2011 SEP - 8 AM 6:37  
OFFICE OF THE  
EXECUTIVE SECRETARY

RECEIVED



Pipelined





Corner of Foley & W. 7th Street neighborhood - 737 ft. - from Valero Tank Farm



W. 9th Street and Foley Ave. neighborhood - 305 ft. - from a Valero Storage Tank





Sideview of blue house located at 1148 Foley - 358 ft. - from Valero Tank Farm



Corner of MLK and Foley - 450 ft. - from Valero Storage Tank Farm



Valero's Parking Lot - 759 ft. - from Carver Terrace Apts.



Valero's Parking Lot - 759 ft. - from Carver Terrace Apts and - 800 ft. - from Motiva Refinery in the background





Playground on W. 13th St. next to Valero's Tank Farm (Foley Ave.) and across the street from Motiva's Tank Farm (W. Gulfway Dr.)



Carver Terrace Playground is - 1260 ft. - from Valero Storage Tank





Carver Terrace Playground with Valero Storage Tank in background



Carver Terrace Playground - 589 ft. - from Motiva's Tank Farm (W19th St) and 639 ft. - from Valero's Tank Farm (Foley Ave.)

















# Port Arthur, Texas: A Diverse City With Significant Challenges

- Overall Population of 55,079
  - 42% are African Americans
  - 27.5 % are White Americans
  - 25 % are Hispanic Americans
  - 4.31 % are Asian Americans
- Poverty levels in the southern part of the City (south of Hwy73) is 23%. Overall, 74% of the City's impoverished citizens live south of Hwy 73. African Americans and Hispanics account for 75% of this area's population . The City's Downtown core and Westside are located in this part of the City.
- The City's unemployment rate (16%) exceeds the national (9.2%) and state levels (8.2%). Unemployment among African Americans is estimated to be 20% or more. It is even higher on the City's Westside.
- Port Arthur's industrial sector is robust and growing, as \$10 billion have been invested in this sector over the past five years.
- Deloris Bobbie Prince is the City's first African American Mayor. She grew up on the City's Westside and lived in Carver Terrace for a period of time .

# Key Public Policy Issues Articulated at the Port Arthur- EPA EJ Summit

- The environmental conditions that exist in Port Arthur and the health risks they pose.
- The relative high levels of unemployment in Port Arthur in comparison to the state and national averages, and the significantly high levels of unemployment on the City's Westside and among African Americans.
- Housing deterioration due to the City's aging housing stock and the damage caused by Hurricanes Rita and Ike.
- Significant decline of the City's Downtown and Westside areas over the past thirty years. The Westside neighborhood is adjacent to Downtown.
- Health issues in the City, including respiratory ailments, cardiovascular disease, hypertension, diabetes and obesity.
- Rising utility bills, and their particularly harsh impacts on the elderly and low income persons.



# The City of Port Arthur's Short Term EJ Priorities

- The City of Port Arthur has worked with EPA Region 6 to forge a "holistic" EJ Initiative in this City. This City is committed to implementing this comprehensive initiative over the next 3-5 years which will bring about a transformation in the City's Downtown and Westside area. The short term priorities are:
  1. Continued emission reductions from the industrial sector
  2. Significant improvements to the City's emergency response system.
  3. Creation of a new, sustainable community on the City's Westside, which will be the first significant development in this neighborhood in fifty years. The City is developing a strategy for this new community to include the following:
    - A health clinic which would provide quality medical services to elderly and low income residents at little or no cost;
    - A community center that will bring together various nonprofit organizations which are providing a variety of services in the City's Westside;
    - A convenience store that includes grocery items, gasoline and one or two small restaurants;
    - Newly constructed single family homes facilitated by hurricane recovery funds and by lots provided by the City; and
    - Phase I completion of the replacement of the Carver Terrace Public Housing Project.
  4. Completion of the critically important effort of replacing the Carver Terrace Public Housing Project in two or three additional small subdivisions that will include recreational facilities, coop grocery stores and job training and placement offices.

## The City of Port Arthur's Short Term EJ Priorities (continued)

5. Conversion of the property that Carver Terrace is currently located on to a buffer zone that would be extended over time.
6. Implementation of a strategy to assist 100-200 Port Arthur homeowners in securing hurricane recovery funds which they may use to construct new homes on lots provided by the City of Port Arthur, on the City's Westside and in communities surrounding the Downtown core.
7. Development and implementation of an effective job training and placement initiative to facilitate the placement of 300-500 long term unemployed persons into jobs and careers over the next two to three years, including a focus on green jobs.
8. Facilitate the construction of several catalytic projects in the City's Downtown area.
9. An energy efficiency initiative to assure that newly constructed and renovated houses and buildings are water and energy efficient, to weatherize 300-400 additional homes of low income homeowners, as well as the installation of energy efficiency improvements in public buildings, schools and churches throughout the City.



# The Crucial Assistance Needed From The EPA To Transform the City's Downtown and Westside Areas In Accordance with the Port Arthur EJ Initiative

1. Assure continued emission reductions.
2. EPA Region 6 has already completed a number of Phase 1 and 2 environmental assessments in Port Arthur. Additional assessments will be completed over the next 30 days.
3. Approval of three SEPs crucial to Westside redevelopment and environmental health:
  - The revised Valero SEP to support construction of the Gulf Coast Health Center Clinic on the Westside;
  - The Lighthouse Energy Efficiency SEP; and
  - The Westside Buffer Zone Project.

These SEP proposals also will be submitted to the TCEQ for approval.



# The Crucial Assistance Needed From The EPA To Transform the City's Downtown and Westside Areas In Accordance with the Port Arthur EJ Initiative (continued)

4. Introduction of the EPA-City of Port Arthur EJ Initiative to Secretaries Donovan and Solis, along with active support in helping Port Arthur secure critically needed assistance from HUD and DOL in two areas:
  - \$10-15 million from HUD to support the replacement of the Carver Terrace Public Housing Project; and
  - \$3-5 million from DOL to support implementation of a comprehensive and multifaceted plan to train and place 300-500 long-term unemployed persons in available jobs over the next 3-5 years.
5. Support for the City of Port Arthur in obtaining a HUD Community Challenge Grant which will be used to help implement the EJ Plan and the necessary planning to develop a city-wide sustainable development plan.



# Correspondence Management System

Control Number: AX-11-001-4957

Printing Date: September 08, 2011 03:53:48



## Citizen Information

**Citizen/Originator:** Solomon, Malama

**Organization:** Hawaii State Senate

**Address:** State Capitol 415 South Beretania Street, Honolulu, HI 96813

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-4957

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Sep 22, 2011

**# of Extensions:** 0

**Letter Date:** Aug 30, 2011

**Received Date:** Sep 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:** Daily Reading File Hawaii state mandate to move away from fossil fuels and takes steps to provide base load power a steady source of electricity

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

**Instruction Note:** N/A

**General Notes:** N/A

**CC:** OAR - Office of Air and Radiation -- Immediate Office  
OCIR - Office of Congressional and Intergovernmental Relations  
OEAAE - Office of External Affairs and Environmental Education  
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	R9	Sep 8, 2011	Sep 22, 2011	N/A
<b>Instruction:</b> 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



RECEIVED

2011 SEP -8 AM 9:24

**The Senate**

STATE CAPITOL  
HONOLULU, HAWAII 96813

OFFICE OF THE  
EXECUTIVE SECRETARIAT

August 30, 2011

**Lisa P. Jackson**

Administrator

**U.S. Environmental Protection Agency**

Ariel Rios Building

1200 Pennsylvania Avenue, N. W.

1101A

Washington, DC 20460

Aloha Ms. Jackson:

As State Senator for District 1—along the Hamakua Coast from Waimea to Hilo—the Hu Honua Bioenergy project falls in my district.

I have considered fully the issues surrounding this proposed facility; I support the project and am pleased with the careful review the EPA's Region 9 made of the Hawai'i Department of Health air permit application and that a "no objection" recommendation was issued.

It is my hope that "no objection" means that the Hu Honua Bioenergy project's refurbishment can begin in earnest, as it will bring about 150 good direct and indirect jobs to an area sorely in need of them. That will stimulate the economy of my district while it supplies energy to the island. These jobs are important now more than ever, as Hawai'i Island faces unemployment rates higher than the national average.

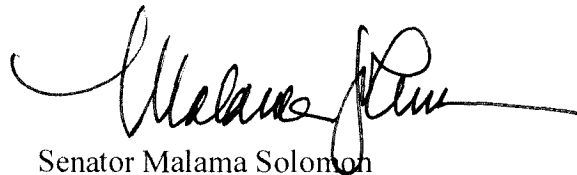
It is a state mandate to move away from fossil fuels and this is a project that not only takes us a step along that path, it also provides base load power—a steady source of electricity that will help stabilize the utility grid so that more intermittent power, such as wind, can be incorporated. It will also allow the utility to take off line or move to standby status, older less environmentally sound plants.

I've watched Hu Honua as it navigated through its permitting, accommodating neighbor concerns and agreeing to adjustments that would not necessarily have been required. The project has been subjected to lengthy reviews and met challenges with a willingness to compromise.

