



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR - 3 2009

George E. Hays, Esq.
236 West Portal Ave., #110
San Francisco, California 94127

Re: February 25, 2009, Petition for Reconsideration on
Alabama State Implementation Plan Revision

Dear Mr. Hays:

This is in response to the petition for reconsideration dated February 25, 2009, submitted on behalf of the Alabama Environmental Council (AEC) and other parties (Petitioners). Petitioners seek reconsideration of the Environmental Protection Agency's (EPA's) October 15, 2008, final action approving revisions to the Alabama State Implementation Plan (SIP) concerning opacity requirements for certain sources (73 *Fed. Reg.* 60957). Petitioners also challenged EPA's October 15, 2008, final action in the 11th Circuit Court of Appeals, where litigation is pending.

EPA grants the February 25, 2009, petition for reconsideration in order to allow for Agency reconsideration of the October 15, 2008, final action. EPA anticipates initiating a new rulemaking process to provide an additional public comment opportunity on the September 11, 2003, proposed SIP revision (as amended by a revision provided to EPA on August 22, 2008) submitted by the State of Alabama through the Alabama Department of Environmental Management.

If you have any questions regarding EPA's path forward for responding to the petition for reconsideration you may contact David Orlin in the Office of General Counsel at (202) 564-1222.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Stanley Meiburg".

A. Stanley Meiburg
Acting Regional Administrator