



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 23

REPLY TO THE ATTENTION OF:

A-18J

David C. Bender
McGillivray Westerberg & Bender LLC
305 S. Paterson Street
Madison, Wisconsin 53703

Re: Order responding to the petition on the Columbia Generating Station Title V renewal permit

Dear Mr. Bender:

Enclosed is a copy of the U.S. Environmental Protection Agency Order responding to the petition submitted by your office on behalf of the Sierra Club requesting that the Administrator object to the Title V renewal permit issued by the Wisconsin Department of Natural Resources (WDNR) to the Columbia Generating Station (Columbia). The Order, which the Administrator issued on October 8, 2009, grants in part and denies in part the petition. WDNR shall have 90 days from the date of this Order to resolve the objection identified within and to terminate, modify, or revoke and reissue the Columbia Title V permit accordingly, consistent with the procedures in 40 C.F.R. §§ 70.7(g)(4) and 70.8(d).

In addition, section 505(b)(2) of the Clean Air Act (Act), 42 U.S.C. § 7661d(b)(2), provides that any denial of a petition is subject to judicial review under section 307 of the Act. Pursuant to section 307(b)(1) of the Act, 42 U.S.C. § 7607(b)(1), you may, within 60 days of publication of notice of this decision in the Federal Register, seek judicial review of EPA's denials in the United States Court of Appeals for the Seventh Circuit.

If you have any questions or would like to discuss this matter further, please feel free to contact me, or Pamela Blakley, of my staff, at (312) 886-4447.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl L. Newton".

Cheryl L. Newton
Director
Air and Radiation Division

Enclosure