Hawai'i Island needs projects like this that will move it away from fossil fuels. The facility will generate 10 percent of the island's electricity, enough to power 14,000 homes and offset 250,000 barrels of oil a year.

Mahalo for the good work of the EPA. I hope that this project will move forward *quickly*. The development of renewable energy and green sector jobs in Hawai'i depends on it.

Mahalo nui loa,

A handwritten signature in black ink, appearing to read "Malama Solomon", with a long horizontal flourish extending to the right.

Senator Malama Solomon  
Hawaii State Senate  
1<sup>st</sup> District – Waimea, Hāmākua, North Hilo, Rural  
South Hilo, Hilo, Kaūmana, Keaukaha, Waiākea

cc: **Jared Blumenfeld**  
Regional Administrator  
**U.S. Environmental Protection Agency, Region 9**  
75 Hawthorne Street  
San Francisco, CA 94105





# Correspondence Management System

Control Number: AX-11-001-4960

Printing Date: September 08, 2011 12:24:47



## Citizen Information

**Citizen/Originator:** Echols, Jacqueline

Organization: South River Watershed Alliance  
Address: PO Box 1341, Decatur, GA 30031

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-4960 **Alternate Number:** N/A  
**Status:** Pending **Closed Date:** N/A  
**Due Date:** Sep 23, 2011 **# of Extensions:** 0  
**Letter Date:** Sep 8, 2011 **Received Date:** Sep 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 - Shortfalls of the DeKalb County Consent Decree  
**Instructions:** DX-Respond directly to this citizen's questions, statements, or concerns  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** Linda Huffman - OECA  
OEAE - Office of External Affairs and Environmental Education  
OECA - OECA -- Immediate Office  
OGC - Office of General Counsel -- 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	R4	Sep 8, 2011	Sep 23, 2011	N/A
<b>Instruction:</b> 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 River Watershed Alliance

2011 SEP -8 AM 9:24

OFFICE OF THE  
EXECUTIVE SECRETARIAT

August 31, 2011

Lisa Jackson  
Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Re: DOJ No. 90-5-1-1-09497

Dear Ms. Jackson:

The purpose of this letter is to bring to your attention serious shortfalls of the DeKalb County Consent Decree. Specifically, South River Watershed Alliance (SRWA) believes that the language in the consent decree fails to accurately depict the magnitude of the county's fats, oils, and grease (FOG) problem and that the proposed solution is inadequate to achieve the stipulated goal of eliminating sanitary sewer overflows in DeKalb County by the established deadline. In keeping with the goals of your agency, as well as those of EPA, related to environmental justice SRWA strongly requests that your office examine the issues raised in this correspondence at this critical time before the consent decree has been entered by the court and agree to open a dialogue to discuss our concerns as well as your efforts to prevent further degradation of DeKalb County's waters.

We request that you, as well as representatives from the Department of Justice, U.S. Environmental Protection Agency, Georgia Environmental Protection Division, and DeKalb County meet with SRWA, in person or teleconference, to discuss the issues and concerns that we have raised in this letter. This is a time sensitive matter, therefore we ask for a prompt response to this correspondence.

SRWA is a non-profit organization whose mission is to protect and restore the water quality and biodiversity of the South River watershed to the beneficial use of humans and wildlife. Its members include local residents of DeKalb County, including minority and low-income residents living and recreating near the waters of DeKalb County.

Therefore, this dialogue will further the goals of the U.S. Department of Justice's Environmental Justice Strategy, which include "working with communities so that enforcement actions and other programs, activities, and policies respond as directly as possible to actual environmental risks and concerns."<sup>1</sup> Also, the U.S. Environmental Protection Agency (EPA) has made *Expanding the Conversation on*

<sup>1</sup> Department of Justice Environmental Justice Strategy, <http://www.justice.gov/enrd/100th-Files/LIBRARY/79648environmentaljusticestrategy.pdf> (last visited August 24, 2011); Guidance on Environmental Justice, <http://www.justice.gov/enrd/100th-Files/LIBRARY/79647executiveorder1.pdf> (last visited August 24, 2011).

perspective on the reduction in FOG-related spills. The 4.6 percent decrease in spills for this time period is in stark contrast to the 58 percent claimed by DeKalb County during 2006–09.

**Table 2 - Percentage Decrease in FOG Spills**

Year	Number of spills	Percentage decrease
2006 – 09	177/77	56.5%
2006 – 10	177/104	41.2%
2007 – 10	109/104	4.6%

Most striking is the upward trend in FOG-related spills in 2011. At little more than the half-year mark, DeKalb has reported 129 spills, with 89 being reported as caused by FOG. (Table 1). **This shows an increase in overall spills and FOG-related spills compared to trends in all years other than 2006.** This fact raises questions about DeKalb’s assertions that FOG-related spills are decreasing in frequency or that “it will take another two to four years for the benefits of the FOG Management Program to be fully realized.”<sup>8</sup>

### **Insufficient Focus on Fats, Oils, and Grease**

Without question, FOG is the main source of SSOs in DeKalb County and this detail is clearly established. The consent decree states in part that “the County has recognized that the leading cause of Spills for its WCTS is fats, oils and grease.”<sup>9</sup> Also, in Appendix B of DeKalb County’s Motion to Enter Consent Decree and Brief in Support of Motions to Enter Consent Decree, DeKalb provides a pie graph showing that 64 percent of all spills from 2006–11 were caused by FOG. Yet, the consent decree is virtually silent on when and how FOG will be reduced in DeKalb County. The consent decree does not identify or expound upon successes and/or challenges experienced in the four years the FOG management program has been in operation other than to say “it will take another two to four years for the benefits of its FOG management program to be fully realized.”<sup>10</sup> Additionally, an analysis of data shown in Table 2 indicates that DeKalb’s claim that “FOG-related Spills have decreased by approximately 58% from 2006 to 2009” misrepresents the ongoing seriousness of FOG in DeKalb County.

As you know, the consent decree does require that DeKalb re-evaluate its current FOG management program within 15 months of entrance of the consent decree to determine if effectiveness can be improved.<sup>11</sup> However, we strongly recommend that a more strategic approach be taken that makes specific mandates and sets precise goals for DeKalb to meet during the 8.5 year term of the consent decree.

### **Strategic Focus is Imperative**

The number of spills increased from 136 in 2009 to 170 in 2010 and those attributed to FOG rose from 77 in 2009 to 104 in 2010, while the number of FOG-related spills in 2011 has almost reached 2010’s numbers by mid-summer. Eliminating FOG-related spills will require changing the behavior of people

<sup>8</sup> *Id.*

<sup>9</sup> Consent Decree, p. 5.

<sup>10</sup> Consent Decree, p. 7.

<sup>11</sup> Consent Decree, p. 25-30.

regarding the correct disposal of fats, oils, and grease. A key component of prevention will be public education targeted at those responsible for FOG-related SSOs.

There is no question that attention must be focused on the replacement of pipes, but there is an absence of a clear focus on FOG in the consent decree and when compared to the attention given to correcting infiltration and inflow (I&I) problems, which account for a much smaller part of the overall SSO problem, the lack of focus on FOG is even more striking. The magnitude of the FOG problem coupled with the questionable progress made toward its elimination over the past four years demand that more strategic and aggressive strategies are developed and implemented.

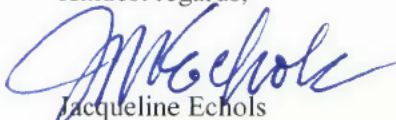
#### **Topics for Discussion**

SRWA is prepared to discuss measures that will be instrumental in ensuring that the consent decree is effective and impactful. Although other issues may arise, these potential measures involve increased public education and accountability in regard to FOG-related spills.

Working collaboratively, we are certain that a reduction of SSOs in DeKalb County where many SRWA members reside can be accomplished.

Thank you for your prompt attention to this correspondence and I look forward to your response at your earliest convenience.

Kindest regards,



Jacqueline Echols

President

South River Watershed Alliance

Cc: Ingacia S. Moreno, Head, USDOJ, Environment and Natural Resources Division  
W. Benjamin Fisherow, Acting Chief, USDOJ, Environmental Enforcement Section  
James Giattina, Chief, Clean Water Protection Program, USEPA, Region 4  
Linda MacGregor, Branch Chief, GA EPD, Permitting, Compliance and Enforcement Program



# Correspondence Management System

Control Number: AX-11-001-4967

Printing Date: September 08, 2011 01:01:45



## Citizen Information

**Citizen/Originator:** Coyne, James K.

**Organization:** National Air Transportation Association

**Address:** 4226 King Street, Alexandria, VA 22302

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-4967

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Sep 22, 2011

**# of Extensions:** 0

**Letter Date:** Sep 7, 2011

**Received Date:** Sep 8, 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 - The National Air Transportation Association (NATA), the voice of aviation business, is the public policy group representing the interests of aviation businesses before the Congress, federal agencies and state governments.

