



Fw: I picture you ... or, Allan Palmer ... just being Allan John King to: Mark Stein

04/04/2011 05:34 PM

From: John King/R1/USEPA/US
To: Mark Stein/R1/USEPA/US@EPA

Allan Palmer ... just being Allan

----- Forwarded by John King/R1/USEPA/US on 04/04/2011 05:34 PM -----

From: palmeag@nu.com
To: John King/R1/USEPA/US@EPA
Date: 04/04/2011 02:40 PM
Subject: I picture you...

... reclined on the sofa reading EPA's 413 pages of wonderful 316(b) poetry cover to cover...

- But EPA has determined that closed cycle cooling is not the "best technology available" for this proposal.
- The U.S. Supreme Court has explained that, under section 316(b), "best" technology may reflect a consideration of a number of factors and that "best" does not necessarily mean the technology that achieves the greatest reduction in environmental harm that the regulated universe can afford. Rather, the "best" (or "most advantageous" technology in the court's words) may represent a technology that most efficiently produces the reductions in harm.

Sure hope Eric & Damien are getting familiar with it, because a lot of EPA's words might be useful for our side down the road.

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