

EPA Docket Center

EPA West (Air Docket)  
Attention Docket ID No. EPA-HQ-OAR-2009-0517  
U.S. Environmental Protection Agency  
Mailcode: 2822T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: Comments of America's Natural Gas Alliance on the Proposed Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule

Dear Sir or Madam:

America's Natural Gas Alliance ("ANGA") appreciates the opportunity to submit these comments on the proposed Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule ("Proposed Tailoring Rule").<sup>1</sup> ANGA is an education organization formed by North America's leading independent natural gas exploration and production companies. Together, ANGA members produce over 40 percent of the total U.S. natural gas supply. ANGA is dedicated to increasing appreciation for the environmental, economic and national security benefits of clean, abundant, affordable and dependable North American natural gas. As operators of thousands of sources subject to the Prevention of Significant Deterioration ("PSD") and Title V permitting program, the members of ANGA will be significantly affected by the outcome of this rulemaking. Therefore, ANGA has a strong interest in the final outcome of this rulemaking.

ANGA believes that the approach EPA has proposed is flawed and that a different approach that more closely follows the statutory and regulatory language of the Clean Air Act ("CAA") is needed to make regulations of greenhouse gases ("GHGs") workable. ANGA's main concern with the Proposed Tailoring Rule, as currently drafted, is the significant delays in the permitting process that will inevitably result from attempting to regulate GHGs under the PSD and Title V programs. Permitting delays for natural gas infrastructure will undermine the development and expansion of an abundant, domestic, and clean energy choice. It would be an absurd outcome if CAA regulations for GHGs stifle the very infrastructure needed to deliver the fuel that could most help in reducing the country's GHG emissions.

The CAA was not designed to address GHGs, which is clearly revealed by EPA's efforts to "tailor" the statute. If GHGs are to be regulated under the CAA, ANGA believes that EPA must adopt a different approach. ANGA offers the following points for EPA's consideration.

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<sup>1</sup> Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule, 74 Fed. Reg. 55,292 (Proposed Oct. 27, 2009).

**EPA’s “absurd results” and “administrative necessity” rationales do not support a departure from the clear statutory language of the CAA.**

EPA has concluded that PSD requirements will be triggered when the Motor Vehicle GHG Rule is finalized.<sup>2</sup> As a result, EPA concludes that it must “tailor” the PSD program to consider GHGs out of “administrative necessity” and to avoid “absurd results.”

But as EPA itself acknowledges, the application of the judicial doctrines of “absurd results” and “administrative necessity” must be avoided if at all possible: “[I]f we are compelled to promulgate regulatory requirements that depart from the statutory requirements, we recognize that we must do so to the smallest extent possible and must remain as close as possible to congressional intent.”<sup>3</sup>

EPA does not cite a single instance in which a court upheld use of the administrative necessity and absurd results doctrines. And contrary to EPA’s assertions, the facts relevant to the tailoring of the PSD program are not more supportive of an administrative necessity application than in prior cases which rejected the use of the doctrine.<sup>4</sup>

Similarly, with the absurd results doctrine, the Agency acknowledges in the PSD Tailoring Rule that, “[i]n cases in which the absurd results doctrine of statutory construction authorizes an agency to depart from the literal meaning of the statute, the agency must do so in as limited a manner as possible to effectuate underlying congressional intent.”<sup>5</sup> Yet, EPA fails to mention, let alone analyze, alternative CAA interpretations that would avoid the need to completely rewrite the PSD provisions of the statute. Instead, EPA fixates on rewriting the statutory applicability thresholds as the only potential solution to the anticipated administrative burdens.

ANGA believes EPA can better avoid absurd results and reasonably administer the CAA by interpreting the application of the PSD program in a more limited fashion that more closely follows the statute.

**EPA should interpret the PSD program applicability to be consistent with the statutory and regulatory language of the CAA.**

In relying on the rarely used “absurd results” and “administrative necessity” doctrines, EPA ignores the logic of its own analysis: that Congress did not intend for the PSD permitting program to regulate GHGs. EPA itself provides a strong case in the preamble that the legislative history reveals that Congress never intended the PSD program to apply to thousands of stationary sources that would be captured with regulation of GHGs.<sup>6</sup>

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<sup>2</sup> See Reconsideration of Interpretation of Regulations That Determine Pollutants Covered by the Federal PSD Permit Program, 74 Fed. Reg. 51,535, 51,545 (Oct. 7, 2009) (“Reconsideration Notice”).

