

costs, and initial PS-11 correlation testing”). Not to mention the costs of maintaining a full-time employee to operate PM CEMS and the costs of lost generation during testing events for CEMS. Luminant Comments at 16-17. There are also market factors which limit the availability of installing and operating CEMS by the compliance deadline. There are a limited number of vendors for CEMS, as well as a limited number of professionals certified to install and test CEMS. Currently, two-thirds of facilities utilize stack testing and would need to install CEMS by July 2027, which would overwhelm the current supply of CEMS and the availability of professionals certified to inspect and test the newly installed systems. *See* Class of ’85 Comments at 16.

III. It is in the Interest of National Security to Issue an Exemption for the Rule

The requested exemptions from the MATS RTR are in the national security interests of the United States. The Rule adversely affects the nation’s energy generation capacity and threatens grid stability and the supply of affordable, reliable energy. The Rule’s stringent limits and the high costs associated with compliance, particularly in combination with other rulemakings impacting coal-fired EGUs, place a considerable burden on the operation of Colecto Creek. And MATS rules have historically resulted in the loss of generation capabilities—the 2012 MATS rule resulted in the retirement of approximately 60,000 MW of coal-fired capacity. Pet’rs’ Brief at 23. As explained in Luminant’s Comments, coal plants “continue to be of paramount importance for grid reliability during the transition to renewables.” *Id.* at 29.

Energy generation and grid reliability have, in turn, been identified by the President as issues of national security and it is, therefore, in the interest of the nation to exempt sources from compliance with the MATS RTR. As set forth in President Trump’s Executive Order (“E.O.”) 14156, *Declaring a National Energy Emergency*, the “generation capacity of the United States [is] . . . far too inadequate to meet our Nation’s needs” and “a reliable, diversified, and affordable supply of energy” is necessary to ensure “military preparedness.” 90 Fed. Reg. 8,433, 8,433 (Jan. 29, 2025). The E.O. continues, “integrity . . . of our Nation’s energy infrastructure—from coast to coast—is an immediate and pressing priority for the protection of the United States’ national and economic security,” while “insufficient energy production . . . constitutes an unusual and extraordinary threat to our Nation’s economy, national security, and foreign policy.” *Id.* at 8,433-34. As explained above, the MATS RTR is one of the “policies” that has been identified as contributing to the “inadequate and intermittent energy supply” and “increasingly unreliable grid.” *Id.* at 8,433.

Similarly, in E.O. 14154, *Unleashing American Energy*, President Trump acknowledged that prior regulations—which include this Rule—have “limited the generation of reliable and affordable electricity” and, in turn, “weaken[ed] our national security.” 90 Fed. Reg. 8,353, 8,353 (Jan. 29, 2025). This E.O. plainly states it is in “the national interest to unleash America’s affordable and reliable energy” and that ensuring “an abundant supply of reliable energy” will help “protect the United States’s economic and national security and military preparedness.” *Id.* Providing an exemption for compliance with the MATS RTR will achieve these goals of ensuring national security through the supply of reliable energy. Moreover, E.O. 14154 specifically calls for the review and potential rescission of rules like this one, which “impose an undue burden on the . . . use of domestic energy resources.” *Id.* at 8,354.