

Congress of the United States
House of Representatives

November 18, 2011

Administrator Lisa Jackson
US Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Jackson:

I am writing to express my concerns about the Environmental Protection Agency's (EPA) Region 8 proposed decision to disapprove a portion of North Dakota's State Implementation Plan (SIP) and issue a Federal Implementation Plan (FIP). It is my understanding that EPA has issued FIPs in several states regarding regional haze. We cannot afford to increase the cost of electricity due to EPA regional haze requirements that minimally impact environmental quality, but with a disproportionately higher additional cost.

In Montana, we rely heavily on coal-based generation for supplemental power production to our hydro-electric generation. This coal-based generation was the key in our region's economic development in the past and is vital to help maintain and grow our economy in the future. Montana electric cooperatives receive a considerable amount of this generation from North Dakota based operations. A FIP requirement will be costly and detrimental to them and their consumers.

I realize that the State of Montana turned its regional haze program over to EPA in 2006 and that EPA Region 8 will soon issue a Federal Implementation Plan for Montana. In addition, the Montana Department of Environmental Quality is concerned about the timing of the regional haze FIP issued in a consent decree that EPA agreed to. Since the Montana DEQ will be responsible for enforcing the FIP requirements, it's essential that the Montana DEQ be given adequate time for collaboration and discussion with the stakeholders.

While the Clean Air Act goal to protect visibility in Mandatory Class I areas is worthy; the program is not health-based and visibility is to be improved over time and incrementally. Since there will be substantial costs and efforts involved with the implementation of the FIP, I urge the EPA to work with our DEQ to develop a plan that also protects Montana consumers from undue increases in their electricity rates.

Should you have any further questions, do not hesitate to contact my office at (202) 225-3211.

Sincerely,



Denny Rehberg
Montana's Congressman