<sup>3</sup> Proposed Tailoring Rule, 74 Fed. Reg. at 55,320.

<sup>4</sup> *Alabama Power Co. v. Costle*, 636 F.2d 323, 358 (D.C. Cir. 1980); *EDF v. EPA*, 636 F.2d 1267, 1283 (D.C. Cir. 1980).

<sup>5</sup> Proposed Tailoring Rule, 74 Fed. Reg. at 55,307.

<sup>6</sup> *Id.* at 55,304.

EPA bases all applicability of the PSD program solely on the scope of “pollutants subject to regulation” under section 165(a)(4). The PSD applicability provisions of the statute and regulations do not have to be interpreted this way, however. The language of section 165(a)(4) is certainly relevant to PSD applicability, but only because it determines the applicability of the BACT requirement. Sections 161 and 165 also constrain the applicability of the PSD program to the location of the source. In fact, the text of the statute is more naturally read to limit PSD applicability to sources that are major for a NAAQS pollutant only.

Indeed, the text of sections 161 and 165(a) plainly limit application of PSD to certain areas – those designated as attainment or unclassifiable pursuant to section 107 of the Act. Section 107 is applicable only to NAAQS pollutants. Thus, establishment of a NAAQS is a prerequisite to PSD being triggered under the CAA.

Interpreting a NAAQS to be a prerequisite to PSD regulation under the Act is consistent with the holding in *Alabama Power v. Costle*,<sup>7</sup> where the court found that location is the key determinant for PSD applicability and rejected EPA’s contention that PSD should apply in all areas of the country, regardless of attainment status. The court stated: “The plain meaning of the inclusion in [42 U.S.C. § 7475] of the words ‘any area to which this part applies’ is that Congress intended location to be the key determinant of the applicability of the PSD review requirements.”<sup>8</sup>

Other provisions of the CAA also support the interpretation that a NAAQS is required before GHGs can be regulated under PSD. Section 110(a)(2)(C) sets forth the requirements for State Implementation Plans (“SIPs”) stating that the plans shall “include a program to provide for “regulation of the modification and construction of any stationary source within the areas covered by the plan *as necessary to assure that [NAAQS] are achieved, including a permit program as required in parts C [PSD] and D [nonattainment NSR].”* And section 163(b)(4) specifies that the maximum allowable concentration of “any air pollutant” in “any area” to which Part C applies shall not exceed the NAAQS, further indicating that the PSD program is focused on attaining the NAAQS.

The CAA NAAQS prerequisite requirement means that EPA does not need to rely on the administrative necessity and absurd results doctrines to set appropriate GHG significance levels. Instead, it should adopt a more reasonable interpretation of the Act, which is to require development of NAAQS prior to regulation under PSD.

**EPA should find that Congress intended PSD applicability to be based only on “conventional” pollutants.**

There is strong evidence that Congress intended PSD applicability to be based only on “conventional” pollutants, *i.e.*, pollutants whose emissions have predominantly local or regional impact and not GHGs. Examples are the pollutants subject now to NAAQS and New

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<sup>7</sup> 636 F.2d at 365.

<sup>8</sup> *Id.*

Source Performance Standards (“NSPS”). The 28 source categories that Congress listed in section 169(1) in 1977 are the ones EPA regarded at the time as posing the greatest potential for air quality degradation due to conventional pollutants. Likewise, the only way to understand the 100/250 tpy cutoffs is also in terms of conventional pollutants.

The provisions of sections 165(a) and (e), which call for air quality monitoring and air quality impact analysis in connection with PSD permitting, are also oriented on their face to local or regional impacts. This focus on affected areas in these provisions can stem only from the image of a smokestack plume rising from a plant and striking the ground at some point; and therefore is consistent only with control of conventional pollutants.

Third, other relevant provisions of the CAA demonstrate the same mindset. A prime example is the entire system for area designations in section 107(d) and the underlying system for establishing air quality control regions in section 107(b). Those systems make sense only from the standpoint of managing emissions of conventional pollutants, in particular NAAQS pollutants, not GHGs. Indeed, section 161, the provision in Part C that dictates that each SIP must contain a PSD program, states that that program is to be designed to prevent significant deterioration of air quality in areas designated as attainment or unclassifiable under section 107(d). That objective makes sense only from the standpoint of emissions having a local or regional impact, not emissions of GHGs.

