

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
From: Dave Flannery
Sent: Mon 6/12/2017 5:07:17 PM
Subject: RE: Midwest Ozone Group

Mandy

I thought I should check with you to see if the dates we have offered for a meeting with Administrator Pruitt present enough alternatives for him to consider, or whether has he can offer other dates that might be more convenient to him.

I anticipate that there will be interest by several of the members of the Midwest Ozone Group in attending the meeting. Do see any problem with 8 to 10 representatives of MOG being present at the meeting?

Dave Flannery

Steptoe & Johnson PLLC
P.O. Box 1588, Charleston, WV 25326-1588
Overnight
Chase Tower, 8th Floor
707 Virginia Street, East, Charleston, WV 25301
O: 304-353-8171 F: 304-353-8183 C: 304-539-1458

dave.flannery@steptoe-johnson.com
www.steptoe-johnson.com

From: Dave Flannery
Sent: Friday, June 02, 2017 2:54 PM
To: 'Mandy Gunasekara (Gunasekara.mandy@epa.gov)'
Subject: Midwest Ozone Group

Mandy

Thanks for taking some time with me on May 31, 2017, to discuss the Midwest Ozone Group (MOG) and its interest in meeting with Administrator Pruitt to discuss both its Petition to Reconsider the CSAPR Update filed on December 23, 2016, and its Regulatory Reform comments filed on May 15, 2017. These documents (both of which are attached) describe MOG's concerns about the technical and legal issues associated with the modeling and development of the CSAPR Update and the general implementation of the ozone NAAQS.

Among these concerns are the failure to have considered existing on-the-books control programs, the failure to have accounted for the effects of international emissions and the imposition of control requirements solely on electric generating units, resulting in prohibited “over control” of sources in many states.

MOG members and participants operate some 80,000 MW of coal-fired and coal-refuse fired generation in more than ten states. The members of and participants in the MOG include: American Coalition for Clean Coal Electricity, American Electric Power, American Forest & Paper Association, Ameren, Alcoa, ARIPPA, Associated Electric Cooperative, Citizens Energy Group, Council of Industrial Boiler Owners, Duke Energy, East Kentucky Power Cooperative, FirstEnergy, Indiana Energy Association, Indiana Utility Group, LGE / KU, Ohio Utility Group, Olympus Power, and the Springfield (IL) City Water, Light & Power.

Dates that are available for a meeting with the Administrator include:

June 12, 13, 14, 15, 19, and 20.

July 11, 12, 13, 14, 24, 25, 26, and 27.

If need anything more from us related to the scheduling of this meeting, please let me know.

Dave Flannery

Step toe & Johnson PLLC
P.O. Box 1588, Charleston, WV 25326-1588
Overnight
Chase Tower, 17th Floor
707 Virginia Street, East, Charleston, WV 25301
O: 304-353-8171 F: 304-353-8183 C: 304-539-1458

dave.flannery@step toe-johnson.com

www.step toe-johnson.com



Step toe & Johnson PLLC Note:

This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be

aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.