

**To:** Shepherd, Ray[[rayshepherd@peabodyenergy.com](mailto:rayshepherd@peabodyenergy.com)]  
**From:** Scott Cameron  
**Sent:** 2017-02-24T16:03:26-05:00  
**Importance:** Normal  
**Subject:** Re: regulatory relief  
**Received:** 2017-02-24T16:03:33-05:00

Ray,

I encourage you to put this idea on the table on March 1. Any and all ideas are worth at least exploring.

Thanks,  
Scott  
Scott J. Cameron  
Special Assistant  
Water and Science  
Department of the Interior

Phone: 202 208 0969  
Cell service 202 706 9031

Sent from my iPhone

On Feb 24, 2017, at 3:04 PM, Shepherd, Ray <[rayshepherd@peabodyenergy.com](mailto:rayshepherd@peabodyenergy.com)> wrote:

Scott

Given the President's recent EO, I wonder whether we couldn't fashion some regulatory relief for NGS. I haven't reviewed substantively, but if EPA were to rescind the "Approval of Air Quality Implementation Plans; Navajo Nation; Regional Haze Requirements for Navajo Generating Station; Final Rule," which was published August 8, 2014 and had an effective date of October 7, 2014. It is 40 CFR Part 49 the economics improve dramatically. If the EPA rescinds this rule (1) the four appeals pending in the 9th Circuit are arguably moot and (2) there would be no regulation on NGS that requires SCRs or shutdown of any units.

This Final Rule was implemented by the EPA pursuant to the Clean Air Act and the Regional Haze Rule. CAA established a visibility protection program that required remedying impairment of visibility in mandatory class I Federal areas (national parks). Consistent with the CAA, EPA implemented regional haze regulations that required states to procure, install and operate BART at various sources. The Final Rule cited above is the EPA's implementation of the regional haze rule at the Navajo Generating Station. It is this implementation that requires NGS to shut down one of its plants, making it more inefficient and costly. This could fundamentally alter the economics. Just a thought.

**Ray Shepherd**

Vice President & Senior Counsel, Federal Government Affairs

**Peabody Energy Corporation**

801 PA Avenue, NW | Suite 212 | Washington, DC 20004

Phone: (202) 942-4301 | Cell 202-765-8680

[rayshepherd@peabodyenergy.com](mailto:rayshepherd@peabodyenergy.com)

**TASK FORCE TRUMP:** President Donald Trump signed an executive order today ordering the creation of "regulatory reform tasks forces" at federal agencies to begin identifying rules for elimination. While the order might not have an immediate impact, Alex Guillén [reports](#) it does fall in line with the president's anti-regulatory push that began on the first day of his administration and which he campaigned on. The president signed the order in the Oval Office with a dozen or more CEOs standing behind him, including from Lockheed-Martin and Dow Chemical. "Excessive regulations are killing jobs, driving companies out of our country like never before," the president said at the signing, according to a pool report. Trump said the task forces will have to "every once in a while" report to the White House so "we can come up with some even better solutions."

**What's inside? The task forces will** be directed to "focus on eliminating costly and unnecessary regulations," according to a White House official. "We will stop punishing companies for doing business in the United States. It's going to be absolutely just the opposite. They're going to be incentivized to do business in the United States," Trump said via a pool report. "We're working very hard to roll back the regulatory burden so that coal miners, factory workers, small business owners and so many others can grow their businesses and thrive. We cannot allow government to be an obstacle to government opportunity," he added.

**Trump is expected to issue further executive orders** on more specific environmental regulations soon, Alex reports. That includes long-rumored orders directing EPA to begin the process of repealing key Obama-era EPA regulations curbing greenhouse gas emissions from the nation's power plants as well as a contentious rule defining which waterways fall under federal jurisdiction. Lifting the Interior Department's moratorium on new coal mining leases on federal land is also expected to be a priority once [Ryan Zinke](#) is confirmed to lead that department next week.

---

E mail Disclaimer:

The information contained in this e mail, and in any accompanying documents, may constitute confidential and/or legally privileged information. The information is intended only for use by the designated recipient. If you are not the intended recipient (or responsible for the delivery of the message to the intended recipient), you are hereby notified that any dissemination, distribution, copying, or other use of, or taking of any action in reliance on this e mail is strictly prohibited. If you have received this email communication in error, please notify the sender immediately and delete the message from your system.