Fourth, although Congress evidently had in mind that the applicability of the PSD permitting program as defined by sections 165(a) and 169(1) would be limited to conventional pollutants, it nonetheless kept the door open for a PSD program geared to other pollutants, such as GHGs. It did so through section 166. That section requires EPA, in the event it creates a NAAQS for a “new” pollutant (*i.e.*, a pollutant not subject to a NAAQS in 1977), to create a PSD system that is tailored to that pollutant’s unique profile, but that need not necessarily conform to the blueprint of sections 165(a) and 169(1). Thus, EPA potentially could create for GHGs a PSD permitting system with a 25,000 tpy carbon dioxide equivalent cutoff, but it would first have to establish a NAAQS for GHGs.

### **The legal theory of administrative necessity more properly supports tailoring of Title V.**

EPA correctly notes that Title V applicability is based on potential emissions of 100 tons per year (“tpy”) or greater of an “air pollutant.” However, EPA has long recognized that the Title V program’s applicability is intended to be narrower and has interpreted it as not being applicable based on emissions of CO<sub>2</sub>,<sup>9</sup> which would add an additional 6 million sources.

Congress’s understanding of the scope of the Title V program is evidenced in the legislative history of the 1990 Amendments, in which the cost of the program was considered to be so modest that it was not broken out in either the Administration’s analysis or subsequent congressional analyses of the bill. Given this, EPA should consider whether it can interpret

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<sup>9</sup> Lydia N. Wegman, Deputy Director, Office of Air Quality Planning and Standards, U.S. EPA, *Definition of Regulated Air Pollutant for Purposes of Title V* (Apr. 26, 1993) (“Wegman Memo”).

the Title V program as simply not applying based solely on emissions of GHGs.<sup>10</sup> To the extent that EPA continues to interpret the Title V program as potentially applying once GHGs are regulated under Title II, the Agency's reliance on the administrative necessity doctrine to increase the statutory major source threshold is more legally defensible for Title V than for the PSD program.

**Proposed threshold and significant levels are arbitrary and capricious.**

EPA's selected major source thresholds of 25,000 tpy for PSD and Title V and significance level of 10,000-25,000 tpy for PSD are arbitrary and capricious because there is no health and/or welfare basis for these cut-offs. On a global scale, U.S. sources with 25,000 tpy of GHG emissions are just as *de minimis* as sources with 250 tpy of GHG emissions. Further, the Agency has not justified why it selected a 25,000 tpy CO<sub>2</sub>e threshold when a threshold such as 150,000 tpy level would exclude significantly more sources from the programs while reducing emissions coverage by only a very small percentage. Finally, the Proposal's assumption of a 2% modification rate, which underlies its selection of the proposed significance level, is arbitrary and capricious because it is merely assumed without reasonable explanation.

**EPA's proposal to retroactively update SIPs is legally infirm and invites challenge.**

As EPA recognizes, the Proposed Tailoring Rule would not have immediate effect in the approximately 75% of states which are "SIP-approved." For those states, EPA has proposed to "limit" its approval of the SIP, in effect disapproving the portion of each state PSD rule that applies the current 100/250 ton per year threshold to all pollutants. EPA would accomplish the SIP amendments either: (1) by invoking its general rulemaking authority under section 301;<sup>11</sup> or (2) by declaring that the Agency made a mistake in its prior SIP approval that may be corrected pursuant to section 110(k)(6).

The theories upon which EPA relies to amend SIPs are flawed. EPA has overstated its authority under section 301(a). As the D.C. Circuit has observed, section 301(a)(1) "does not provide the Administrator with carte blanche authority to promulgate any rules, on any matter relating to the Clean Air Act, in any manner that the Administrator wishes."<sup>12</sup> Where the CAA includes express provisions – such as section 110(k)(5) (the so-called "SIP call" provision) – EPA is required to follow those provisions. If there was a mistake in prior SIP approvals as EPA contends, section 110(k)(5) is EPA's sole and exclusive mechanism for seeking to correct a SIP that has been determined to be inadequate. The terms of section

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<sup>10</sup> Congress specifically excluded substances regulated under section 112(r)'s accidental release program from determining Title V applicability and it is reasonable to assume that Congress would have made a similar determination had it considered CO<sub>2</sub> as potentially triggering Title V applicability at the time.

