



**E. SCOTT PRUITT**  
**ADMINISTRATOR**

August 11, 2017

Mr. Harry M. Johnson  
Hunton & Williams, LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23129-4074

Mr. Major Clark  
Mr. Kevin Bromberg  
U.S. Small Business Administration  
Office of Advocacy  
409 3rd Street, SW, 7th Floor  
Washington, D.C. 20416

Re: Petitions for Agency Reconsideration and Stay of Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category

Dear Mr. Johnson, Mr. Clark and Mr. Bromberg:

This letter concerns petitions from the Utility Water Act Group dated March 24, 2017, and the U.S. Small Business Administration dated April 5, 2017, to the U.S. Environmental Protection Agency requesting reconsideration and an administrative stay of provisions of the EPA's final rule titled "Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category," 80 FR 67838 (November 3, 2015). As you know, in a letter dated April 12, 2017, I announced that the EPA would be reconsidering the 2015 rule in light of the petitions.

After carefully considering your petitions, I have decided that it is appropriate and in the public interest to conduct a rulemaking to potentially revise the new, more stringent Best Available Technology Economically Achievable effluent limitations and Pretreatment Standards for Existing Sources in the 2015 rule that apply to bottom ash transport water and flue gas desulfurization wastewater. As part of the rulemaking process, the EPA will provide notice and an opportunity for public comment on any proposed revisions to the 2015 final rule. The EPA also intends to inform the U.S. Court of Appeals for the Fifth Circuit that it seeks to have challenges to those portions of the 2015 rule severed and held in abeyance pending completion of further rulemaking.



If you have questions regarding the reconsideration process, please contact Mike Shapiro at (202) 564-5700. If you have any questions or wish to discuss the litigation, please have your counsel direct inquiries to litigation counsel at the Department of Justice, Martin McDermott at (202) 514-4122.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a large, stylized flourish above it.

E. Scott Pruitt