

Conversation Contents

Fwd: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22

/9. Fwd: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22/1.1

EO12866_Cooling_Water_Intakes_2040-AE95_Preamble_20130722.docx

/9. Fwd: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22/1.2

EO12866_Cooling_Water_Intakes_2040-AE95_Final_Rule_20130722.docx

/9. Fwd: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22/1.3

EO12866_Cooling_Water_Intakes_2040_AE95_BenAnal_20130719_(2).pdf

Attachments Withheld - b5 Deliberative Process

"Prigan, Sara" <sara_prigan@fws.gov>

From: "Prigan, Sara" <sara_prigan@fws.gov>
Sent: Mon Aug 26 2013 14:11:37 GMT-0600 (MDT)
To: Don Morgan <don_morgan@fws.gov>, Rick Sayers <rick_sayers@fws.gov>
Subject: Fwd: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22
EO12866_Cooling_Water_Intakes_2040-AE95_Preamble_20130722.docx
Attachments: EO12866_Cooling_Water_Intakes_2040-AE95_Final_Rule_20130722.docx
EO12866_Cooling_Water_Intakes_2040_AE95_BenAnal_20130719_(2).pdf

Thank you,

Sara Prigan
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
<http://www.fws.gov/pdm/index.html>
Telephone: (703) 358-2508

----- Forwarded message -----

From: Prigan, Sara <sara_prigan@fws.gov>
Date: Thu, Aug 1, 2013 at 12:50 PM
Subject: Fwd: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22
To: Mike Higgins <mike_j_higgins@fws.gov>, Marilyn Brower <marilyn_brower@fws.gov>, Jeff Underwood <jeff_underwood@fws.gov>, Larry Bright <larry_bright@fws.gov>, Jason

Miller <jason_miller@fws.gov>, Anissa Craghead <Anissa_Craghead@fws.gov>, Susan Wilkinson <susan_wilkinson@fws.gov>, Tina Campbell <tina_campbell@fws.gov>

External regulations review contacts:

We are forwarding the message below from the DOI Office of the Executive Secretariat because your AD has assigned to you the responsibility of analyzing such messages on behalf of your program. Please determine whether your program would like to provide a comment on the documents described, which OMB is circulating for interagency review prior to approval for publication. You may forward this message to others in your program at your discretion, but do not send to entities outside the Federal Government.

This is an optional opportunity to comment. If your program decides to submit a comment, send it to Megan Feeney in Exec Sec, who will compile all comments from DOI for submission to OMB. If you choose not to comment on this rule, then no action is required.

Thank you,

Sara Prigan
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
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Telephone: (703) 358-2508

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From: **Apgar, Megan** <megan_apgar@ios.doi.gov>

Date: Wed, Jul 31, 2013 at 4:31 PM

Subject: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22

To: Interagency Review <interagency_review@ios.doi.gov>

Comments due to OES by COB August 20, 2013

Please find attached for review under EOs 12866/13563, the EPA/OW draft final rule, "Criteria and Standards for Cooling Water Intake Structures." The preamble and regulatory text are in two files. Also attached for review is the Benefits Analysis. I will send the Economic Analysis (a 7MB file) in a follow-up email.

Upon completing your careful review, please use your discretion to limit circulation of this message to individuals in your bureau or office as appropriate. Please emphasize to those included on your distribution list that these documents are internal deliberative and should not be shared or discussed outside of the Executive Branch. To maintain a close-hold on these documents, we suggest that the attachments only be shared with bureau/office staff upon their request after they have reviewed the provided summary. A negative reply is not necessary; if I do not hear back from you by the deadline, 8/20,, I will assume that you have no comments.

Brief Summary: This rule establishes requirements under section 316(b) of the Clean Water Act (CWA) for existing power generating facilities and existing manufacturing and industrial facilities that withdraw more than 2 million gallons per day (MGD) of water from

waters of the U.S. and use at least 25% of the water they withdraw exclusively for cooling purposes. These national requirements, which will be implemented through National Pollutant Discharge Elimination System (NPDES) permits, apply to the location, design, construction, and capacity of cooling water intake structures (CWIS) at regulated facilities by setting requirements that reflect the best technology available (BTA) for minimizing adverse environmental impact. On April 20, 2011, EPA published a proposed rule that included several options for addressing these impacts. EPA published two Notices of Data Availability (NODA), on June 11, 2012 and June 12, 2012, that further clarified EPA's approach. This final rule constitutes EPA's response to the remand of the Phase II and Phase III rules. In addition, EPA is also responding to the decision in Riverkeeper I to remove from the Phase I new facility rule the restoration-based compliance alternative and the associated monitoring and demonstration requirements. EPA estimates total annual costs of the rule at \$297 million, and monetized benefits at \$19 million.

As a reminder, these documents are deliberative and pre-decisional and should not be shared or discussed with anyone outside of the Executive Branch. Feel free to share with others IN YOUR AGENCY as appropriate. If you feel someone in another agency not on the distribution list should review, let me know and I will ask OMB to forward to them.

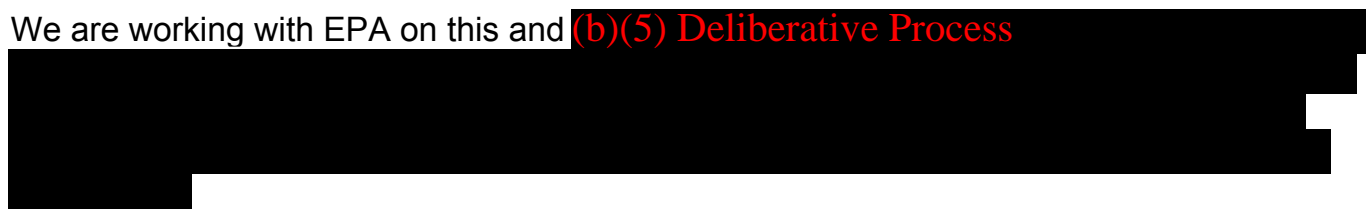
Please help ensure the integrity of interagency review process by respecting these guidelines.

Thanks,
Megan Apgar
Executive Secretariat and Regulatory Affairs
Office of the Secretary
Department of the Interior
Voice: (202) 208-4582

"Sayers, Rick" <rick_sayers@fws.gov>

From: "Sayers, Rick" <rick_sayers@fws.gov>
Sent: Tue Aug 27 2013 05:25:21 GMT-0600 (MDT)
To: "Prigan, Sara" <sara_prigan@fws.gov>
Subject: Re: For Comment by COB 8/20: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Comments due 8/22

We are working with EPA on this and (b)(5) Deliberative Process



Rick Sayers
Chief, Division of Environmental Review
U.S. Fish & Wildlife Service-- Ecological Services

4401 N. Fairfax Dr., Rm 420
Arlington, VA 22203
(703) 358-2442

On Mon, Aug 26, 2013 at 4:11 PM, Prigan, Sara <sara_prigan@fws.gov> wrote:

Thank you,

Sara Prigan
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
<http://www.fws.gov/pdm/index.html>
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Office of the Secretary
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