

MIDCONTINENT STATES ENVIRONMENTAL AND ENERGY REGULATORS

September 4, 2014

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

The Midcontinent States Environmental and Energy Regulators (MSEER) group brings together state officials from 14 midcontinent states¹ to explore and assess implementation options to meet federal CO₂ emissions requirements for existing power plants. MSEER is interested in understanding whether multi-state coordination would reduce costs and bring other benefits to their states compared to a single-state approach. We write to seek clarification from EPA on how EPA proposes to calculate mass-based goals.

As our states consider the various options for 111(d) compliance, it is essential that we have a better sense of what methodologies for calculating mass-based state goals EPA would accept. The material released by EPA on June 2nd does not provide enough information for states to evaluate the consequences of considering a mass-based approach. We respectfully request that EPA issue non-binding, illustrative examples of how states could convert their rate-based goals to mass, including the underlying calculations and assumptions.

It is important that states have this additional information before the close of the comment period and with enough time to comment to EPA on the additional information. Given that there are only approximately five (5) weeks left before the current comment period expires on October 16, 2014, we also request an extension of the comment period to allow additional time to develop comments.

¹ To date MSEER discussions have brought together representatives from Arkansas, Illinois, Indiana, Iowa, Kentucky (observer only), Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, South Dakota, and Wisconsin. North Dakota representatives have expressed support for the effort to explore implementation options but have not to date participated in the discussions.

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Thank you for your consideration.

Sincerely,

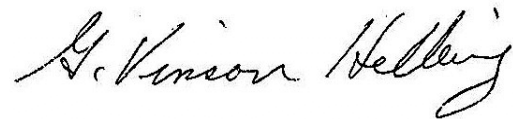
Members of the MSEER Steering Committee:



Teresa Marks
Director
Arkansas Department of Environmental Quality



Douglas Scott
Chairman
Illinois Commerce Commission



Vince Hellwig
Chief, Air Quality Division
Michigan Department of Environmental Quality

A handwritten signature in black ink, appearing to read 'J. David Thornton', with a long horizontal flourish extending to the right.

J. David Thornton
Assistant Commissioner
Minnesota Pollution Control Agency

A handwritten signature in black ink, appearing to read 'Robert Kenney', with a large, stylized 'R' and 'K'.

Robert Kenney
Chairman
Missouri Public Service Commission

A handwritten signature in black ink, appearing to read 'Delanie Breuer', with a large, stylized 'D' and 'B'.

Delanie Breuer
Executive Assistant to Commissioner Nowak
Wisconsin Public Service Commission