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

**Instruction Note:** N/A

**General Notes:** N/A

**CC:** OEAAE - Office of External Affairs and Environmental Education

OP - Office of Policy

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	Sep 8, 2011	Sep 22, 2011	N/A
<b>Instruction:</b> 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



4226 King Street, Alexandria, VA 22302

P 703-845-9000 F 703-845-8176

www.nata.aero

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September 7, 2011

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

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

The Honorable Randy Babbitt  
Administrator  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, DC 20591

RE: August 25, 2011 letter from California Deputy Attorney General on Proposition 65 and  
Avgas

Dear Secretary LaHood, Administrator Babbitt and Administrator Jackson:

The National Air Transportation Association (NATA), the voice of aviation business, is the public policy group representing the interests of aviation businesses before the Congress, federal agencies and state governments. NATA's over 2,000 member companies own, operate and service aircraft and provide for the needs of the traveling public by offering services and products to aircraft operators and others such as fuel sales, aircraft maintenance, parts sales, storage, rental, airline servicing, flight training, Part 135 on-demand air charter, fractional aircraft program management and scheduled commuter operations in smaller aircraft. NATA members are a vital link in the aviation industry, providing services to the general public, airlines, general aviation and the military.

I am writing in response to the August 25, 2011 letter from the California Attorney General's office. In that letter, Deputy Attorney General Susan Fiering purports to clarify several issues relating to the threat of suit by the Center for Environmental Health (CEH) under California's Proposition 65, by which CEH seeks to regulate the sale, use and distribution of leaded aviation gasoline (avgas) in California. She states that her office has no plans to file a suit against our members based upon CEH's allegations that our members have violated Proposition 65. She then points out that CEH has since withdrawn the allegation in its original Notices of Violation (NOVs) that the use of avgas violates the Prop 65 discharge prohibition, and claims that the amended NOVs are now focused on the Prop 65 warning requirement. According to the letter, even if its lawsuit is eventually successful, "avgas could continue to be sold in California."

For several reasons, I take strong exception to Ms. Fiering's characterization of the issues here.



The Honorable Ray LaHood, the Honorable Randy Babbitt and the Honorable Lisa Jackson  
September 7, 2011

Page 2 of 3

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First, the state attorney general is hardly a neutral observer. Ms. Fiering fails to disclose that her office has vigorously opposed our effort to obtain a federal court ruling even on whether the Prop 65 warning requirement is preempted by federal law. Just last week, the state attorney general filed a brief seeking dismissal of our entire complaint – including our claim for declaratory relief that federal law does not allow California to regulate the sale of avgas by requiring warnings to persons traveling through public use airports. Ms. Fiering also fails to disclose that her office will receive 75% of any penalties imposed on our members should CEH prevail in its threatened Proposition 65 lawsuit. It is obviously in Ms. Fiering's interest, therefore, to forestall the United States government from expressing its independent position in this litigation.

Second, while CEH deleted the discharge claim from its amended NOV, a cover letter to the California fixed base operators, avgas producers and distributors named in the NOV *reserves the right to reassert these allegations at a later date*. The withdrawal of the discharge claim represents little more than legal maneuvering to prevent the court from reviewing our request for declaratory relief. With CEH able to reassert those claims at any moment (presumably as soon as the federal court accepts their arguments and CEH files in state court), the continued availability of avgas in California still remains in grave doubt.

Third, CEH still seeks to curtail the sale of avgas in California. Its proposed "resolution" of the impending lawsuit against our members provides a Hobson's choice: pay millions in back penalties for "failure to warn" of the supposed danger of lead emissions and either stop selling fuel to piston aircraft operators (which requires relief from Federal Aviation Administration (FAA)-required minimum standards for airport fuel sellers) or warn millions of passengers who pass through and residents who live nearby California airports. Given the litigation climate in California, mass warnings will inevitably prompt spurious tort claims by persons claiming exposure to lead. Our members are small businesses that can't afford to defend state court litigation over conduct that is perfectly lawful under prevailing *federal* regulation.

Our national airspace system is one of this nation's great achievements. Our utilization of aircraft for economic growth is unmatched anywhere in the world. A key reason for this success is that the regulations and laws governing aviation are set by national policy, and individual states and localities are not permitted to impose additional rules and regulations that interfere with that policy. Despite Ms. Fiering's opinion, the bottom line is this: *The availability of an FAA-approved aviation fuel is under serious threat in California*. For that reason, and the others expressed by several members of Congress and in our formal complaint filed in federal court, I respectfully request the Department of Transportation, Federal Aviation Administration and U.S.

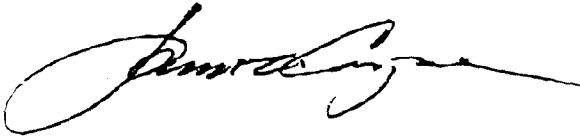
The Honorable Ray LaHood, the Honorable Randy Babbitt and the Honorable Lisa Jackson  
September 7, 2011

Page 3 of 3

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Environmental Protection Agency to weigh in on this issue by means of an amicus brief or statement of interest that supports our request for declaratory relief.

Sincerely,

A handwritten signature in black ink, appearing to read "James K. Coyne", with a long, sweeping horizontal line extending to the right.

James K. Coyne  
President and CEO



# Correspondence Management System

Control Number: AX-11-001-5055

Printing Date: September 09, 2011 11:44:47



## 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-11-001-5055 **Alternate Number:** N/A  
**Status:** For Your Information **Closed Date:** N/A  
**Due Date:** N/A **# of Extensions:** 0  
**Letter Date:** Sep 6, 2011 **Received Date:** Sep 9, 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  
September 6,2011- June 8, 2012  
**Instructions:** For Your Information -- No action required  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** Noah Dubin - OEX  
OEAE - Office of External Affairs and Environmental Education  
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	Sep 9, 2011

## History

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

September 6, 2011

SENSITIVE BUT UNCLASSIFIED  
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NATIONAL SECURITY AFFAIRS CALENDAR

ONGOING EVENTS

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 7	High-Level Conference "Empowering Women in Afghanistan: Stability Through Rural Development," The Hague
Sep 8-9*	U.S.-Afghanistan Strategic Partnership (SPD) Negotiations, 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 12-13*	Visit of Foreign Minister Baconschi of Romania to Washington
Sep 13-16	9th Asia-Pacific Economic Cooperation (APEC) Women and Economy Summit, San Francisco
Sep 13	66th United Nations General Assembly Commences, New York

SENSITIVE BUT UNCLASSIFIED  
FOR OFFICIAL GOVERNMENT USE ONLY

Sep 13 Asia-Pacific Economic Cooperation (APEC) High-Level Meeting on Energy Efficiency and Sustainable Transportation, San Francisco

**LOOKING FORWARD**

Sep 14-16 Annual Meeting of the New Champions 2011, Dailian

Sep 14 Asia-Pacific Economic Cooperation (APEC) Transportation and Energy Ministerial, San Francisco

Sep 14-15 U.S.-Pakistan Energy Dialogue, Islamabad

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 International Atomic Energy Agency (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



SENSITIVE BUT UNCLASSIFIED

3

Sep 22	Subnational Legislative Elections in Saudi Arabia (Snap)
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 25*	Visit of Prime Minister Barrow of Belize to Washington
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
Sep 28 - Oct 1	4th Review Conference of the Treaty on Conventional Forces in Europe, Vienna
Oct TBD	Election of UN Security Council Non-Permanent Members

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SENSITIVE BUT UNCLASSIFIED

4

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
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 13-14	Council of Europe Forum for the Future of Democracy, Limassol

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5

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
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

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6

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
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 9*	U.S.-Vietnam Human Rights Dialogue, Washington
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

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7

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
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

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8

Dec 4	Parliamentary Elections in Russia
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
Dec 10	Presidential Inauguration in Argentina
Dec 12-19	World Trade Organization (WTO) Ministerial Conference, Geneva
<b>2012</b> 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 3	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

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9

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
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

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SENSITIVE BUT UNCLASSIFIED

10

Jun 4-8	25th World Gas Conference: "Gas: Sustaining Future Global Growth", Kuala Lumpur
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
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

SENSITIVE BUT UNCLASSIFIED



# Correspondence Management System

Control Number: AX-11-001-1591

Printing Date: July 20, 2011 02:21:00



## Citizen Information

**Citizen/Originator:** Herr, Elam M.

**Organization:** Pennsylvania State Association of Township Supervisors

**Address:** 4855 Woodland Drive, Enola, PA 17025

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-1591

**Alternate Number:** N/A

**Status:** For Your Information

**Closed Date:** N/A

**Due Date:** N/A

**# of Extensions:** 0

**Letter Date:** Jul 20, 2011

**Received Date:** Jul 20, 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-At the Annual Conference of the Pennsylvania State Association of Township Supervisors we have adopted the enclosed Resolutions.

**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

R3 - Region 3 - 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	OW	Jul 20, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to R3	Jul 20, 2011
(b) (6) Personal Privacy	OEX	Control Taken Over	Jul 20, 2011
(b) (6) Personal Privacy	OEX	Forward control to OW	Jul 20, 2011



PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

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

Dear Administrator Jackson:

At the 2011 Annual Conference of the Pennsylvania State Association of Township Supervisors, the membership adopted the enclosed resolutions, which are now standing policy of the Association and direct our efforts on behalf of the more than 7,500 officials serving 5.4 million of Pennsylvania's residents.

