

Stein, Mark

From: Stein, Mark
Sent: Tuesday, July 07, 2015 7:04 AM
To: Webster, David; Houlihan, Damien; Sharon DeMeo
Subject: FYI

Article from Inside EPA

July 07, 2015

News Briefs

EPA Sends Final Power Plant ELG Rule To OMB

Posted: July 06, 2015

EPA has sent its final power plant effluent limitation guideline (ELG) rule to the White House Office of Management & Budget (OMB) for mandatory pre-publication review, which could keep the agency on track to finalize the wastewater rule by a Sept. 30 judicial deadline.

The utility ELG will update the current limits for the sector, set in 1982, to account for liquid discharges that have become more toxic in recent years, as plants are installing equipment, such as scrubbers, to meet new air regulations. EPA floated five options for curbing such discharges in the proposed ELG, but has indicated it is unlikely to adopt the most stringent of the controls, arguing that portions of that standard may be too costly and could violate the Clean Water Act's (CWA) requirement that such rules be "economically achievable."

But environmentalists have repeatedly urged the agency to adopt either of the two most stringent options and have threatened to sue if EPA finalizes a weaker standard.

Most recently, they argued in [a June 17 report](#) that EPA underestimated the monetary value human health benefits associated with the rule in its earlier proposal, saying that environmental groups' estimate shows that a "comprehensive valuation" puts the total cost savings at more than the agency's estimated \$14 million to \$20 million per year.

EPA *de facto* water chief Ken Kopocis has said the agency is on track to meet the Sept. 30 judicial deadline for issuing the final rule. OMB review typically takes 90 days -- but can take more or less time depending on the rule -- and the agency's decision to send the rule to the White House this month suggests it could meet that deadline.

Mark A. Stein
Senior Assistant Regional Counsel
EPA Region 1
5 Post Office Square, Suite 100
Mail Code ORA 18-1
Boston, MA 02109-3912

Tel.: 617-918-1077
E-Fax: 617-918-0077
Email: stein.mark@epa.gov