

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

_____)	
)	
In re:)	
)	
Deseret Power Electric Cooperative)	Appeal Nos. CAA 15-01 & 15-02
Bonanza Power Plant)	
Permit No. V-U0-000004-00.00)	
_____)	

NOTIFICATION OF PROVISIONAL SETTLEMENT

The Parties provide this joint notification to the Board that on December 23, 2015 the Parties reached provisional settlement. Pursuant to Paragraph 8 of the Settlement Agreement, the Parties submit the Settlement Agreement along with this notification to the Board, and request that the Board continue to hold Appeal Nos. 15-01 & 15-02 in abeyance pending EPA's final action on Deseret's application for a Minor New Source Review ("NSR") Permit under Paragraph 13 of the Agreement. EPA anticipates taking final action on Deseret's permit application on or before February 22, 2016.¹

¹ On October 19, 2015, in response to a request from Deseret Power dated June 3, 2015, Region 8 corrected the permittee name from "Deseret Power Electric Cooperative" to "Deseret Generation & Transmission Cooperative." The administrative permit amendment and re-issued permit as amended are available at: http://www.epa.gov/sites/production/files/2015-10/documents/deseret_tv_permit_v-uo-000004-00.01_final.pdf.

Dated this 1/6/2016

Respectfully submitted,




Sara L. Laumann
Assistant Regional Counsel
U.S. Environmental Protection Agency,
Region 8 (ORC)
1595 Wynkoop Street
Denver, CO 80202
P: (303) 312-6443
laumann.sara@epa.gov

Kristi M. Smith
U.S. Environmental Protection Agency
Office of General Counsel, Air and
Radiation Law Office
1200 Pennsylvania Avenue, N.W. (2310A)
Washington, DC 20460
P: (202) 564-3068
smith.kristi@epa.gov

CERTIFICATE OF SERVICE

I hereby certify that the Notification of Provisional Settlement was sent to the following persons, in the manner specified, on the date below:

1/6/2016
Date


Sara L. Laumann
Assistant Regional Counsel
U.S. EPA, Region 8

By electronic filing to:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

By electronic mail, upon prior agreement of the parties, to:

David C. Bender
McGillivray Westerberg &
Bender LLC
211 S. Patterson St., Suite 320
Madison, WI 53703
bender@mwbattorneys.com

David Crabtree
Vice President and General Counsel
Deseret Power Electric Cooperative
10714 South Jordan Gateway,
Suite 300
South Jordan, Utah 84095
crabtree@deseretpower.com

Andrea Issod, Staff Attorney
Sierra Club Law Program
85 Second Street, 2nd Floor
San Francisco, CA 94105
andrea.issod@sierraclub.org

Samantha Ruscavage-Barz
Jeremy Nichols
WildEarth Guardians
1536 Wynkoop Street, Suite 310
Denver, CO 80202
sruscavagebarz@wildearthguardians.
org
jnichols@wildearthguardians.org

William L. Wehrum
Makram B. Jaber
Andrew D. Knudsen
Hunton & Williams LLP
2200 Pennsylvania Ave., NW
Washington, DC 20037
mjaber@hunton.com
aknudsen@hunton.com