We welcome the opportunity to work with your office on this issue. We ask that you consider legislation or policies to satisfy the intent of the resolutions indicated and that you would join us in opposing certain proposals as described. We have also forwarded copies of these resolutions to the members of the Pennsylvania Congressional Delegation.

We encourage your comments on these resolutions. If you have any questions about these resolutions or would like to discuss these issues further, please contact the Association or myself.

We look forward to your response.

Sincerely,

Elam M. Herr  
Assistant Executive Director

EMH:klt

CC: National Association of Towns & Townships

July 15, 2011  
OFFICE OF THE  
EXECUTIVE SECRETARIAT  
JUL 19 PM 12:24

RECORDED



## **2011 PSATS RESOLUTIONS**

### **Environmental Protection Agency**

11-37 RESOLVED, That PSATS oppose efforts by the U.S. Environmental Protection Agency that would require the state Department of Environmental Protection to include as part of a township's municipal stormwater management system any private land over which stormwater flows.

*Reasons for Resolution: Municipalities should not be forced to bear the responsibility and added costs associated with including private land over which stormwater flows as part of their stormwater management plans.*

11-38 RESOLVED, That PSATS oppose efforts by the United States Environmental Protection Agency to require that all municipalities, regardless of how small, be mandated to obtain a National Pollutant Discharge Elimination System (NPDES) permit for their municipal stormwater management systems.

*Reason for Resolution: Municipalities should not be forced to bear the costs of another unfunded mandate.*

11-41 RESOLVED, That PSATS oppose any state or federal initiatives that are not accompanied by sufficient funding for implementation by local governments, AND FURTHER, That PSATS seek legislation to require the state and federal governments and other agencies to identify, report, and provide reimbursement for all mandates imposed on municipalities by such agencies.

*REASONS FOR RESOLUTION: Local governments are currently experiencing difficulties in adequately funding basic public services because they have been forced to shift money from already strained budgets to carry out new mandates. When funds are used to benefit a special interest or new costs are imposed, local governments often have no other option than to reduce services or increase taxes.*

11-42 RESOLVED, That PSATS seek legislation to ensure that any Chesapeake Bay Tributary Strategy or any other proposal that would impose reductions in nutrient or sediment discharges from the state's point and non-point sources be required to equitably allocate responsibility for these reductions on a proportionate basis, AND FURTHER, That state or federal funding be allocated to help local governments implement these reductions.

*REASONS FOR RESOLUTION: Unless state and federal government provides adequate funding to implement the strategy, local governments will be faced with another unfunded mandate. The estimated price tag to implement the water-quality initiative is \$8.2 billion and would require municipalities to abide by stricter effluent limits on wastewater treatment plants, decrease stormwater runoff, and remediate septic tanks.*



# Correspondence Management System

Control Number: AX-11-001-2055

Printing Date: July 21, 2011 01:39:38



## Citizen Information

**Citizen/Originator:** Krizensky, Allan J.

**Organization:** City of Peshtigo

**Address:** 331 French Street Post Office Box 100, Peshtigo, WI 54157

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-2055

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Aug 4, 2011

**# of Extensions:** 0

**Letter Date:** Jul 15, 2011

**Received Date:** Jul 20, 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-City of Peshtigo Special appropriation Grant

**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  
OW - Office of Water -- Immediate Office  
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	Jul 21, 2011	Aug 4, 2011	N/A
<b>Instruction:</b> N/A					

## Supporting Information

**Supporting Author:** N/A

### Supporting Assignments:

Assigner	Office	Assignee	Assigned Date
No Record Found.			

## History

Action By	Office	Action	Date
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## City of Peshtigo

Area Code 715 Telephone 582-3041  
Fax 582-4322

July 15, 2011

331 French Street • P.O. Box 100 • Peshtigo, Wisconsin 54157

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

RECEIVED  
2011 JUL 20 PM 12:39  
OFFICE OF THE  
EXECUTIVE SECRETARIAT

**RE: City of Peshtigo Special Appropriation Grant**

Ms. Jackson,

The City of Peshtigo, a fourth Class City located in northeast Wisconsin, has been working diligently on their Water Treatment Facilities and Wastewater Treatment Plant Improvements. These projects will better serve the residents of our City, as well as BPM, Inc., the largest industrial user of the Wastewater Treatment Plant, with no significant environmental impact. The availability of the Special Appropriation Grant has a significant impact on the City's sewer users. The sewer user rates will increase if the grant is rescinded.

The City received a letter from the USEPA on February 21, 2008 informing that the City had been designated, through a Congressional appropriation, to receive a grant from the USEPA for water-related infrastructure improvements. An Application, Budget Sheet, Assurances, Certifications, Compliance Review Report, Project Work Plan, and Environmental Planning Worksheet for the Water Treatment Facilities for radionuclide compliance were submitted to the USEPA on May 19, 2008.

In June of 2008, the City received a USEPA memorandum listing the City for Award of Special Appropriation Act Project Grant 273 WI. The City was requested by the USEPA and the Congressional Appropriations Committee to repurpose their request for the Special Appropriation Grant from the Water System Improvements to the Wastewater Treatment Plant Improvements.

The Application, Budget Sheet, Assurances, Certifications, Compliance Review Report, Project Work Plan, and Environmental Planning Worksheet for the Wastewater Treatment Plant Improvements were submitted to the USEPA on December 10, 2010. The Wastewater Treatment Plant Project has no significant environmental impact and will result in significant reduction of electrical energy. In January of 2011, the City received a USEPA letter from Kenneth A. Westlake stating the project has no significant environmental impact and is categorically excluded from a detailed National Environmental Policy Act (NEPA) Analysis. Also, in January of 2011, Ms. Barbara Cash, USEPA Region 5 Project Manager, informed the City the grant will be awarded in approximately two months. In March of 2011, Ms. Cash indicated the review of the project would be finalized on March 17, 2011. The project Work Plan was approved on March 18, 2011. On March 29, 2011, Ms. Cash requested the signature by the Authorized Official, Mr. George Cowell, on the Application, Assurances Form, Certification Forms, and Compliance Review Report Form. Mr. George Cowell signed all required signature pages and the City e-mailed them to Ms. Barbara Cash, USEPA on April 4, 2011. On June 17, 2011, the City learned from Steffanie Crossland, USEPA Region 5 in Chicago, that the grant we applied for is currently on hold and funds may or may not be rescinded.



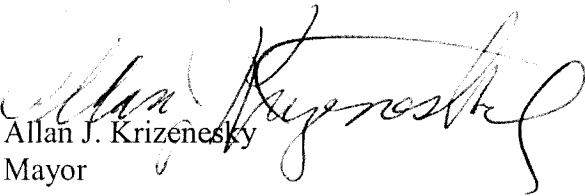
The City has worked carefully through the activities required on the project to obtain the Special Appropriation Grant putting in a lot of time and effort to assure it was done properly. We are now at the point where we're ready to bid the Wastewater Treatment Plant Improvement Project. However, we do not have the EPA contractual requirements for the Special Appropriation Grant, which we expected after the April 4, 2011 signing of all the required documents.

The City of Peshtigo has never received a Special Appropriation Grant before and felt we were doing everything as required. We also do not understand how Congress released the funds for USEPA FY2009 and FY2010 projects, but did not release the appropriated grant for our project.

We respectfully request your consideration to reappropriating the funds for our project which have been rescinded, so the City of Peshtigo may proceed in the completion of this much needed Wastewater Treatment Plant Improvement Project. Thank you.

Sincerely,

CITY OF PESHTIGO



Allan J. Krizenesky  
Mayor

AJK/maw

cc: House Committee on Appropriations  
Senate Committee on Appropriations  
Senator Herbert Kohl  
Congressman Reid Ribble  
Senator Ron Johnson  
BPM, Inc.



# Correspondence Management System

Control Number: AX-11-001-2058

Printing Date: July 20, 2011 03:01:20



## Citizen Information

**Citizen/Originator:** McCarty, Ray

Organization: Associated Industries of Missouri  
Address: 3234 West Truman Boulevard, Jefferson City, MO 65109

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-2058 **Alternate Number:** N/A  
**Status:** Pending **Closed Date:** N/A  
**Due Date:** Aug 3, 2011 **# of Extensions:** 0  
**Letter Date:** Jul 13, 2011 **Received Date:** Jul 20, 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:** OEAAE - Office of External Affairs and Environmental Education  
OP - Office of Policy  
OSBP - Office of Small Business Programs  
R7 - Region 7 -- 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	Jul 20, 2011	Aug 3, 2011	N/A
<b>Instruction:</b> 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





**Associated  
Industries  
of Missouri**

*The Voice of Missouri Business.*

Associated Industries of Missouri  
3234 W. Truman Blvd.  
Jefferson City, MO 65109  
573-634-2246 (p)  
573-634-4406 (f)  
www.aimo.com

July 13, 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

RECEIVED  
2011 JUL 20 PM 12:36  
OFFICE OF THE  
EXECUTIVE SECRETARY

Dear Secretary LaHood and Administrator Jackson:

As you are aware, jobs, the economy and energy security are on the minds of every American. Associated Industries of Missouri is focused on proactive policies to address these critical issues and grow Missouri's economy in a way that provides a more secure future. Transportation is a critical component of our economic vitality and because your agencies are now developing national fuel economy standards for 2017-2025, we wanted to share our views.

