UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA, Plaintiff, STATE OF KANSAS, Plaintiff-Intervenor, v. WESTAR ENERGY, INC., Defendant.	)	Civil Action No. 2:09-02059-JAR

JOINT STIPULATION TO MODIFY CONSENT DECREE

WHEREAS, this Court entered a Consent Decree in this matter on March 26, 2010;

WHEREAS, the Consent Decree requires, *inter alia*, that Westar comply with certain NOx emissions limitations at Jeffrey Energy Center ("JEC"), including a Plant-Wide 30-Day Rolling Average Emission Rate for NOx and a Plant-Wide 12-Month Rolling Tonnage limitation for NOx;

WHEREAS, the dispatch of the JEC units has changed over time due, at least in part, to increased wind generation in Kansas. As a result, there are days when JEC Unit 1 is not dispatched by the Regional Transmission Organization ("RTO");

WHEREAS, the United States, the State of Kansas, and Westar (the "Parties") agree to modify the Consent Decree as described herein so that JEC Unit 1 is not forced to operate when it is not needed by the RTO, thereby reducing overall NOx, SO_2, and PM emissions from JEC;

WHEREAS, pursuant to Paragraph 169 of the Consent Decree, any modification of the Consent Decree must be in writing and signed by the Parties;

WHEREAS, the proposed changes to the Consent Decree agreed to herein represent material modifications that require Court approval pursuant to Paragraph 169 of the Consent Decree;

WHEREAS, the Parties agree and acknowledge that final approval of the United States and entry of this modification is subject to the procedures set forth in 28 C.F.R. § 50.7, which provides for notice to be published in the Federal Register, an opportunity for public comment, and the right of the United States to withdraw or withhold consent if the comments disclose facts or considerations which indicate that the modification is inappropriate, improper, or inadequate. No Party will oppose entry of this modification by this Court or challenge any provision of this modification unless the United States has notified the Parties, in writing, that the United States no longer supports entry of the modification.

NOW THEREFORE, the Parties hereby agree to modify the Consent Decree, as follows:

1. Add a new Paragraph 26.1 as follows:

26.1. "NOx 12-Month Rolling Tonnage" means the sum of the tons of NOx emitted from JEC Units 2 and 3 in the most recent complete month and the previous eleven (11) months. A new NOx 12-Month Rolling Tonnage shall be calculated for each new complete month in accordance with the provisions of this Consent Decree. Each NOx 12-Month Rolling Tonnage shall include all emissions of NOx that occur during all periods of operation, including Startup, Shutdown, and Malfunction.

2. Modify Paragraph 35, as follows (modifications underlined or ~~struck out~~):

35. "Plant-Wide Operating Day" means a day on which any JEC Unit fires Fossil Fuel, except that any day during which ~~a Unit equipped with an SCR~~ JEC Unit 1 is not firing Fossil Fuel due to a Forced Outage or a Scheduled Outage ~~for that Unit~~ or because Unit 1 is not

dispatched by the authorized Regional Transmission Organization (RTO)/Independent System Operator (ISO) shall not be included as a Plant-Wide Operating Day. If Westar excludes a day from the definition of a Plant-Wide Operating Day because JEC Unit 1 does not fire Fossil Fuel because it is not dispatched by the authorized RTO/ISO, Westar shall maintain documentation supporting such exclusion, in accordance with Section XVII of this Consent Decree, and shall identify each such day in its semi-annual compliance reports submitted pursuant to the Title V operating permit. EPA and KDHE may request that Westar provide supporting documentation for any day when JEC Unit 1 is not dispatched by the authorized RTO/ ISO.

