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October 26, 2010

Via E-Mail & Federal Express

Mr. Rick Barrett
Air Permits Section (6PD-R)
Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
Barrett.richard@epa.gov

Re: Request for Extension of Comment Period;
Approval and Promulgation of Implementation Plans; Texas; Revisions to Rules
and Regulations for Control of Air Pollution; Permitting of Grandfathered and
Electing Electric Generating Facilities
(Docket EPA-R06-OAR-2005-TR-0031)

Dear Mr. Barrett:

On October 19, 2010, EPA Region 6 proposed to partially approve and partially disapprove a Texas State Implementation Plan ("SIP") revision that implements a mandate from the Texas Legislature that has already achieved reductions in NO_x and SO₂ in Texas. 75 Fed. Reg. 24235 (Oct. 19, 2010). EPA proposes to partially disapprove one integral portion of the proposed revision, despite expressly stating that the portion at issue does not interfere with attainment or maintenance of the relevant NAAQS, nor cause or contribute to any increase in PSD increments. *Id* at 64,238 and 64,240.

The Texas Mining and Reclamation Association (TMRA) is a Texas non-profit trade organization comprised of approximately 100 mining, electric utility and supplier members. We support coordinated, rational and consistent federal, state and local policies to assure the economic recovery and use of this state's minable resources in an environmentally sound and responsible manner.

TMRA requests an extension of the comment period by at least 30 days to thoroughly review EPA's proposal and to provide meaningful comments to the agency. This SIP revision was submitted to EPA over ten years ago. EPA's October 2010 proposal is the first mention of the agency's intention to disapprove any of the proposed SIP revision. In light of the length of time it took EPA to review the pending revisions and because of the importance of this rule as applied to many of TMRA's members in Texas, a 30-day extension would be reasonable. Allowing this limited additional time will not prejudice any party interested in the approved rule nor unreasonably delay EPA's issuance of its final decision. Moreover, it will improve the decision making process by allowing for more thoughtful participation in this process.

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Please notify me directly of your decision on this request and do not hesitate to contact me if you have any questions.

Sincerely,

Chesley N. Blevins

Chesley N. Blevins
TMRA General Counsel

cj

CNB:cj

cc: Mr. Mike Kezar