Safe, efficient and reliable transportation impacts each individual, family and business in Missouri, and in America. Jobs in Missouri are all tied to cost-effective transportation. With the recent increase in fuel prices and turmoil in the Middle East, reducing fuel use and dependence on foreign oil are important to all of us. We support efforts to improve fuel economy by laying out a long-term program, but encourage you to carefully consider a balanced and thoughtful approach: one that establishes one national standard that is both reasonably attainable and cost-effective.

We encourage NHTSA and EPA to adopt a single, national fuel economy standard that considers America's needs for increased fuel economy while preserving the choices for families and businesses to meet their transportation needs without sacrificing affordability, safety, or jobs. NHTSA and EPA have already set strong standards for 2012-2016 that raise 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, families and businesses in Missouri.

It is important that standards for 2017-2025 support a broad range of consumer needs in terms of utility and function. Americans need a range of vehicles to meet their family and business needs. Large families require automobiles with sufficient passenger space, including room for multiple child-safety seats in the back. Small businesses need vans and utility vehicles to conduct commerce. Agriculture

Associated Industries of Missouri

Letter to Secretary LaHood and Administrator Jackson

July 13, 2011

Page Two

depends on affordable and reliable transportation, as do the construction industry and local trades. Manufacturing is an important source of jobs and revenue for Missouri and manufacturing depends on affordable vehicles to carry out day-to-day business needs.

Missouri businesses all share the need for affordable transportation. The next phase of fuel economy standards should not pick winners and losers, but should support a variety of technologies and fuel diversity to preserve affordability. If fuel economy standards increase too quickly, resulting in more expensive vehicles, many of Missouri's consumers can be expected to hold on to their older vehicles longer and defer buying a new car, which could put jobs across the country at risk and delay compliance with federal air quality standards. Affordability, customer choice and job preservation is as much as priority as raising fuel economy.

At Associated Industries of Missouri, we think every day about ways to promote job creation and security for our 1,100 employer members in Missouri. We encourage you to carefully balance all the factors that impact sensible fuel economy standards, including consumer choice, affordability and the economic concerns that will affect our nation's economic recovery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray McCarty', with a stylized, cursive script.

Ray McCarty  
President/CEO



# Correspondence Management System

Control Number: AX-11-001-2059

Printing Date: July 20, 2011 03:33:50



## Citizen Information

**Citizen/Originator:** Johnston, Mike

**Organization:** Michigan Manufacturers Association  
**Address:** 620 South Capitol Avenue, Lansing, MI 48933-2308

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-2059 **Alternate Number:** N/A  
**Status:** Pending **Closed Date:** N/A  
**Due Date:** Aug 3, 2011 **# of Extensions:** 0  
**Letter Date:** Jul 15, 2011 **Received Date:** Jul 20, 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:** OEAAE - Office of External Affairs and Environmental Education  
OP - Office of Policy  
OSBP - Office of Small Business Programs  
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	Jul 20, 2011	Aug 3, 2011	N/A
<b>Instruction:</b> 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




 RECEIVED  
 2011 JUL 20 PM 12:36

July 15, 2011

 OFFICE OF THE  
 EXECUTIVE SECRETARIAT

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:

The Michigan Manufacturers Association (MMA) would like to express our views regarding the national fuel economy standards and the future of Michigan's economy and the national economy. MMA represents 2,500 companies in the full spectrum of manufacturing sectors and subsectors. Manufacturing represents the largest sector of the Michigan economy. The big three domestic automakers along with our substantial supplier base are significant contributors to Michigan's manufacturing based economy. The transportation sector is critical to the national economy as reflected in comments in the news release on June 24, 2011 for the first quarter of 2011 by the Bureau of Economic Analysis, U.S Department of Commerce, saying "Motor vehicle output added 1.18 percentage points to the first-quarter change in real GDP...."

Policies that impact the transportation sector will clearly have significant impact on the Michigan economy. Current standards for 2012-2016 have already increased fleet average by 40% to 35 miles per gallon. Going forward, policies must continue to consider the global nature of the transportation sector, the competitive and economic implications of U.S. policies on Michigan and American based companies. Regulatory constraints also constrain consumer demand and ultimately sales in the transportation sector. The next phase of fuel economy standards should not pick winners and losers, but should support a variety of technologies and fuel diversity to preserve affordability. If fuel economy standards increase too quickly, resulting in more expensive vehicles, many of our region's consumers can be expected to hold on to their older vehicles longer and defer buying a new car, which could put jobs across the country at risk and delay compliance with federal air quality standards. Affordability, customer choice and job preservation is as much a priority as raising fuel economy.

The Michigan economy is recovering, driven in large part by manufacturing investment and job growth. Fuel economy standards must not change the competitive field at a critical time in the early phases of an automobile and manufacturing driven recovery in Michigan and nationally.

The MMA is a strong advocate for the manufacturing sector and we encourage you to recognize the irreplaceable contributions made to the Michigan and national economies by the transportation sector. Fuel economy standards must not hinder the growth of American based jobs and investment. While new technology and innovation drives investment and job growth, untimely and excessive regulation will drive investment and job growth elsewhere. We appreciate your thoughtful consideration.

Sincerely,

*Mike Johnston*  
 Mike Johnston  
 VP of Government Affairs



# Correspondence Management System

Control Number: AX-11-001-2061

Printing Date: July 21, 2011 11:48:44



## Citizen Information

**Citizen/Originator:** McMahon, Brian T

Organization: New York State Economic Development Council  
Address: 111 Washington Avenue, Albany, NY 12210

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-2061  
**Status:** Pending  
**Due Date:** Aug 4, 2011  
**Letter Date:** Jul 15, 2011  
**Addressee:** AD-Administrator  
**Contact Type:** LTR (Letter)  
**Signature:** DX-Direct Reply  
**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:** OCIR - Office of Congressional and Intergovernmental Relations  
OEAAE - Office of External Affairs and Environmental Education  
OP - Office of Policy  
OSBP - Office of Small Business Programs  
R2 - Region 2 -- 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	Jul 21, 2011	Aug 4, 2011	N/A
	<b>Instruction:</b> DX-Respond directly to this citizen's questions, statements, or concerns				
Sabrina Hamilton	OAR	OAR-OTAQ	Jul 21, 2011	Aug 1, 2011	N/A
	<b>Instruction:</b> OTAQ - Prepare response for the signature of Margo T. Oge, Director of the Office of Transportation and Air Quality (OTAQ).				
Tanya Meekins	OAR-OTAQ	OAR-OTAQ-ASD	Jul 21, 2011	Jul 28, 2011	N/A
	<b>Instruction:</b> N/A				

## Supporting Information





RECEIVED

2011 JUL 20 PM 12:36

OFFICE OF THE  
EXECUTIVE SECRETARIAT

July 15, 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:

RE: *Fuel economy regulations*

A 2008 report by New York's Comptroller showed the significant impact of the auto industry on New York's economy. The report showed that, "[A]uto-related manufacturing, especially of component parts, constitutes an important segment of New York's employment base particularly in Buffalo and Rochester. According to the Center for Automotive Research, approximately 3.2 percent of New York's workforce is employed either directly by or works in businesses dependent upon automobile manufacturing, the seventh largest concentration among the states. Including related and spin-off employment, the automotive industry generates annual wages and benefits estimated in excess of \$12 billion in New York State."

"Direct automotive industry employment in New York exceeds 30,000 jobs and another 200,000 employees work in auto-related businesses such as parts suppliers and other sub-contractors. The State is home to 20 automotive facilities that are owned and operated by automobile manufacturers including parts distribution, corporate offices, research and development, sales and marketing centers, financial centers, and engineering and design facilities."

"In addition, there are nearly 200 auto parts manufacturers in New York who are supplied with materials and parts by about 150 minority-owned sub-contractors. The State supports approximately 4 percent of the nation's auto parts related manufacturing jobs, which produce almost 5 percent of the nation's auto parts shipments by value."

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Adore Flynn Kurtz, CEcD  
The Development Corporation  
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Westchester County IDA

William G. Mannix  
Town of Islip IDA

Stephen G. Hyde  
Genesee County Economic Development Center

Michael Reese  
Fulton County EDC  
TREASURER

Vijay Mittal  
Cayuga County Planning & Development  
SECRETARY

The Honorable Ray LaHood, The Honorable Lisa Jackson  
*July 15, 2011*  
*Page 2*

This employment base, which is greatest in Western New York, where job losses in manufacturing have been devastating in recent decades, will be significantly and permanently impacted if the proposed 2017 – 2025 fuel economy standards are implemented.

The fuel economy regulations agreed upon previously for years 2012-16 represent a very aggressive – in fact unprecedented – increase in year-over-year fuel economy improvements for cars and trucks. Following that program with an even more extreme standard will require technology costs, and reduced customer choice, that the market will not bear.

