



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 22, 2021

OFFICE OF
AIR AND RADIATION

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Staff Attorney
Sierra Club
2101 Webster St., Suite 1300
Oakland, CA 94612

Stephanie Kodish
Senior Director & Counsel, Clean Air Program
National Parks Conservation Association
706 Walnut Street, Suite 200
Knoxville, TN 37902

Charles McPhedran
Earthjustice
1617 John F. Kennedy Blvd., Suite 1130
Philadelphia, PA 19103

Re: Petition for Partial Reconsideration of Promulgation of Air Quality Implementation Plans; State of Texas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan
EPA-R06-OAR-2016-0611

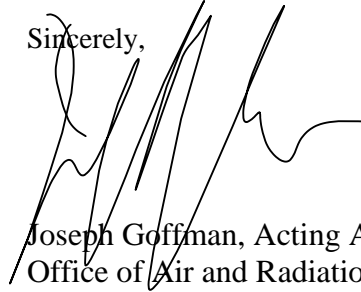
Dear Mr. Smith, Ms. Kodish, and Mr. McPhedran:

On August 12, 2020, the Environmental Protection Agency (“the EPA” or “agency”) published a final rule, “Promulgation of Air Quality Implementation Plans; State of Texas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan,” 85 Fed. Reg. 49,170. On October 13, 2020, you submitted a petition for partial reconsideration of the above-captioned rule which is commonly known as the “Texas Regional Haze BART and Interstate Visibility Transport FIP.” The petition was submitted on behalf of the Sierra Club, National Parks Conservation Association, and Earthjustice pursuant to section 307(d)(7)(B) of the Clean Air Act.

The EPA has considered your petition for partial reconsideration. Without conceding that the conditions for mandatory reconsideration are necessarily met pursuant to section 307(d)(7)(B), the agency recognizes that aspects of this action warrant careful review, and potentially modification, to ensure our actions are fully consistent with the requirements of the Clean Air Act and the Regional Haze Rule. *See* 40 C.F.R. part 51, subpart P. Thus, by this letter, the agency is convening a proceeding for reconsideration of the Texas Regional Haze BART and Interstate Visibility Transport FIP. At a later date the EPA will provide notice of our proposal on reconsideration and provide the opportunity for public comment.

If you have any questions on this action, please contact Joshua Olszewski in the Office of Regional Counsel, Region 6, at (214) 665-2178 or by email at olszewski.joshua@epa.gov. Please direct any communications regarding pending litigation or any issues under discussion related to such litigation to Sue Chen, U.S. Department of Justice counsel, at (202) 305-0283.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Goffman', written over the printed name below.

Joseph Goffman, Acting Assistant Administrator
Office of Air and Radiation