3. A "clean" version of Paragraph 35, as modified, follows:

35. "Plant-Wide Operating Day" means a day on which any JEC Unit fires Fossil Fuel, except that any day during which JEC Unit 1 is not firing Fossil Fuel due to a Forced Outage or a Scheduled Outage or because Unit 1 is not dispatched by the authorized Regional Transmission Organization (RTO)/Independent System Operator (ISO) shall not be included as a Plant-Wide Operating Day. If Westar excludes a day from the definition of a Plant-Wide Operating Day because JEC Unit 1 does not fire Fossil Fuel because it is not dispatched by the authorized RTO/ISO, Westar shall maintain documentation supporting such exclusion, in accordance with Section XVII of this Consent Decree, and shall identify each such day in its semi-annual compliance reports submitted pursuant to the Title V operating permit. EPA and KDHE may request that Westar provide supporting documentation for any day when JEC Unit 1 is not dispatched by the authorized RTO/ ISO.

4. Modify Paragraph 58, as follows (modifications underlined or ~~struck out~~):

58. If Westar elects not to install a second SCR pursuant to Paragraph 56, Westar shall:

a. achieve and thereafter maintain a Plant-Wide 30-Day Rolling Average Emission Rate for NOx at JEC of 0.100 lb/mmBtu no later than one hundred and twenty (120) days after the installation of the SCR as required by Paragraph 53; ~~and~~

b. achieve, maintain and comply with a Plant-Wide 12-Month Rolling Tonnage limitation for NOx at JEC of 9600 tons by December 31, 2014;

c. for days that are not Plant-Wide Operating Days, JEC Units 2 and 3 shall achieve and maintain a 30-Day Rolling Average Unit Emission Rate for NOx of no greater than 0.150 lb/mmBtu, on an individual unit basis; and

d. beginning on the first day of the next month following entry by this Court of the second Modification to the Consent Decree, JEC Units 2 and 3 shall achieve, maintain and comply, on a prospective basis, with a NOx 12-Month Rolling Tonnage limitation of 6,775 tons.

5. A "clean" version of Paragraph 58, as modified, follows:

58. If Westar elects not to install a second SCR pursuant to Paragraph 56, Westar shall:

a. achieve and thereafter maintain a Plant-Wide 30-Day Rolling Average Emission Rate for NOx at JEC of 0.100 lb/mmBtu no later than one hundred and twenty (120) days after the installation of the SCR as required by Paragraph 53;

b. achieve, maintain and comply with a Plant-Wide 12-Month Rolling Tonnage limitation for NOx at JEC of 9600 tons by December 31, 2014;

c. For days that are not Plant-Wide Operating Days, JEC Units 2 and 3 shall achieve and maintain a 30-Day Rolling Average Unit Emission Rate for NOx of no greater than 0.150 lb/mmBtu, on an individual unit basis; and

d. beginning on the first day of the next month following entry by this Court of the second Modification to the Consent Decree, JEC Units 2 and 3 shall achieve, maintain and comply, on a prospective basis, with a NOx 12-Month Rolling Tonnage limitation of 6,775 tons.

6. Modify Paragraph 64, as follows (modifications underlined or ~~struck out~~):

64. Provided that Westar is in compliance with the ~~applicable~~ Plant-Wide 12-Month Rolling Tonnage limitation for NOx and the NOx 12-Month Rolling Tonnage limitation, nothing in this Consent Decree shall preclude Westar from selling or transferring NOx Allowances allocated to JEC that become available for sale or trade solely as a result of achievement and maintenance of an Emission Rate below the NOx rates required by this Consent Decree. If Westar elects to claim Super-Compliance Allowances, Westar shall determine the amount of Super-Compliance Allowances in accordance with the procedures identified in subparagraphs (a)-(c) beginning in Calendar Year 2018 and continuing each calendar year thereafter:

~~a. The Plant-Wide 30-Day Rolling Average NOx Emission Rate if Westar elects not to install a second SCR pursuant to Paragraph 56; or~~

~~b. The 30-Day Rolling Average Unit Emission Rate if Westar elects to install a second SCR pursuant to Paragraph 56.~~

a. Super-Compliance Allowance calculation for Plant-Wide Operating Days

1. Determine the total daily heat input and daily NOx emissions from JEC Units 1, 2 and 3 for all Plant-Wide Operating Days during the NOx Allowance reporting period.