The Center for Automotive Research recently published a study based on the government's own data from the National Academy of Science (NAS) showing that extreme standards will cost about 260,000 jobs and could force vehicle prices up by nearly \$10,000 – a cost that will be borne by customers. The pay-off for the customer in fuel savings at very aggressive fuel economy levels versus the additional technology costs just doesn't work. Many of those jobs would be lost from auto stamping and engine manufacturing plants in New York State. This is simply too high a price to pay for over regulation.

The New York State Economic Development Council and its member organizations work every day to create and retain good jobs for the state and its communities. We encourage you to carefully balance the factors that impact sensible fuel economy standards, including consumer choice, affordability and the economic concerns that weigh on our nation's fragile recovery. While laudable in its goals, the proposed fuel economy standards would do much more harm to local economies and the families whose jobs and lives would be impacted than any benefit that might be achieved for the environment. A much better balance must be found.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian McMahon", with a long, sweeping horizontal line extending to the right.



# Correspondence Management System

Control Number: AX-11-001-2066

Printing Date: July 21, 2011 09:00:36



## Citizen Information

**Citizen/Originator:** Schimminger, Robin

**Organization:** The Assembly State of New York Albany  
**Address:** 3514 Delaware Avenue, Kenmore, NY 14217-1298

**Constituent:** N/A

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

## Control Information

**Control Number:** AX-11-001-2066 **Alternate Number:** N/A  
**Status:** Pending **Closed Date:** N/A  
**Due Date:** Aug 4, 2011 **# of Extensions:** 0  
**Letter Date:** Jul 14, 2011 **Received Date:** Jul 20, 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-Transportation is a critical component of our economic vitality and given that your agencies are now developing national fuel economy standards for 2017-2025, I want to share my views.  
**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  
R2 - Region 2 -- 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	Jul 21, 2011	Aug 4, 2011	N/A
<b>Instruction:</b> 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





ROBIN SCHIMMINGER  
140<sup>th</sup> District

**DAILY READ FILE**  
**THE ASSEMBLY**  
**STATE OF NEW YORK**  
**ALBANY**

CHAIRMAN  
Committee on Economic Development,  
Job Creation, Commerce and Industry

COMMITTEES  
Codes  
Health  
Ways & Means

July 14, 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

RECEIVED  
2011 JUL 20 PM 1:03  
OFFICE OF THE  
EXECUTIVE SECRETARIAT

Dear Secretary LaHood and Administrator Jackson:

Today jobs, the economy and energy security are on the minds of every American. As Chairman of the N.Y.S. Assembly Committee on Economic Development, Job Creation, Commerce and Industry, I have long been focused on proactive policies to address these critical issues and grow New York State – and, in particular, the district I represent in Western New York – toward a more secure future. Transportation is a critical component of our economic vitality and given that your agencies are now developing national fuel economy standards for 2017-2025, I wanted to share my views.

Safe, efficient and reliable transportation impacts each individual, family and business in our community. Jobs in Western New York are all tied to cost-effective transportation. With the recent increase in gas prices and turmoil in the Middle East, reducing fuel use and dependence on foreign oil are on all our minds. I certainly support your efforts to improve fuel economy by laying out a long-term program, but encourage you to carefully consider a balanced and thoughtful approach.

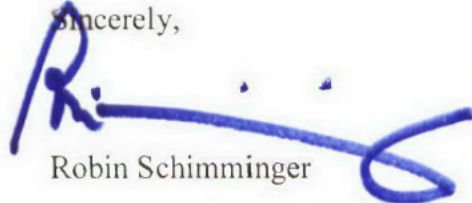
I respectfully encourage NHTSA and EPA to adopt a single, national fuel economy standard that considers America's needs for increased fuel economy while preserving the choices for families and businesses to meet their transportation needs without sacrificing affordability, safety, or jobs. NHTSA and EPA have already set strong standards for 2012-2016 that raise the fleet average by 40% to 35 miles per gallon. Looking forward, technology improvements should continue to support realistic increases in fuel economy and greenhouse gas standards. However, I recognize that overreaching regulations can place a significant cost burden on individuals, families and businesses.

It is important that standards for 2017-2025 support a broad range of consumer needs in terms of utility and function. Americans need a range of vehicles to meet their family and business needs. Large families require automobiles and crossovers with sufficient passenger space, including room for multiple child-safety seats in the back. Small businesses need vans and utility vehicles to conduct commerce. Agriculture depends on pickup trucks, as do the construction industry and local trades. Manufacturing is an important source of revenue and jobs for Western New York, and it, along with its varied supplier network, depends on a variety of vehicles to carry out day-to-day business needs.

Our region's families and businesses all share the need for affordable transportation. The next phase of fuel economy standards should not pick winners and losers, but should support a variety of technologies and fuel diversity to preserve affordability. If fuel economy standards increase too quickly, resulting in more expensive vehicles, many of our region's consumers can be expected to hold on to their older vehicles longer and defer buying a new car, which could put jobs across the country and our region – which is home to a significant auto industry sector – at risk and delay compliance with federal air quality standards. Affordability, customer choice and job preservation is as much a priority as raising fuel economy standards.

As chairman of the Assembly Economic Development Committee, a state legislator representing a district near Buffalo in Western New York, and the Assembly representative for GM Powertrain's Tonawanda Engine Plant, I think every day about ways to promote job creation and security for my district, region and state. I encourage you to carefully balance the factors that impact sensible fuel economy standards, including consumer choice, affordability and the economic concerns that weigh on our nation's fragile recovery.

Sincerely,



Robin Schimminger

RS:kbb

cc: Hon. Charles E. Schumer  
Hon. Kirsten Gillibrand  
Hon. Louise M. Slaughter  
Hon. Brian M. Higgins  
Hon. Kathy Hochul





# Correspondence Management System

Control Number: AX-11-001-2075

Printing Date: July 21, 2011 07:19:43



## 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-11-001-2075  
**Status:** For Your Information  
**Due Date:** N/A  
**Letter Date:** Jul 19, 2011  
**Addressee:** AD-Administrator  
**Contact Type:** FAX (Facsimile)  
**Signature:** SNR-Signature Not Required  
**File Code:** 401\_127\_a General Correspondence Files Record copy  
**Subject:** DRF - Coping with Severe Heat and Humidity  
**Instructions:** For Your Information -- No action required  
**Instruction Note:** N/A  
**General Notes:** N/A  
**CC:** Dennis Franklin - OARM  
Kimberly Wheeler - OARM

**Alternate Number:** N/A  
**Closed Date:** N/A  
**# of Extensions:** 0  
**Received Date:** Jul 20, 2011  
**Addressee Org:** EPA  
**Priority Code:** Normal  
**Signature Date:** N/A

## 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	Jul 20, 2011
Karen Johnson	OARM	OARM-OHR	Jul 20, 2011

## History

Action By	Office	Action	Date
(b) (6) Personal Privacy	OEX	Forward control to OARM	Jul 20, 2011
Karen Johnson	OARM	Forwarded control to OARM-OHR	Jul 20, 2011

**DAILY READING FILE****UNITED STATES OFFICE OF PERSONNEL MANAGEMENT**

Washington, DC 20415

**July 19, 2011**

The Director

**MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES****FROM:****JOHN BERRY  
DIRECTOR**

A handwritten signature in black ink, appearing to read "John Berry", is written over the printed name and title of the Director.

**SUBJECT:****Coping with Severe Heat and Humidity**

As we continue to experience record-setting severe heat and humidity this summer, the U.S. Office of Personnel Management (OPM), reminds Federal agencies to be proactive in protecting the health and well being of our employees. We should take all available steps to ensure they are protected during potentially dangerous heat waves that are likely to continue throughout this summer, particularly our employees who perform their duties outdoors.

As you consider measures to take for your employees, there are two matters of particular concern.

First, employees need to remain adequately hydrated: providing immediate and ready access to potable drinking water and other liquids will ensure their health and well-being during severe heat and humidity.

Second, various Federal health authorities and local governments provide information and advice on the best ways to cope with severe heat and dangerous weather conditions to protect ourselves and our families. The following links to official Federal Government information dealing with heat-related risks may be helpful:

<http://www.cdc.gov/niosh/topics/heatstress> - on the website for National Institute for Occupational Safety and Health (NIOSH), which is part of the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services

[www.weather.gov/om/heat/](http://www.weather.gov/om/heat/) and [www.weather.gov/om/heat/heat\\_wave.shtml](http://www.weather.gov/om/heat/heat_wave.shtml) - on the website for National Weather Service (NWS), which is part of the National Oceanic and Atmospheric Administration (NOAA), Department of Commerce

<http://www.osha.gov/SLTC/heatillness/index.html> - on the website for the Occupational Safety and Health Administration (OSHA), Department of Labor

Your continued diligence in ensuring the health and safety of our Federal workforce is much appreciated.

cc: Chief Human Capital Officers  
Human Resources Directors



# Correspondence Management System

Control Number: AX-11-001-2076

Printing Date: July 20, 2011 03:47:41



## Citizen Information

**Citizen/Originator:** Johnson, James H.

**Organization:** NACEPT

**Address:** 2300 Sixth Street. NW, Washington, DC 20059

**Constituent:** N/A

**Committee:** N/A

**Sub-Committee:** N/A

## Control Information

**Control Number:** AX-11-001-2076

**Alternate Number:** N/A

**Status:** Pending

**Closed Date:** N/A

**Due Date:** Aug 4, 2011

**# of Extensions:** 0

**Letter Date:** Jul 19, 2011

**Received Date:** Jul 20, 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 - NACEPT Second Workforce Advice Letter

**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  
OCFO - OCFO -- Immediate Office  
OCR - Office of Civil Rights  
OEAAE - Office of External Affairs and Environmental Education  
ORD - Office of Research and Development -- Immediate Office  
R3 - Region 3 - Immediate Office

