

David
Dickinson/DC/USEPA/US
06/05/2007 02:05 PM

To Karl Simon
cc
bcc

Subject Fw: Request for Extension of Comment Period: California's
Request for Waiver of Federal Preemption

FYI - on behalf of the Utility Air Regulatory Group seeking a 30 day extension.

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----- Forwarded by David Dickinson/DC/USEPA/US on 06/05/2007 02:04 PM -----

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06/05/2007 01:55 PM

To David Dickinson/DC/USEPA/US@EPA
cc Stephen Johnson/DC/USEPA/US@EPA, Robert
Meyers/DC/USEPA/US@EPA, Margo
Oge/DC/USEPA/US@EPA
Subject Request for Extension of Comment Period: California's
Request for Waiver of Federal Preemption

Attached for your consideration is a letter requesting an extension of the comment period with regard to California's Request for Waiver of Federal Preemption, 72 Fed. Reg. 21260 (April 30, 2007).

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June 5, 2007

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Via E-Mail and U.S. Mail

David Dickinson
Compliance and Innovative Strategies Division (6405J)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

**Re: Request for Extension of Comment Deadline
California Request for Waiver of Federal Preemption
Docket ID No. EPA-HQ-OAR2006-0173, 72 Fed. Reg. 21260 (April 30, 2007)**

Dear Mr. Dickinson:

I represent the Utility Air Regulatory Group ("UARG"), a group of electric generating companies and national trade associations participating collectively in rulemakings and other proceedings under the Clean Air Act. This letter requests a 30-day extension of the public comment period, to July 16, 2007, on California's request for a waiver of federal preemption under section 209(b) of the Clean Air Act. 72 Fed. Reg. 21260 (April 30, 2007).

This waiver proceeding raises issues arising before the Agency for the first time. Specifically, EPA requests comment on (1) what effect the fact that this request arises in the global climate change context has on the request, and (2) whether the Supreme Court's decision in *Massachusetts v. EPA* affects the request. Because these issues are complex, an extension of time is needed to ensure all concerned parties have an opportunity to develop meaningful comments on these important issues.

Sincerely,

Allison D. Wood

cc: Hon. Stephen L. Johnson, Administrator of EPA (1101A)
Robert J. Meyers, Acting Assistant Administrator for Air and Radiation (6101A)
Margo Oge, Director of Office of Transportation and Air Quality (6401A)
Karl Simon, Director, Compliance and Innovative Strategies Division (6406J)