2. For each day, multiply the total daily heat input (from Step a.1) by the 0.100 lb/mmbtu compliance level rate to determine the daily calculated tons.

3. Subtract the actual tons of NOx emissions (from Step a.1) for that day from the tons calculated in Step a.2 to determine the daily Plant-Wide Operating Day Super-Compliance Allowance tons.

4. Sum all NOx values from Step a.3. for each Plant-Wide Operating Day over the course of the applicable NOx allowance reporting period.

b. Super-Compliance Allowance calculation for days during the NOx Allowance reporting period that are excluded from the definition of Plant-Wide Operating Day.

1. Determine the total daily heat input and daily NOx emissions from JEC Units 2 and 3 for days during the NOx Allowance reporting period that are excluded from the definition of Plant-Wide Operating Day.

2. Determine the JEC Unit 1 30-Day Rolling Average Unit Emission Rate for NOx on the day immediately preceding the Unit 1 Shutdown.

3. Determine the average proportional heat input for JEC Unit 1 and JEC Units 2 and 3 for the 30 Plant-Wide Operating Days immediately preceding the JEC Unit 1 Shutdown.

4. Based upon the rate determined in Step b.2 and the proportional heat input determined in Step b.3, use the table below to determine the JEC Unit 2/Unit 3 rate to be used in the calculation. The rates listed below provide the approximate rate at which JEC Units 2 and/or 3 would have had to operate to comply with the Plant-Wide 30-Day Rolling Average Emission Rate for NOx at JEC of 0.100 lb/mmbtu if Unit 1 had been operating.

Proportional Heat Input, % of total		JEC Unit 2 and 3 NOx rates (lb/mmBTU) for Super Compliance Allowance Calculation, based on Unit 1 30-Day Rolling Average Unit Emission Rate (lb/mmBTU) on the Day Immediately preceding Unit 1 Shutdown						
Unit 1	Units 2-3	0.08	0.07	0.06	0.05	0.04	0.03	0.02
0%	100%	0.100	0.100	0.100	0.100	0.100	0.100	0.100
1%	99%	0.100	0.100	0.100	0.101	0.101	0.101	0.101
2%	98%	0.100	0.101	0.101	0.101	0.101	0.101	0.102
3%	97%	0.101	0.101	0.101	0.102	0.102	0.102	0.102
4%	96%	0.101	0.101	0.102	0.102	0.103	0.103	0.103
5%	95%	0.101	0.102	0.102	0.103	0.103	0.104	0.104
6%	94%	0.101	0.102	0.103	0.103	0.104	0.104	0.105
7%	93%	0.102	0.102	0.103	0.104	0.105	0.105	0.106
8%	92%	0.102	0.103	0.103	0.104	0.105	0.106	0.107
9%	91%	0.102	0.103	0.104	0.105	0.106	0.107	0.108
10%	90%	0.102	0.103	0.104	0.106	0.107	0.108	0.109
11%	89%	0.102	0.104	0.105	0.106	0.107	0.109	0.110
12%	88%	0.103	0.104	0.105	0.107	0.108	0.110	0.111
13%	87%	0.103	0.104	0.106	0.107	0.109	0.110	0.112
14%	86%	0.103	0.105	0.107	0.108	0.110	0.111	0.113
15%	85%	0.104	0.105	0.107	0.109	0.111	0.112	0.114
16%	84%	0.104	0.106	0.108	0.110	0.111	0.113	0.115
17%	83%	0.104	0.106	0.108	0.110	0.112	0.114	0.116
18%	82%	0.104	0.107	0.109	0.111	0.113	0.115	0.118
19%	81%	0.105	0.107	0.109	0.112	0.114	0.116	0.119
20%	80%	0.105	0.108	0.110	0.113	0.115	0.118	0.120
21%	79%	0.105	0.108	0.111	0.113	0.116	0.119	0.121