<sup>11</sup> EPA also cites section 553 of the Administrative Procedure Act ("APA") as authority for accomplishing the unilateral SIP amendments. These comments do not address this argument in detail because CAA section 307(d)(1) expressly provides that the administrative rulemaking procedures of APA section 553 do not apply to "the promulgation or revision of an implementation plan by the Administrator under section [110(c)] of this title."

<sup>12</sup> *Citizens to Save Spencer County v. EPA*, 600 F.2d. 844, 872 (D.C. Cir. 1979).

110(k)(5) are abundantly clear: “Whenever the Administrator finds that the applicable implementation plan for any area is substantially inadequate ... to otherwise comply with any requirement of this Act, the Administrator *shall* require the State to revise the plan as necessary to correct such inadequacies.” (emphasis added). Finally, there is no *de facto* inadequacy in any SIP; EPA must follow the proper regulatory procedures.

EPA’s proposed approach for SIP corrections has already been held invalid in an analogous situation. The Agency made a similar attempt to evade the SIP revision process when it deleted odor regulations from Pennsylvania’s federally approved SIP. In *Concerned Citizens of Bridesburg v. EPA*, the Third Circuit rejected the Agency’s contention that its approval of the odor regulations, some thirteen years prior, was a “mistake,” or alternatively, merely a “revision of EPA’s own prior action.”<sup>13</sup> The court held that the original SIP approval must be contrary to Agency policy at the time EPA approved the SIP for the approvals to constitute “mistakes.” In addition, the Court held that all SIP modifications must occur through the designated revisions process.<sup>14</sup>

The next problem with EPA’s proposed SIP fix is that, as EPA concedes, the current statutory 100/250 tpy thresholds would still apply as a matter of state law and *any* increase in GHG emissions would be regarded as “significant” for the PSD program in most SIP-approved States. EPA does not plan to direct states (via a SIP call) to revise their rules to add the new, higher GHG thresholds.<sup>15</sup> Without the SIP call, states may not change local law in time to prevent the current 100/250 ton per year thresholds from applying to GHG emissions. This would lead to the same disastrous consequences that EPA seeks to avert through its Proposed Tailoring Rule, as SIP-approved states will face an onslaught of permit applications for existing source Title V applications, new major sources, and major modifications under existing SIPs. Since three-quarters of the states are potentially affected, this influx of new permit applications will also overwhelm EPA’s oversight and review staff.

Indeed, the permitting authorities themselves acknowledge the impracticability of EPA’s proposed approach. The National Association of Clean Air Agencies (“NACAA”) assert that EPA has provided insufficient time for SIP-approved states to come into conformity with the Proposed Tailoring Rule. NACAA recommends a one- to two-year extension of the implementation of PSD and Title V requirements for GHGs, starting from the date that the vehicle GHG standards become legally effective.

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<sup>13</sup> 836 F.2d 777, 789 (3d Cir. 1988)

<sup>14</sup> *Id.* at 780.

<sup>15</sup> There are a few exceptions: a few SIP-approved States have rules that would not automatically make GHGs regulated NSR pollutants when the light duty vehicle rule is promulgated. They instead list each pollutant. EPA states that it intends to address these State rules in a separate rulemaking and correct the alleged deficiency (not covering all pollutants regulated under the Act). To avoid confusion and inconsistent enforcement of the Proposed Tailoring Rule, EPA should ensure that these SIPs are properly drafted before making GHGs regulated NSR pollutants for Title V and PSD.

**EPA violates various statutes and executive orders that require analysis of regulatory burdens.**

EPA's failure to estimate the full costs of the effects of its interpretation of PSD applicability in the Proposed Tailoring Rule violates a host of statutes and executive orders that require analysis and public review of regulatory burdens. Specifically, EPA's Proposed Rule fails to comply with the Paperwork Reduction Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act ("UMRA"), and Executive Orders 12866, 13132, 13175, and 13211. For example, section 202 of UMRA requires EPA to prepare a written statement, including a cost-benefit analysis, for proposed rules with "federal mandates" that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. In concluding that "the proposal represents the least costly, most cost-effective approach to achieve the statutory requirements of the rule," EPA completely failed to account for the billions of dollars that permitting authorities and stationary sources will soon be required to spend once PSD is triggered for GHGs.

