



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH TRIANGLE PARK, NC 27711

FEB 10 2014

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

Dear Intergovernmental Association Colleague:

The purpose of this letter is to update you on recent developments and seek your input for the U.S. Environmental Protection Agency's forthcoming proposal to establish new source performance standards (NSPS) for greenhouse gas (GHG) emissions from modified and reconstructed fossil fuel-fired electric utility generating units (EGUs) and emission guidelines for GHG emissions from existing fossil fuel-fired EGUs. To that end, we would like to invite you to a briefing to be held at the EPA's William J. Clinton North Building in room 1332 on February 26, 2014, from 1:00 p.m. to 3:00 p.m. The Clinton North Building is located at 1200 Pennsylvania Avenue, NW, Washington, D.C., and the public entrance is located at the top of the Federal Triangle Metro escalators.

As you may recall, the EPA met with the Big 10 intergovernmental associations in April 2011, under the auspices of Executive Order 13132 (Federalism) to discuss NSPS for GHG emissions from new and modified fossil fuel-fired EGUs and emission guidelines for GHG emissions from existing fossil fuel-fired EGUs. One year later, on April 13, 2012, the EPA proposed NSPS for emissions of carbon dioxide (CO<sub>2</sub>) for new fossil fuel-fired EGUs. More than 2.5 million comments were received on that proposed rule and, after consideration of information provided in those comments, as well as consideration of continuing changes in the electricity sector, the EPA determined that revisions to its proposed approach were warranted. Thus, on January 8, 2014, the EPA published actions that withdrew the April 13, 2012, proposal and proposed new standards of performance for new fossil fuel-fired EGUs.

On June 25, 2013, President Obama issued a Presidential Memorandum directing the EPA to work expeditiously to complete carbon pollution standards for the power sector. The Presidential Memorandum directs the EPA to issue proposed carbon pollution standards, regulations or guidelines, as appropriate, for modified and existing power plants by no later than June 1, 2014, and issue final standards, regulations or guidelines, as appropriate, by no later than June 1, 2015. In addition, the Presidential Memorandum directs the EPA to include in the guidelines addressing existing power plants a requirement that states submit to the EPA the implementation plans required under section 111(d) of the Clean Air Act (CAA) and its implementing regulations by no later than June 30, 2016.

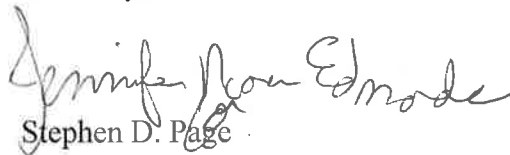
The proposed NSPS for modified and reconstructed EGUs will be issued under authority of CAA section 111(b). The emission guidelines for existing EGUs will be established under CAA section 111(d). States use the emission guidelines to develop plans for reducing emissions from existing sources. The guidelines include targets based on demonstrated controls, emission reductions, costs and expected timeframes for installation and compliance, and can be less stringent than the requirements imposed on new and modified sources. The proposed regulations and guidelines may affect all fossil fuel-fired EGUs.

The EPA currently estimates that approximately 175 state/local jurisdictions own facilities that may be affected by this rulemaking, and those jurisdictions will be required to comply with the standards when finalized. Additionally, state/local jurisdictions to which the EPA has delegated authority will be directly involved in implementing and enforcing the standards. Because of this, and in keeping with the EPA's long-standing commitment to intergovernmental partnership, we are seeking to re-engage with the National Governors Association, the National Conference of State Legislatures, the Council of State Governments, the National League of Cities, the U.S. Conference of Mayors, the County Executives of America, the National Association of Counties, the International City/County Management Association, the National Association of Towns and Townships and the Environmental Council of the States to inform them of the latest developments on this rulemaking. The National Association of Clean Air Agencies and the Association of Air Pollution Control Agencies also will be invited to participate as technical observers.

The purpose of the meeting will be to provide you with general background on this rulemaking and to answer questions you may have. We expect that many of you have attended or participated by phone in one of the many outreach events regarding GHG regulations that the agency has participated in during the past 2 months, and we would appreciate any input you can provide at the meeting. Please let us know if you will be able to attend by replying to Andrew Hanson in EPA's Office of Congressional and Intergovernmental Relations at [hanson.andrew@epa.gov](mailto:hanson.andrew@epa.gov).

If you have questions or concerns regarding the rulemaking or the consultation process, you may contact Robert J. Wayland of the EPA's Office of Air Quality Planning and Standards at [wayland.robertj@epa.gov](mailto:wayland.robertj@epa.gov) or (919) 541-1045.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Page". The signature is written in a cursive style with a large initial "S".

Stephen D. Page

Director

Office of Air Quality Planning  
and Standards