Proportional Heat Input, % of total		JEC Unit 2 and 3 NOx rates (lb/mmBTU) for Super Compliance Allowance Calculation, based on Unit 1 30-Day Rolling Average Unit Emission Rate (lb/mmBTU) on the Day Immediately preceding Unit 1 Shutdown						
Unit 1	Units 2-3	0.08	0.07	0.06	0.05	0.04	0.03	0.02
22%	78%	0.106	0.108	0.111	0.114	0.117	0.120	0.123
23%	77%	0.106	0.109	0.112	0.115	0.118	0.121	0.124
24%	76%	0.106	0.109	0.113	0.116	0.119	0.122	0.125
25%	75%	0.107	0.110	0.113	0.117	0.120	0.123	0.127
26%	74%	0.107	0.111	0.114	0.118	0.121	0.125	0.128
27%	73%	0.107	0.111	0.115	0.118	0.122	0.126	0.130
28%	72%	0.108	0.112	0.116	0.119	0.123	0.127	0.131
29%	71%	0.108	0.112	0.116	0.120	0.125	0.129	0.133
30%	70%	0.109	0.113	0.117	0.121	0.126	0.130	0.134
31%	69%	0.109	0.113	0.118	0.122	0.127	0.131	0.136
32%	68%	0.109	0.114	0.119	0.124	0.128	0.133	0.138
33%	67%	0.110	0.115	0.120	0.125	0.130	0.134	0.139
34%	66%	0.110	0.115	0.121	0.126	0.131	0.136	0.141
35%	65%	0.111	0.116	0.122	0.127	0.132	0.138	0.143
36%	64%	0.111	0.117	0.123	0.128	0.134	0.139	0.145
37%	63%	0.112	0.118	0.123	0.129	0.135	0.141	0.147
38%	62%	0.112	0.118	0.125	0.131	0.137	0.143	0.149
39%	61%	0.113	0.119	0.126	0.132	0.138	0.145	
40%	60%	0.113	0.120	0.127	0.133	0.140	0.147	
41%	59%	0.114	0.121	0.128	0.135	0.142	0.149	
42%	58%	0.114	0.122	0.129	0.136	0.143		
43%	57%	0.115	0.123	0.130	0.138	0.145		
44%	56%	0.116	0.124	0.131	0.139	0.147		
45%	55%	0.116	0.125	0.133	0.141	0.149		
46%	54%	0.117	0.126	0.134	0.143			
47%	53%	0.118	0.127	0.135	0.144			
48%	52%	0.118	0.128	0.137	0.146			
49%	51%	0.119	0.129	0.138	0.148			
50%	50%	0.120	0.130	0.140				
51%	49%	0.121	0.131	0.142				
52%	48%	0.122	0.133	0.143				
53%	47%	0.123	0.134	0.145				
54%	46%	0.123	0.135	0.147				
55%	45%	0.124	0.137	0.149				
56%	44%	0.125	0.138					
57%	43%	0.127	0.140					
58%	42%	0.128	0.141					
59%	41%	0.129	0.143					
60%	40%	0.130	0.145					
65%	35%	0.137						
70%	30%	0.147						

5. For each day excluded from the definition of Plant-Wide Operating Day, multiply the total daily heat input from Step b.1 by the rate determined in Step b.4 to determine the daily calculated tons.

6. Subtract the actual tons of NOx emissions (from Step b.1) for that day from the tons calculated in Step b.5 to determine the daily Super-Compliance Allowance tons for each day excluded from the definition of Plant-Wide Operating Day.

7. Sum all NOx values from Step b.6 for each day excluded from the definition of Plant-Wide Operating Day over the course of the applicable NOx Allowance reporting period.

c. Total Super-Compliance Tons Calculation. Add the Plant-Wide Operating Day Super-Compliance Allowance tons calculated in subparagraph (a) to the Super-Compliance Allowance tons calculated in subparagraph (b) for the days during the NOx Allowance reporting period that are excluded from the definition of Plant-Wide Operating Day to determine the overall Super-Compliance Allowance tons for the applicable NOx Allowance reporting period.

