

## Office of the Governor

August 3, 2012

Carl Daly, Director  
Air Quality Program  
U.S. Environmental Protection Agency, Region 8  
Mailcode 8P – AR  
1595 Wynkoop Street  
Denver, CO 80202-1129

Attn: Docket ID No. EPA-R08-OAR-2012-0026

Dear Director Daly:

Thank you for the opportunity to comment on the proposed rule disapproving the Regional Haze State Implementation Plan (SIP) in part and proposing a Federal Implementation Plan (FIP). The Wyoming Department of Environmental Quality (DEQ) has also provided comments under separate cover. Additionally, DEQ submitted a SIP revision on January 12, 2011. I support DEQ's comments and the SIP revision and incorporate them here by this reference. The partial disapproval of the SIP results in a Hobson's choice: operate under the FIP or revise Wyoming's plan to match the FIP. The FIP is a more costly plan with no identifiable benefit over the Wyoming SIP. Because the Wyoming plan accomplishes the purpose at lower cost, I request that EPA withdraw its proposed FIP and approve Wyoming's revised implementation plan as submitted January 12, 2011 in its entirety.

The Regional Haze Rule establishes a goal of "natural conditions" for visibility by 2064 in national parks and certain national forests and wildernesses. In Wyoming, smoke from wildfire is the greatest haze-producing event. Fires – especially in light of beetle-killed forests and drought-stricken brush – are inevitable. The Regional Haze Rule, targeted at industrial sources of emission, will not impact the chief cause of reduced visibility in Wyoming. Attempts to reduce man-made impacts on visibility impairment will have negligible effect.

Still, Wyoming presents reasonable assurances in the SIP that documented progress will be made through 2018 in reducing haze from industrial sources. DEQ used rational cost benefit analyses in accordance with EPA's mandated evaluation criteria. The conclusions reached by the state are solidly based. The fact that they are not the conclusions speculated by the EPA does not mean DEQ developed its plan in an unreasonable fashion.

EPA's proposed FIP for the Laramie River Units will result in \$64 million more in capital construction costs than the state's plan and the difference in visibility improvement will be

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imperceptible. The capital construction cost of a FIP for Dave Johnston Unit 3 will be \$6.5 million more than under the state plan without a perceptible difference. The FIP will cost Wyoming Unit 1 \$6.4 million more than the SIP for the same small benefit. Wyoming used sound judgment in considering that PacifiCorp's Jim Bridger Units should pace control technologies over a period longer than five years. DEQ was circumspect in recognizing the multiple pollution control technologies across PacifiCorp's region and recognizing that implementing them in an accelerated time period will cause a costly shock to the utility and ultimately its rate payers. The FIP requires large scale implementation at extraordinary cost for no additional gain. This is simply not reasonable. In contrast, every SIP element was developed with sound rationale.

I ask that the proposed rule be rejected. The increased capital cost to the combined Wyoming units will cost \$77 million more under the federal plan than under the state's plan. These increases do not include the administrative burden and costs associated with dual deadlines, dual reporting and differing compliance requirements that will result from a state and federal implementation plan. Costs will be passed on to Wyoming rate payers. There will be no perceptible change in visibility. The main haze producer – fire – is not addressed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew H. Mead".

Matthew H. Mead  
Governor

MHM:md

cc: The Honorable Mike Enzi, U.S. Senate  
The Honorable John Barrasso, U.S. Senate  
The Honorable Cynthia Lummis, House of Representatives