**If EPA rejects a more reasonable interpretation of the proper trigger for GHG regulation, it should use existing thresholds of non-GHG pollutants for PSD and Title V applicability.**

EPA itself recognizes that one way to address the administrative burden would be by defining the sources in the first phase subject to GHG permitting to include only those sources that are, or become, subject to PSD or Title V obligations under the existing statutory thresholds based on their emissions of non-GHG pollutants.<sup>16</sup> If it is determined that EPA has legal authority to modify the CAA thresholds, ANGA supports using non-GHG applicability thresholds under the current PSD and Title V program as the basis for determining which sources are subject to permitting obligations during the first phase of the program.

A non-GHG applicability basis for the initial phase would be more straightforward to administer, would provide a more predictable permitting workload, and would prevent a flood of newly regulated sources from overburdening state agencies. A non-GHG applicability approach would also provide permitting agencies time to develop experience handling GHGs under the PSD program. Further, it would provide EPA and the permitting agencies an opportunity to develop streamlining techniques.

**If EPA rejects a more reasonable interpretation that PSD should only apply in the non-GHG context, then EPA must make a full assessment of the regulatory impact.**

EPA acknowledges that its Proposed Tailoring Rule will have enormous impacts, yet characterizes the Proposed Tailoring Rule as "regulatory relief."<sup>17</sup> ANGA strongly disagrees with this characterization. EPA's Regulatory Impact Analysis ("RIA") primarily highlights the avoided permitting costs for sources compared to using the current statutory thresholds, but it fails to evaluate the new costs of the proposed thresholds compared to the existing

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<sup>16</sup> Proposed Tailoring Rule, 74 Fed. Reg. at 55,327.

<sup>17</sup> Regulatory Impact Analysis for the Proposed Greenhouse Gas Tailoring Rule at 4 (September 2009).

permitting programs. Given that EPA could have selected a more reasonable interpretation of the statute, as described above, that would have greatly avoided new PSD permitting requirements, EPA cannot abdicate its obligation to fully assess the associated impacts.

**If EPA is going to regulate GHGs under the CAA, EPA should more fully develop streamlining techniques in order to minimize departure from the statutory language of the CAA.**

EPA describes a variety of potential “streamlining options” it might apply in the future to alleviate the “absurd results” and administrative chaos that would come from regulating GHGs under the statutory PSD and Title V regulatory thresholds. The streamlining options include new ways to determine potential to emit (“PTE”) for GHGs; establishing “presumptive BACT” under PSD; issuing general permits or permits by rule; and adopting new electronic permitting methods.<sup>18</sup> ANGA believes that EPA has an obligation to more fully develop these streamlining options **before** taking actions to make GHGs subject to PSD and Title V in order to minimize departures from the otherwise clear requirements of the CAA.

**If EPA is going to regulate GHGs under the CAA, EPA should offer prompt guidance on presumptive BACT for natural gas.**

EPA acknowledges that “BACT determinations will be a major factor contributing to the uncertainty and delay for sources seeking PSD permits.”<sup>19</sup> ANGA believes that the clean and efficient characteristics of natural gas and unavailability of “add-on” control technologies or carbon capture and sequestration technology to mitigate GHGs from natural gas combustion justifies the application of presumptive BACT to natural gas combustion. Further, ANGA recommends that EPA issue guidance on a presumptive BACT determination for natural gas **before** PSD requirements apply to GHGs. Failure to minimize the otherwise unavoidable delays to the development of natural gas that BACT determinations could entail means failure to allow the cleanest hydrocarbon available to contribute meaningfully to emission reductions.

ANGA also urges EPA to avoid “redefining the source” by requiring fundamental changes in a source type or design. In other words, BACT analysis should avoid total redesigns or substitute sources. EPA should continue to defer to regulatory and operational considerations in determining BACT for GHGs.