7. A "clean" version of Paragraph 64, as modified, follows:

64. Provided that Westar is in compliance with the Plant-Wide 12-Month Rolling Tonnage limitation for NOx and the NOx 12-Month Rolling Tonnage limitation, nothing in this Consent Decree shall preclude Westar from selling or transferring NOx Allowances allocated to JEC that become available for sale or trade solely as a result of achievement and maintenance of an Emission Rate below the NOx rates required by this Consent Decree. If Westar elects to

claim Super-Compliance Allowances, Westar shall determine the amount of Super-Compliance Allowances in accordance with the procedures identified in subparagraphs (a)-(c) beginning in Calendar Year 2018 and continuing each calendar year thereafter:

a. Super-Compliance Allowance calculation for Plant-Wide Operating Days

1. Determine the total daily heat input and daily NOx emissions from JEC Units 1, 2 and 3 for all Plant-Wide Operating Days during the NOx Allowance reporting period.

2. For each day, multiply the total daily heat input (from Step a.1) by the 0.100 lb/mmbtu compliance level rate to determine the daily calculated tons.

3. Subtract the actual tons of NOx emissions (from Step a.1) for that day from the tons calculated in Step a.2 to determine the daily Plant-Wide Operating Day Super-Compliance Allowance tons.

4. Sum all NOx values from Step a.3 for each Plant-Wide Operating Day over the course of the applicable NOx allowance reporting period.

b. Super-Compliance Allowance calculation for days during the NOx Allowance reporting period that are excluded from the definition of Plant-Wide Operating Day.

1. Determine the total daily heat input and daily NOx emissions from JEC Units 2 and 3 for days during the NOx Allowance reporting period that are excluded from the definition of Plant-Wide Operating Day.

2. Determine the JEC Unit 1 30-Day Rolling Average Unit Emission Rate for NOx on the day immediately preceding the Unit 1 Shutdown.

3. Determine the average proportional heat input for JEC Unit 1 and JEC Units 2 and 3 for the 30 Plant-Wide Operating Days immediately preceding the JEC Unit 1 Shutdown.

4. Based upon the rate determined in Step b.2 and the proportional heat input determined in Step b.3, use the table below to determine the JEC Unit 2/Unit 3 rate to be used in the calculation. The rates listed below provide the approximate rate at which JEC Units 2 and/or 3 would have had to operate to comply with the Plant-Wide 30-Day Rolling Average Emission Rate for NOx at JEC of 0.100 lb/mmbtu if Unit 1 had been operating.

Proportional Heat Input, % of total		**JEC Unit 2 and 3 NOx rates (lb/mmBTU) for Super Compliance Allowance Calculation, based on Unit 1 30-Day Rolling Average Unit Emission Rate (lb/mmBTU) on the Day Immediately preceding Unit 1 Shutdown**						
Unit 1	**Units 2-3**	**0.08**	**0.07**	**0.06**	**0.05**	**0.04**	**0.03**	**0.02**
0%	100%	0.100	0.100	0.100	0.100	0.100	0.100	0.100
1%	99%	0.100	0.100	0.100	0.101	0.101	0.101	0.101
2%	98%	0.100	0.101	0.101	0.101	0.101	0.101	0.102
3%	97%	0.101	0.101	0.101	0.102	0.102	0.102	0.102
4%	96%	0.101	0.101	0.102	0.102	0.103	0.103	0.103
5%	95%	0.101	0.102	0.102	0.103	0.103	0.104	0.104
6%	94%	0.101	0.102	0.103	0.103	0.104	0.104	0.105
7%	93%	0.102	0.102	0.103	0.104	0.105	0.105	0.106
8%	92%	0.102	0.103	0.103	0.104	0.105	0.106	0.107
9%	91%	0.102	0.103	0.104	0.105	0.106	0.107	0.108
10%	90%	0.102	0.103	0.104	0.106	0.107	0.108	0.109
11%	89%	0.102	0.104	0.105	0.106	0.107	0.109	0.110
12%	88%	0.103	0.104	0.105	0.107	0.108	0.110	0.111
13%	87%	0.103	0.104	0.106	0.107	0.109	0.110	0.112
14%	86%	0.103	0.105	0.107	0.108	0.110	0.111	0.113
15%	85%	0.104	0.105	0.107	0.109	0.111	0.112	0.114

