

To: Jackson, Ryan[jackson.ryan@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]
Cc: Shea, Quin[QShea@eei.org]
From: Roewer, James
Sent: Fri 5/5/2017 2:33:06 AM
Subject: Fw: Federal Regulation of Coal Combustion Residuals (CCR)
CCR Letter to EPA 5-3-17(LG Signed).pdf

FYI. We look forward to discussing this with you.

Jim Roewer

From: Kuhn, Thomas
Sent: Thursday, May 4, 2017 7:33 PM
To: Pruitt.Scott@epa.gov
Cc: Shea, Quin; Roewer, James
Subject: Federal Regulation of Coal Combustion Residuals (CCR)

Administrator Pruitt: Attached is a letter from two of our key CEO environmental thought leaders addressing concerns with the regulation of coal combustion residuals (CCR).

The implementation of efficient, effective and environmentally protective management of CCR under the direction of state regulatory agencies, with support from EPA, is a critical issue for the industry, and we appreciate your attention to this issue.

Please contact me with any questions, or have your team contact Jim Roewer (jroewer@eei.org) or Quin Shea (qshea@eei.org) to follow-up on any CCR-related issues.

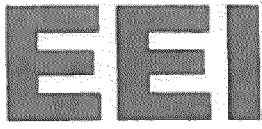
Tom Kuhn
President

Edison Electric Institute

202-508-5555

tkuhn@eei.org





**Edison Electric
INSTITUTE**

Power by Association

May 3, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Dear Administrator Pruitt,

On behalf of the Edison Electric Institute's (EEI's) Board of Directors, we thank you again for your participation in EEI's March meeting. We support the goals you outlined to improve the federal environmental policy framework, including the emphasis on strengthening cooperative federalism and enhancing the states' role in implementing environmental programs. We look forward to continuing a constructive dialogue with you and your team on how to implement a smarter, more efficient system of environmental protection.

In this vein, we appreciate your ongoing attention to the implementation of federal regulations for coal combustion residuals (CCR) through EPA-approved state permit programs. On April 4, representatives from AEP, EEI and the Utility Solid Waste Activities Group met with Byron Brown and others to discuss implementation of the CCR-related provisions of the Water Infrastructure Improvements for the Nation Act.

That meeting was an important first step in a process that will improve the overall implementation of the federal regulation of CCR, reduce regulatory burdens, increase opportunities for environmentally protective compliance flexibility, and yield greater regulatory certainty for the industry and increased authority for state regulators. As discussed in that meeting, we encourage EPA to:

- Continue the process you have initiated to develop needed guidance for states regarding the review and approval process of state CCR permit programs;
- Expedite the review and approval of state CCR permit programs, including those containing site-specific flexibility and tailoring of regulatory requirements, a goal reflected in the pending FY 2017 appropriations bill;
- Revise the federal CCR rule to restore common-sense, risk-based management options that are as protective as the minimum national standards now that the rule will be implemented by state regulatory agencies; and
- Extend compliance dates in the CCR rule to provide time for the approval and implementation of state permit programs to avoid potentially significant expenditures for elements of the rule that may be modified and implemented differently by an approved state permit program.

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Page 2

In addition to these steps, we encourage EPA to act swiftly to clarify critical technical aspects of the CCR rule. This can be done by 1) publishing corrections and clarifications on EPA's Q&A website and 2) proposing and finalizing the CCR Remand Rule as soon as possible. Both of these actions will provide necessary clarity on several key aspects of the rule.

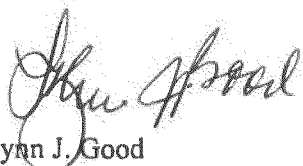
These are critical issues for our industry, and we look forward to continuing to work with you and your team on them.

Please contact us or Tom Kuhn to discuss these issues further.

Sincerely,



Nicholas K. Akins
Chairman, President and CEO
American Electric Power
Immediate Past Chair, EEI



Lynn J. Good
Chairman, President and CEO
Duke Energy
Co-Chair, EEI Policy Committee on Environment