## Lead Information

**Lead Author:** Stephanie McCoy

**Office:** OFACMO

**Due Date:** Aug 4, 2011

**Assigned Date:** Jul 20, 2011

**Complete Date:** N/A

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

## Lead Assignments:

Assigner	Office	Assignee	Assigned Date	Due Date	Complete Date
(b) (6) Personal Privacy	OEX	OFACMO	Jul 20, 2011	Aug 4, 2011	N/A
<b>Instruction:</b> DX-Respond directly to this citizen's questions, statements, or concerns					

## Supporting Information

**Supporting Author:** N/A



**National Advisory Council for  
Environmental Policy and Technology**

July 11, 2011

The Honorable Lisa P. Jackson  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington D.C. 20460

**RE: Second NACEPT Advice Letter on EPA Workforce Planning:**

- Leadership Capabilities and Culture for “One EPA” (Topic #4)
- Strategies to Obtain and Retain Scientific and Technical Expertise (Topic #2)

Dear Administrator Jackson:

The National Advisory Council for Environmental Policy and Technology (NACEPT) is working on your charge to provide advice for development of the Agency’s next Strategic Workforce Plan. The charge comprises the following topics:

1. Scientific and technical competencies needed to be prepared for tomorrow’s challenges.
2. Strategies to obtain and retain scientific and technical expertise.
3. Strategies to attract and retain superior executive leadership talent.
4. Leadership capabilities and culture for “One EPA”.
5. Ensuring diversity.

On January 31, 2011, NACEPT responded with an advice letter on Topic #1 (“Scientific and technical competencies”). This second Advice Letter summarizes NACEPT’s recommendations addressing Topic #2 (“Strategies to obtain and retain scientific and technical expertise”) and Topic #4 (“Leadership capabilities and culture for One EPA”). We anticipate providing a third advice letter on Topic #3 (“Strategies to attract and retain superior executive leadership talent”) and Topic #5 (“Ensuring diversity”) by late 2011.

**RECOMMENDATIONS AND RESPONSE TO THE FOURTH QUESTION IN THE  
CHARGE: STRATEGIES TO ADVANCE THE “ONE EPA” GOAL**

*“What might a “typical” developmental path look like in an organization that focuses on the leadership capabilities and culture required to achieve One EPA? What measures could the agency put in place that would best exemplify progress in achieving One EPA and measure the associated leadership capabilities and culture?”*

The ideal of “One EPA” was part of the rationale for creating EPA in 1970 when several offices scattered throughout the federal government were combined into a single agency. Some of EPA’s early leaders were committed to a holistic approach to environmental problems, despite Congress’ jurisdictional divisions and other pressures for compartmentalization of programs.

“Dealing separately with pollution problems in air, water, and land defies a growing understanding of pollution problems. Pollutants generally, toxics in particular, tend to move readily among air, water, and land. A disparity exists between the multiple environments defined by statutes, regulations, and Congressional committees and the one natural environment with which those policies and institutions try to deal.”

- Russell Train

Over time, however, as the nation’s lawmakers handed EPA more and more responsibilities and as the Agency experienced dynamics that affect many large bureaucracies, its internal “stovepipes” hardened and a “silo mentality” increasingly frustrated the original aspiration to act “as one.” The new “One EPA” goal reflects an understanding that this compartmentalization process has gone too far and that rekindling the aspiration of the Agency’s founders to think and work in an integrated and collaborative way is important for improving EPA’s effectiveness.

EPA is not alone in addressing this theme. In a survey conducted by the Center for Creative Leadership, 71 percent of senior executives said coordinating across horizontal boundaries has become their biggest challenge because of the intransigence of stovepipes, turf battles and the difficulty of developing the new mindset and skills needed to achieve genuine collaboration across their organization. Managing vertical boundaries was seen as the biggest challenge by a mere 7 percent. However, fewer than 1 out of 10 senior executives surveyed feel they have the skills needed to lead effectively across horizontal boundaries. At the same time, 92 percent said that the pressure to innovate in order to improve efficiency and develop better products and services will be the strongest trend impacting their organizations and that integrating experience and expertise across functions is critical for that innovation to be achieved.

This recent work by researchers with the Center for Creative Leadership highlights the concept of *boundary spanning leadership* as the key requirement today for meeting the increasingly complex challenges that most large organizations face. They define boundary spanning leadership as “the capability to establish direction, alignment and commitment across boundaries in service of a higher vision or goal.” They single out horizontal boundaries as posing the greatest challenge, but recognize the importance of vertical, stakeholder, demographic/cultural and geographic boundaries. They stress the importance of developing this leadership capability at the middle management level as well as the senior executive level. Jeffrey Yip, Chris Ernst and Michael Campbell, *Boundary Spanning Leadership*, Center for Creative Leadership (2011), <http://www.ccl.org/leadership/pdf/research/BoundarySpanningLeadership.pdf>, and Chris Ernst and Donna Chrobot-Mason, *Boundary Spanning Leadership: Six Practices for Solving Problems, Driving Innovation and Transforming Organizations*. McGraw-Hill (October 2010).



EPA's organizational structure serves the function of breaking work into manageable chunks, but when a silo mentality becomes too strong, it can constrain both thinking and action. Silos can distort thinking by limiting information sharing and learning across horizontal boundaries. They can impair sight of the big picture of the Agency's major priorities, challenges and opportunities. This insular perspective can lead to framing problems too narrowly, which produces narrow solutions that fail to get at underlying causes or shifts the problem from one media to another. In a similar way, cultural boundaries between generations and geographic boundaries between headquarters and regional offices can limit information sharing and learning.

Rigid boundaries also constrain ability to act effectively. When organizational units become too insular and self-focused, it becomes more difficult to coordinate action across internal boundaries. Sub-units' self-interests can trump larger organizational interests. Us vs. them attitudes can impede collaboration. Unproductive differences in organizational culture and approach become entrenched.

Above all, rigid boundaries undermine the outward perspective and flexibility needed to foster innovation. EPA needs to address effectiveness, not just efficiency, and improving effectiveness requires innovation. Rapid technological change, generational shifts, revenue challenges, political change, and both persistent and newly emerging environmental challenges all require innovation. And innovation requires a significant shift in organizational culture and individual behavior to foster "intense cross-boundary interaction between the organization and its stakeholders across internal boundaries of level, function, demography and location." (Yip, Ernst and Campbell, see above)

EPA can help foster systems thinking that can identify the roots and interactions of problems and cross silos. Better integration of knowledge across the Agency can have big payoffs in terms of finding superior solutions and avoiding downstream costs for unintended consequences, litigation, delays and cleanups.

Situations like Hurricane Katrina and the Deepwater Horizon oil spill highlight the potential for enhanced interagency and intra-EPA cooperation. Stovepipes become more permeable as people pull together to respond to a crisis; the result can be that the organization as a whole becomes more effective. The challenge is creating an environment where people act this way much of the time, recognize the constraints of silos, and are internally motivated to think and act cooperatively across boundaries. This is and should be the goal of the One EPA initiative.

### **Specific Recommendations – Strategies for Promoting a "One EPA" Mindset:**

The conversation about One EPA is already well underway as illustrated by initiatives such as the new Executive Management Council structure, the formulation of One EPA Leadership Principles, and the One EPA intranet page. These initiatives are an excellent start and a strong demonstration of the seriousness with which EPA's leadership is pursuing the One EPA concept.

We suggest the additional strategies and ideas below for consideration. They are focused on the key challenge of spanning horizontal boundaries within the Agency to create a more cross-

functional organization where more people work with a strategic mindset in an environment that encourages cooperation across offices and regions. However, we recognize that there are other important “boundary spanning” challenges such as creating an organizational climate in which diversity and generational differences lead to cultural synergy rather than to culture clashes. The next NACEPT advice letter will address some of these additional dimensions.

**1. Make the One EPA Principles a Core Aspect of EPA’s Organizational Culture –** Developing an *outcome orientation* is especially important. Connecting day-to-day work to fundamental outcomes like reducing air pollution, as opposed to measures like number of cases handled, is a better way to motivate individual action and internal cooperation. Valuing *alignment* over narrow interests is a key to achieving a broad-based, shared understanding of problems and to implementing solutions that all can support. Maintaining strong, collaborative *relationships* across and outside the Agency supports effective boundary spanning leadership. Developing creative, integrated solutions requires a culture of *inclusiveness* that welcomes diverse views. Identifying with EPA as a whole, not just with a particular sub-unit, and feeling *ownership* over the Agency, will naturally encourage more coordinated actions to ensure the success of Agency efforts. Acting on these principles can breathe excitement and enthusiasm into EPA, reconnecting people with their passion for the environment and their aspiration to contribute to an organization that make a real difference.