Proportional Heat Input, % of total		JEC Unit 2 and 3 NOx rates (lb/mmBTU) for Super Compliance Allowance Calculation, based on Unit 1 30-Day Rolling Average Unit Emission Rate (lb/mmBTU) on the Day Immediately preceding Unit 1 Shutdown						
Unit 1	Units 2-3	0.08	0.07	0.06	0.05	0.04	0.03	0.02
16%	84%	0.104	0.106	0.108	0.110	0.111	0.113	0.115
17%	83%	0.104	0.106	0.108	0.110	0.112	0.114	0.116
18%	82%	0.104	0.107	0.109	0.111	0.113	0.115	0.118
19%	81%	0.105	0.107	0.109	0.112	0.114	0.116	0.119
20%	80%	0.105	0.108	0.110	0.113	0.115	0.118	0.120
21%	79%	0.105	0.108	0.111	0.113	0.116	0.119	0.121
22%	78%	0.106	0.108	0.111	0.114	0.117	0.120	0.123
23%	77%	0.106	0.109	0.112	0.115	0.118	0.121	0.124
24%	76%	0.106	0.109	0.113	0.116	0.119	0.122	0.125
25%	75%	0.107	0.110	0.113	0.117	0.120	0.123	0.127
26%	74%	0.107	0.111	0.114	0.118	0.121	0.125	0.128
27%	73%	0.107	0.111	0.115	0.118	0.122	0.126	0.130
28%	72%	0.108	0.112	0.116	0.119	0.123	0.127	0.131
29%	71%	0.108	0.112	0.116	0.120	0.125	0.129	0.133
30%	70%	0.109	0.113	0.117	0.121	0.126	0.130	0.134
31%	69%	0.109	0.113	0.118	0.122	0.127	0.131	0.136
32%	68%	0.109	0.114	0.119	0.124	0.128	0.133	0.138
33%	67%	0.110	0.115	0.120	0.125	0.130	0.134	0.139
34%	66%	0.110	0.115	0.121	0.126	0.131	0.136	0.141
35%	65%	0.111	0.116	0.122	0.127	0.132	0.138	0.143
36%	64%	0.111	0.117	0.123	0.128	0.134	0.139	0.145
37%	63%	0.112	0.118	0.123	0.129	0.135	0.141	0.147
38%	62%	0.112	0.118	0.125	0.131	0.137	0.143	0.149
39%	61%	0.113	0.119	0.126	0.132	0.138	0.145	
40%	60%	0.113	0.120	0.127	0.133	0.140	0.147	
41%	59%	0.114	0.121	0.128	0.135	0.142	0.149	
42%	58%	0.114	0.122	0.129	0.136	0.143		
43%	57%	0.115	0.123	0.130	0.138	0.145		
44%	56%	0.116	0.124	0.131	0.139	0.147		
45%	55%	0.116	0.125	0.133	0.141	0.149		
46%	54%	0.117	0.126	0.134	0.143			
47%	53%	0.118	0.127	0.135	0.144			
48%	52%	0.118	0.128	0.137	0.146			
49%	51%	0.119	0.129	0.138	0.148			
50%	50%	0.120	0.130	0.140				
51%	49%	0.121	0.131	0.142				
52%	48%	0.122	0.133	0.143				
53%	47%	0.123	0.134	0.145				
54%	46%	0.123	0.135	0.147				
55%	45%	0.124	0.137	0.149				
56%	44%	0.125	0.138					
57%	43%	0.127	0.140					
58%	42%	0.128	0.141					