**If EPA is going to regulate GHGs under the CAA, EPA should adopt a more reasonable position on the timing of “subject to regulation” in order to improve transition to stationary source GHG regulation.**

Some of the problems associated with trying to regulate GHGs under the CAA could be mitigated, if EPA were to adopt a valid interpretation of the CAA that did not immediately require the application of PSD and Title V requirements to GHG emissions. The Proposed

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<sup>18</sup> Proposed Tailoring Rule, 74 Fed. Reg. at 55,320-25.

<sup>19</sup> *Id.* at 55,322.

Tailoring Rule states that PSD and Title V regulation of GHG will be triggered the moment EPA promulgates CAA regulations controlling GHG emissions from light-duty motor vehicles.<sup>20</sup> Yet, EPA's current policy is that for purposes of the PSD program, a pollutant is not "subject to regulation" under the CAA until it is "subject to either a provision in the CAA or regulation adopted by EPA under the CAA that requires actual control of emissions of that pollutant."<sup>21</sup> In its Reconsideration Notice, EPA favors the "actual control" interpretation.<sup>22</sup> The Reconsideration Notice rejects triggering on promulgation and supports triggering when regulations become "final and effective" 60 days after being published in the Federal Register.

Under this interpretation, 60 days after EPA issues regulations for light-duty vehicles,<sup>23</sup> GHGs would be subject to regulation under the CAA. Even if issuing the light-duty vehicle rule under CAA Title II triggers PSD regulation under Title I (a contentious legal proposition described above), GHGs will not become subject to actual control until automakers begin to comply with the new vehicle GHG standards in late 2011. It is therefore reasonable for EPA to interpret the timing of "subject to regulation" to start at the time emission control requirements are actually applied to a regulated entity.

Given the gravity of regulating GHG under the CAA and the impacts associated with the Tailoring Rule, it is critical that the effective date be clearly understood and that the longest available transition period be available for the benefit of both permitting authorities and regulated industries. Accordingly, ANGA recommends that EPA specify that the Tailoring Rule will go into effect no earlier than the date automakers must comply with actual emission controls under the light-duty vehicle rule in October 2011.

**If EPA is going to regulate GHGs under the CAA, EPA should only regulate the 4 pollutants regulated in the vehicle emissions rule.**

EPA argues that PSD and Title V requirements are triggered by a rulemaking on light-duty vehicle emissions pursuant to section 202 of the CAA.<sup>24</sup> The proposed section 202 rulemaking regulates only four of six GHGs addressed in the endangerment finding. Accordingly, ANGA argues that EPA can only regulate those six GHGs under a stationary source rule because those are the only four GHGs "subject to regulation" under the CAA. EPA cannot both widen the scope of the applicability to six GHGs at its discretion and rely on the limited judicial doctrines of "absurd results" and "administrative necessity."

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<sup>20</sup> *Id.* at 55,294.

<sup>21</sup> *See* Reconsideration Notice, 74 Fed. Reg. 51,535, 51,538-39. Although EPA granted reconsideration of the Johnson Memorandum's "actual control" interpretation and is currently receiving public comments, EPA continues to support the "actual control" interpretation.

<sup>22</sup> *See, e.g., id.* at 51,539 ("Of the five interpretations described in this reconsideration, the EPA continues to favor the 'actual control interpretation,' which remains in effect at this time.").

<sup>23</sup> Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards, 74 Fed. Reg. 49,454 (Sept. 28, 2009).

<sup>24</sup> Proposed Tailoring Rule, 74 Fed. Reg. at 55,328.

## Conclusion

ANGA appreciates the opportunity to submit these comments on the Proposed Tailoring Rule. ANGA is very concerned with the vast scope and impact of the Proposed Tailoring Rule, particularly how it could impact the operation and expansion of a robust natural gas infrastructure that delivers energy security and climate benefits to our nation. ANGA believes that EPA's efforts to "tailor" the PSD and Title V permitting programs are inadequate and reveal how ill-suited the CAA is to the regulation of GHGs. ANGA hopes that EPA will accept our recommendations and proceed on a more legally defensible and practical path.

If you have any questions, please contact Rachel Eason at [reason@anga.us](mailto:reason@anga.us) or 202 789 8481.

Sincerely,

A handwritten signature in blue ink, appearing to read "Regina Hopper".

Regina Hopper  
America's Natural Gas Alliance  
President and CEO