

CLASS OF '85 REGULATORY RESPONSE GROUP MEETING AGENDA

Great River Energy Office
12300 Elm Creek Blvd.,
Maple Grove, MN 55369

June 27, 2017 (9:15 a.m. – 3:15 p.m. Central)

Coffee and pastries (9:00 a.m. – 9:15 a.m.)

I. Introduction & Update on Issues (9:15 a.m. – 10:00 a.m.)

- A. EPA Analysis of Air Regulation Impacts on Jobs
- B. Challenge to the Congressional Review Act
- C. “Sue and Settle” Developments
- D. Treatment of Malfunctions in MACT Standards

II. Opacity Litigation (10:00 a.m. – 10:30 a.m.)

- A. Citizen Suits: Alleged Opacity Violations
- B. Opacity Monitoring Issues

Break (10:30 a.m. – 10:45 a.m.)

III. Regulatory Reform Update (10:45 a.m. – 11:30 a.m.)

- A. OMB Guidance Documents
- B. Two-for-One Executive Order
- C. Summary of Comments on EPA Regulatory Reform
- D. Status of EPA Regulatory Reform Task Force
- E. Status of EPA’s Reconsideration of Rules

IV. Roundtable Discussion: Class of ‘85 Regulatory Reform Strategy (11:30 a.m. – 12:15 p.m.)

- A. RICE Issues
- B. Monitoring Requirements
- C. Modeling Issues
- D. Other Issues

Lunch Break (12:15 p.m. – 1:15 p.m.)

V. Guest Speaker Presentation on the New State-Federal Relationship (1:15 p.m. – 2:15 p.m.)

- A. David Thornton, Assistant Commissioner for Air Policy, Minnesota Pollution Control Agency

Break (2:15 p.m. – 2:30 p.m.)

VI. Regional Haze (2:30 p.m. – 3:15 p.m.)

- A. Regional Haze FIP Challenges
- B. Challenges to Regional Haze Revision Rule
- C. CSAPR > BART
- D. Preparing for the Second Planning Period

June 28, 2017 (9:00 a.m. -- 1:15 p.m. Central)

Coffee and pastries (8:45 a.m. – 9:00 a.m.)

I. Climate Change Issues (9:00 a.m. – 9:45 a.m.)

- A. Review and Replacement of the Clean Power Plan
- B. Public Trust Climate Litigation
- C. State Climate Initiatives

II. NSR/Enforcement Issues (9:45 a.m. – 10:30 a.m.)

- A. Status of Ongoing Enforcement Cases and Citizen Suits
- B. Lessons Learned From *Ameren*

Break (10:30 a.m. – 10:45 a.m.)

III. NAAQS and Interstate Transport Issues (10:45 a.m. – 11:15 a.m.)

- A. Section 126 Petitions
- B. Status of 2015 Ozone NAAQS
- C. Upcoming NAAQS Reviews

IV. Class Action Tort Litigation (11:15 a.m. – 11:45 a.m.)

- A. Trends in Class Action and Toxic Tort Litigation
- B. Best Practices for Avoidance and Defense

Break (11:45 a.m. – 12:15 p.m.)

V. Working Lunch: Discussion With EPA Office of Policy About Regulatory Reform (12:15 p.m. – 1:15 p.m.)

Joint with Cross-Cutting Issues Group

- A. Samantha Dravis, Associate Administrator, EPA Office of Policy
- B. Sarah Rees, Director, Office of Regulatory Policy and Management, EPA Office of Policy

CROSS-CUTTING ISSUES GROUP MEETING AGENDA

Great River Energy Office
12300 Elm Creek Blvd.,
Maple Grove, MN 55369

June 28, 2017 (12:15 p.m. - 4:30 p.m. Central)

I. Working Lunch: Discussion With EPA Office of Policy About Regulatory Reform (12:15 p.m. – 1:15 p.m.)

Joint with Class of '85 Regulatory Response Group

- A. Samantha Dravis, Associate Administrator, EPA Office of Policy
- B. Sarah Rees, Director, Office of Regulatory Policy and Management, EPA Office of Policy

Break (1:15 p.m. – 2:00 p.m.)

II. Update on Issues (2:00 p.m. – 2:15 p.m.)

- A. PCB Rulemaking
- B. Litigation Update
- C. Pipeline Update

III. Status of Agency Regulatory Reform Efforts (2:15 p.m. – 2:45 p.m.)

- A. Summary of Comments on EPA Regulatory Reform
- B. Status of EPA's Reconsideration of Rules
- C. Status of Department of Interior Regulatory Reform

IV. Water Reform: Developments and Strategy (2:45 p.m. – 3:30 p.m.)

- A. Effluent Limitation Guidelines
- B. WOTUS White Paper and Strategy for Agency Outreach
- C. Client Roundtable: 316(b) / Cooling Water Intake Rule; Nutrient Reduction

V. Wildlife Reform: Strategy Discussion (3:30 p.m. – 4:00 p.m.)

- A. Memorandum 37041 on MBTA Liability
- B. 2016 Critical Habitat Regulations and Policy
- C. FWS Mitigation Policies

VI. Coal Ash Developments (4:00 p.m. – 4:30 p.m.)

- A. EPA Guidance on Coal Ash Permitting Programs
- B. CWA Liability for Discharges to Groundwater