Proportional Heat Input, % of total		JEC Unit 2 and 3 NOx rates (lb/mmBTU) for Super Compliance Allowance Calculation, based on Unit 1 30-Day Rolling Average Unit Emission Rate (lb/mmBTU) on the Day Immediately preceding Unit 1 Shutdown						
Unit 1	Units 2-3	0.08	0.07	0.06	0.05	0.04	0.03	0.02
59%	41%	0.129	0.143					
60%	40%	0.130	0.145					
65%	35%	0.137						
70%	30%	0.147						

5. For each day excluded from the definition of Plant-Wide Operating Day, multiply the total daily heat input from Step b.1 by the rate determined in Step b.4 to determine the daily calculated tons.

6. Subtract the actual tons of NOx emissions (from Step b.1) for that day from the tons calculated in Step b.5 to determine the daily Super-Compliance Allowance tons for each day excluded from the definition of Plant-Wide Operating Day.

7. Sum all NOx values from Step b.6 for each day excluded from the definition of Plant-Wide Operating Day over the course of the applicable NOx Allowance reporting period.

c. Total Super-Compliance Tons Calculation. Add the Plant-Wide Operating Day Super-Compliance Allowance tons calculated in subparagraph (a) to the Super-Compliance Allowance tons calculated in subparagraph (b) for the days during the NOx Allowance reporting period that are excluded from the definition of Plant-Wide Operating Day to determine the overall Super-Compliance Allowance tons for the applicable NOx Allowance reporting period.

8. All provisions of the Consent Decree unaffected by these modifications shall operate in conjunction with these new provisions in the same manner as if the new provisions had been included in the Consent Decree when it was entered on March 26, 2010.

9. Except as specifically provided in this Joint Stipulation, the Parties intend that all other terms and conditions of the Consent Decree remain unchanged and in full effect.

Signature Page for Joint Stipulation to Modify Consent Decree in *United States of America, et al. v. Westar Energy, Inc.*, Civil Action No. 2:09-02059-JAR

FOR THE UNITED STATES OF AMERICA:

JEFFREY H. WOOD
Acting Assistant Attorney General
Environment & Natural Resources Division
U.S. Department of Justice

MARK C. ELMER
Senior Counsel
Environmental Enforcement Section
U.S. Department of Justice
999 18th Street, South Terrace, Suite 370
Denver, CO 80202
PH: 303.844.1352
FX: 303.844-1350
Email: Mark.Elmer@usdoj.gov
VA State Bar No. 37575

THOMAS E. BEALL
United States Attorney

CHRISTOPHER ALLMAN
Assistant United States Attorney
500 State Avenue, Suite 360
Kansas City, Kansas 66101
PH: 913.551.6730
FX: 913.551.6599
Email: Chris.Allman@usdoj.gov
KS S. Ct. No. 14225

Attorneys for the United States

Signature Page for Joint Stipulation to Modify Consent Decree in *United States of America, et al. v. Westar Energy, Inc.*, Civil Action No. 2:09-02059-JAR

FOR THE STATE OF KANSAS:

KATE J. GLEESON
Special Assistant Attorney General for
Kansas Department of Health and Environment
1000 S.W. Jackson, Suite 560
Topeka, Kansas 66612-1368
PH: 785.296.1607
FX: 785.559.4272
Email: Kate.Gleeson@ks.gov
KS S. Ct. No. 25518

Signature Page for Joint Stipulation to Modify Consent Decree in *United States of America, et al. v. Westar Energy, Inc.*, Civil Action No. 2:09-02059-JAR

FOR DEFENDANT WESTAR ENERGY, INC.:

LARRY D. IRICK
Vice President, General Counsel and Corporate Secretary
Westar Energy, Inc.