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OAG-104-16

September 1, 2016

**SENT VIA CERTIFIED MAIL**  
**AND ELECTRONIC MAIL**

The Honorable Gina McCarthy  
Environmental Protection Agency  
Office of the Administrator (1101A)  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460  
McCarthy.Gina@EPA.gov

Shaun McGrath  
Region 8 Administrator  
Environmental Protection Agency  
1595 Wynkoop Street  
Denver, Colorado 80202  
r8eisc@epa.gov

Re: **Application for an Administrative Stay of the Portion of the Final Rule on Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze, 81 Fed. Reg. 43894-01 (July 5, 2016), EPA Docket No. EPA-R08-OAR-2015-0463**

Dear Administrators McCarthy and McGrath:

Enclosed please find the Application for an Administrative Stay of the portion of the Environmental Protection Agency's ("EPA") July 5, 2016, final rule "Approval, Disapproval, and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze," 81 Fed. Reg. 43894-01, EPA-R08-OAR-2015-0463, filed by the State of Utah. Utah requests an administrative stay and tolling of the effective date of the portion of the final rule disapproving Utah's Regional Haze State Implementation Plan as to the NO<sub>x</sub> Best Available Retrofit

Technology Alternative and promulgating the Federal Implementation Plan. Utah explains reasons for this stay request in the enclosed application and declaration.

Please contact the undersigned counsel if you have any questions.

Sincerely,

Sean D. Reyes,  
*Utah Attorney General*



Christian C. Stephens  
Marina V. Thomas  
Craig W. Anderson  
*Utah Assistant Attorney Generals*  
Utah Attorney General's Office  
Environment & Health Division  
***Counsel for the State of Utah, on behalf of  
the Utah Department of Environmental Quality,  
Division of Air Quality***

CCS/srb

Enclosure