



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
WATER

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Attorney
Environmental Integrity Project
1920 L Street NW, Suite 800
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Dear Ms. Dillen and Ms Peterson:

In conversations that you have had with my staff, you have expressed interest about the quality of National Pollutant Discharge Elimination System (NPDES) permits that are issued for coal-fired steam electric power plants, and the consistency of such permits with applicable Federal requirements. In response to that interest, we have developed a schedule for reviewing State-drafted NPDES permits for coal fired steam electric power plants.

Over the next three calendar years beginning in 2010, EPA will review and comment on at least 35 draft or proposed NPDES permits for coal fired power plants. EPA will complete the reviews according to the following schedule: at least five NPDES permits by December 31, 2010; at least an additional 15 NPDES permits by December 31, 2011; and at least an additional 15 NPDES permits by December 31, 2012. EPA will review the draft or proposed permits for consistency with applicable requirements of the Clean Water Act and its implementing regulations, including the requirements set forth as 40 CFR 125.3.

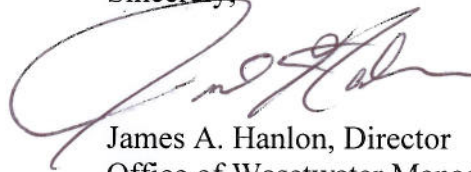
At least half of the permits that EPA selects each year will include wastewater discharges from new wet flue gas desulfurization (FGD) units, assuming that a sufficient number of such permits are available for review. If such permits for discharges from new FGD units are not available, EPA will review and comment on draft or proposed permits

from coal-fired power plants that have discharges from coal ash combustion ponds or other coal combustion waste and gasifier slag handling systems.

EPA intends to select permits from facilities in different States, as appropriate and available. EPA reserves discretion to select multiple permits from one State. EPA intends to select permits from facilities owned by different companies, as appropriate and available. EPA reserves discretion to select permits from multiple facilities owned by one company. EPA's permit review commitment assumes that a sufficient number of draft State permits will be available for review and comment during this stipulated period of time.

I hope this information helps to clarify the importance EPA places on these permits. If you should need additional clarification or information, please contact Scott Wilson of my staff at: 202-564-6087 or Wilson.js@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Hanlon", written in a cursive style.

James A. Hanlon, Director
Office of Wasetwater Management