



Consequently, NorthWestern respectfully urges EPA to use its discretion under the Clean Air Act and E.O.s 13990 and 12898 to take the following actions:

- (1). Withdraw the Proposed Rule, revisiting the subject closer to the eight year timeframe provided in Clean Air Act Section 112(d)(6), or earlier if and when actual technological advancements occurring since the 2020 RTR satisfy the conditions for revisitation of standards set forth in Section 112(d)(6);
- (2). If the Proposed Rule is not withdrawn, create a source subcategory that exempts those facilities presently employing wet scrubber technology without ESP or fabric filter add-ons until the next RTR; and/or
- (3). Create a retirement subcategory allowing units to continue to meet the existing 0.03 lb/MMBtu fPM standard so long as they opt-in to the retirement subcategory within 18 months after finalization of the rule, with a retirement date no later than December 31, 2035 (and where continued operation after 2035 would later be permitted if (i) the unit is essential to maintain regional grid reliability, as determined by the Western Regional Adequacy Program, Regional Transmission Organizations, Independent System Operators, North American Electric Reliability Corporation, or other similar system reliability authorities; or (ii) or if EPA determines that additional time is required to allow the unit to transition to renewable or clean energy generation).

The foregoing courses of action are the only options that comply with the statutory requirements of the Clean Air and Administrative Procedure Acts, and are consistent with the objectives of E.O.s 13990 and 12898.

2. NorthWestern's commitment to environmental and climate responsibility

NorthWestern is a strong proponent of environmental protection, consistent with its responsibilities to deliver reliable, cost-efficient electrical service to its customers. To that end, NorthWestern has a corporate objective to achieve net zero emissions by 2050 ("Net Zero 2050"). A copy is attached as Exhibit A. NorthWestern already has one of the highest percentages of carbon-free generation in the United States, and has significant additional carbon and other emissions-reducing projects in development. Although NorthWestern disagrees strongly with the Proposed Rule, this should not be confused with opposition to environmental protection or the objectives of E.O. 13990.