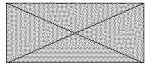


To: Pruitt, Scott[Pruitt.Scott@epa.gov]
Cc: Dravis, Samantha[dravis.samantha@epa.gov]; Dunham, Sarah[Dunham.Sarah@epa.gov]; Tsirigotis, Peter[Tsirigotis.Peter@epa.gov]
From: Freeman, Lauren
Sent: Mon 3/27/2017 10:15:26 PM
Subject: Utility Air Regulatory Group Request for Publication of MATS Interim Reporting Rule Before April 16, 21017
[removed.txt](#)
[UARG Request for Publication of MATS Interim Reporting Rule.pdf](#)

Dear Administrator Pruitt –

On behalf of the Utility Air Regulatory Group, I attach a letter urging to you direct the publication of a previously signed final rule extending the interim electronic reporting provisions for electric generating units (EGUs) under the Mercury and Air Toxics Standards (MATS) rule. As explained in the letter, publication prior to April 16, 2017 (when the current interim period will expire) is necessary to avoid imposition of significant, unintended regulatory burdens on both EPA and EGUs.

Please feel free to contact me with any questions.



Lauren Freeman

Partner

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please advise by return email immediately and then delete this message and all copies and backups thereof.



March 27, 2017

Via E-Mail and U.S. Mail

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, DC 20460

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FILE NO: 31531.200001

**Need for Action Prior to April 16, 2017 on the Final Rule Entitled
“Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements,”
EPA-HQ-OAR-2009-0234 [FRL-9958-30-OAR] (RIN: 2060-AS75)
Extending the Interim Electronic Reporting Provisions**

Dear Administrator Pruitt:

I write on behalf of the Utility Air Regulatory Group (UARG)¹ to ask that you either submit for publication by the Office of Federal Register prior to April 16, 2017 the above-referenced final rule to preserve existing interim electronic reporting requirements for electric generating units (EGUs) under the MATS rule, or take other action to achieve the same result. That final rule, which was signed by Administrator McCarthy on January 9, 2017, responds to requests by UARG and others to keep in place interim rule provisions that allow EGUs to submit all of their electronic reports to one familiar system called ECMPS, while EPA completes an ongoing rulemaking to further revise and streamline the MATS reporting requirements. EGUs requested that EPA undertake that ongoing rulemaking to merge all of their MATS-related electronic reporting requirements into a single system. The recent final rule is necessary to extend the effectiveness of provisions that currently authorize use of that single system only through April 16, 2017.²

¹ UARG is a not-for-profit association of individual electric generating companies and national trade associations. UARG participates on behalf of certain of its members collectively in Clean Air Act administrative proceedings that affect electric generators and in litigation arising from those proceedings.

² The rule also corrects an error created in a prior rule revision that is causing confusion.

Over the past two months, UARG and others have expressed to EPA staff significant concerns about the delay in publication of the rule.³ If a rule extending the interim provisions is not published and effective prior to April 16, both EPA and EGUs will need to expend significant resources to implement new reporting requirements. EGUs would need to register with EPA to obtain access to, and learn how to use, a new system in order to submit certain reports. EPA would need to expend resources to modify that separate system so that it is capable of receiving the required MATS reports from EGUs and provide support to the new EGU users. Some of that work would need to be completed by April 16. In short, allowing the interim provisions to expire would not only be confusing and disruptive, it also would impose significant new, unreasonable, unnecessary, and unintended regulatory burdens.

For the above reasons, UARG urges you to submit for expedited publication the previously signed final rule, or take other immediate action, to ensure that the MATS interim reporting requirements do not expire on April 16. Please feel free to contact me with any questions.

Sincerely,



Lauren E. Freeman

cc: Samantha Dravis, Associate Administrator, Office of Policy
Sarah Dunham, Acting Assistant Administrator, Office of Air and Radiation
Peter Tsirigotis, Director, Sector Policies and Program Division

³ See, e.g., Memorandum from P. Tsirigotis, Director, Sector Policies and Programs Division, to S. Rees, Office Director, Office of Regulatory Policy and Management, regarding MATS Electronic Reporting Requirements Rule Communication with Regulated Community (Mar. 20, 2017), EPA-HQ-OAR-2009-0234-20617.