**2. Create One EPA Learning and Demonstration Projects –** Ask senior leaders to pick important projects where cross-agency knowledge sharing and coordination would clearly be of benefit. Establish these projects in a way that demands integrated, cross-disciplinary systems thinking and then assemble the disciplines needed. Approach the issues involved in ways that build relationships across internal boundaries and encourage working together in more cooperative ways. Focus on thinking together about how to do it. Frame these projects as learning exercises and use lessons learned to develop future One EPA training modules.

**3. Create One EPA Trainings –** Develop training modules that introduce employees to systems thinking, explore the benefits of knowledge sharing and collaboration, examine the One EPA Principles, and set out a clear set of guidelines for putting the One EPA approach into practice. In these training sessions, build ongoing cross-office communities of practice for continuing learning and sharing of experience.

**4. Review Current Management Accountability Arrangements in Terms of their Alignment with the One EPA Aspiration –** Performance measurement systems can inadvertently create an atmosphere of competition rather than cooperation, causing program managers to develop a single focus on the success of their program as measured in numbers.

**5. Modify EPA Job Descriptions and Create Cross-Functional Career Paths –** Put more emphasis on systems thinking in hiring and promotion. In addition to outlining functional responsibilities, highlight the position’s cross-functional responsibilities and the relationships the individual is expected to develop outside the particular office or functional area in addition to outlining functional responsibilities. Highlight any programs or services for which the position shares responsibility and accountability. Identify career paths that move across the silos and offer on-the-job opportunities to develop systems thinking, with rewards and promotions

explicitly mapped. This can be combined with explicit multidisciplinary education incentives and greater use of cross-function teams as a strategy for innovation.

**6. Engage Middle Management** – While it is critical for senior EPA leaders to demonstrate new ways of thinking and acting, the One EPA mindset will not become routine unless all levels of leadership are engaged at headquarters and in the regions. This will require efforts to bring mid-level leaders into a more strategic level of thinking. Without a strategic context – requiring a better understanding of organizational priorities, challenges and opportunities – managers naturally focus on tactical and administrative matters and mostly pursue agendas that are clearly in their own area of expertise.

**7. Develop a Common System for Recruitment** – Develop a recruitment system that presents EPA as a “single brand” to potential employees and that reflects the One EPA aspiration in descriptive materials to potential employees and the public. At job fairs, cluster all EPA activity in one place, rather than at different tables.

**8. Expand Rotational Assignments** – Give employees more opportunities to engage in a range of assignments in different programmatic areas. Encourage job assignments across functions and locations to broaden employee’s perspectives and skills. Make experience in multiple areas of the Agency a qualification for achieving SES status.

**9. Bring One EPA Into Mentoring and Onboarding** – Encourage EPA senior leaders to mentor people not in their chain of command. Encourage them to make One EPA a major theme when they act as coaches for newly hired staff to make sure they are clear on their assignments, get early feedback and learn fast about the nuances of EPA’s culture.

**10. Use Social Media and the Web** – Technology is not a substitute for culture change, but given the right motivations it can empower internal (and external) stakeholders with the ability to communicate and work more fluidly across organizational boundaries. The One EPA intranet already being developed to share ideas on how to operationalize the concept is an important start. Creating a regularly updated EPA “Directory of Expertise” cross-linked to a database of resumes would be extremely useful for facilitating the creation of cross-disciplinary teams. Another approach, being pioneered at the State Department, is an internal encyclopedia modeled after Wikipedia for agency-wide knowledge sharing. Called Diplopedia, it is an online encyclopedia where over 3,500 employees have contributed over 12,000 articles. EPA could create an “Enviropedia” along the same model. Platforms like Twitter that allow for easy, widespread participation can be put to a range of creative uses.

**11. Explore Public-Private-NGO-University Executive Interchanges** – Design these interchanges to bring private sector, NGO and university expertise into project leadership to inject additional technical knowledge and systems thinking and to strengthen recognition of the activities of EPA on behalf of American citizens.

**12. Create Annual Awards for Contributing to the Success of One EPA** – At the SES level, create an annual award program to recognize individuals who make a substantive contribution to the success of One EPA. This idea could also be applied to mid-level managers.

Making the change toward One EPA cannot be a one-time effort. To succeed, there must be continuous efforts to socialize both new and existing employees into this more cooperative mindset so that it becomes a permanent part of EPA's culture, the "new normal" of how to work at every level, every day.

## **RECOMMENDATIONS AND RESPONSE TO THE SECOND QUESTION IN THE CHARGE: STRATEGIES TO OBTAIN AND RETAIN SCIENTIFIC AND TECHNICAL EXPERTISE**

*"Based on the tools available to EPA for acquiring specific technical competencies, what specific strategies are recommended that will most effectively maintain a world-class workforce that is prepared to meet and exceed mission requirements? Are EPA's current programs sufficient, or could they be a part of a larger, more strategic approach to addressing shifting technical competencies? What strategies are needed to best meet the competencies identified in NACEPT's first advice letter (e.g., contractors, training of current staff, permanent hires, post-doctoral or other fellowships, etc.)?"*

NACEPT was charged with evaluating the programs and tools used by the EPA to obtain and retain scientific and technical expertise and with determining their relative efficacy in providing measurable shifts in needed competencies. The charge was refined to address "strategies to retain scientific and technical expertise" to better align the desired outcome of the Agency with the Council's capabilities. NACEPT members interviewed Agency directors and key management and technical staff, including representatives from EPA Emerging Leaders Network. NACEPT members also reviewed and analyzed many reports, plans, audits and statistical data.

### **Hiring MCO – Balance of Supply and Demand:**

NACEPT's first Advice Letter addressed the scientific and technical competencies to meet tomorrow's challenges. In addition to the scientific competencies that EPA identified as mission critical occupations and competencies (MCO, MCC), NACEPT recommended that EPA also consider expanding MCOs to include business and finance, social and behavioral sciences, computer and IT, environmental design and statistical analysis specialties. NACEPT emphasized the need for EPA to integrate interdisciplinary systems thinking, partnership cultivation and public outreach, and global perspective, as necessary MCCs for EPA's future challenges.

As EPA looks to the future, it should evaluate whether existing hiring, recruiting and retention practices will advance EPA's abilities in these particular MCOs and MCCs, as well as their traditional scientific and technical expertise. EPA's charge asked NACEPT about science and technical talent so much of our discussion will focus on those MCOs, as well as the opportunities for recruiting and retention that will help EPA address its projected future needs in the nontraditional areas NACEPT has identified.

One of the first questions NACEPT addressed was whether there would be a sufficient supply of talent being educated in the MCO disciplines to meet EPA's demand, particularly in the entry-

level employee category. There is an expectation that demand to hire MCOs will increase given the current demographics at EPA. Attrition trends are discussed more completely in the section on retention; however, overall, EPA has a workforce that is aging after spending full and satisfying careers at the Agency. EPA must be prepared for an increase in retirements from long-term employees across the management spectrum.

The EPA 2007 Strategic Recruitment Plan identified the total numbers of Permanent New Hires and Departures over an eight-year period as 5,911 new hires and 6,930 departures, respectively. EPA thus had a net loss of over 1,000 permanent employees during the 1998 – 2006 period. NACEPT understands from interviews with EPA personnel management specialists that this trend has continued. Voluntary departure rates and retirement eligibility rates place EPA in a precarious situation when expertise and know-how departs especially *if* an increasingly smaller pool of qualified candidates is available to fill vacancies.

To assess EPA's effectiveness at meeting its science and technical talent demand with the available supply, we considered data for enrollment of graduate students in Science and Engineering (S&E) fields along with data on EPA's recent hires. Nearly all of the recent (FY 2006 – 2010) hires were in the GS-7, GS-9, GS-11, GS-12, and GS-13 grade levels, which comprised 87% of the total hires, as shown in Figure 1. GS-7 (college graduates) and GS-9 (graduate and professional school graduates) comprised 11% and 32% of the total hires, respectively. It is likely that many recent graduates would be slotted into these two categories.

The Agency's demand for new hires by category, as shown in Figure 2, by percentage of total new hires, has been the highest for Physical Scientists (19%), Environmental Protection Specialists (14%), Environmental Engineers (10%), and Biologists (9%). This compares to the National Science Foundation's figures on graduate enrollment of science and engineering students in 2006. These data show students in the Physical & Earth, atmosphere and ocean sciences comprise 10% of all S&E enrollees. Biologists comprise 14%, and Civil, Chemical, and "other" Engineers comprise 8% of the total. (We use percentages because the absolute number of graduates reported by NSF is orders of magnitude higher than the actual number of personnel hired by US EPA, but there is not a perceptible imbalance in the educational categories attracting enrollees.)

Thus, for the categories that are more easily comparable, it appears that EPA is hiring at a similar percentage to the supply of recent graduates (Environmental Protection Specialist is not included as an easily comparable category.) This means that EPA should be able to fill MCO and MCC based on the supply of available graduates that are likely to fill the most common open entry- and mid-level positions. Therefore, it does appear that, in total, there is a sufficient supply of MCO scientific and technical talent at this level to meet EPA's hiring demands.