

"Because the EPA does not possess all of the information or analytical tools needed to quantify the BSER (Best system of Emission Reduction) for the two non-contiguous states with otherwise affected EGUs (Alaska and Hawaii) and the two U.S. territories with otherwise affected EGUs (Guam and Puerto Rico), these emission guidelines do not apply to those areas, and those areas will not be required to submit state plans on the schedule required by this final action."

As discussed above, EU IDs 1 and 2 are at a unique disadvantage because:

- The EGUs are in Alaska;
- The co-benefit of PM emission control is not applicable;
- In the case of EU ID 2, no other EGUs exist with similar combustion and emissions control characteristics; and
- In the case of EU ID 2, the EGU is an existing unit that was started up after the MATS rule was promulgated.

Because EU IDs 1 and 2 are located in Alaska, EPA does not have a thorough understanding of the costs associated with MATS. This lack of understanding is compounded because the suspended operation of the EU ID 2 until after the final MATS rule was promulgated did not allow for testing to determine whether the MATS mercury limit was appropriate for EU ID 2. As a result, EPA does not possess all of the information needed to determine whether the costs associated with meeting the MACT mercury requirements for EU ID 1 and 2 are appropriate and necessary. Based on this lack of information, and consistent with the EPA determination for 40 CFR 60 Subpart UUUU, GVEA is requesting that the MACT rule, 40 CFR 63 Subpart UUUUU, be rescinded with respect to Healy Power Plant EU IDs 1 and 2.

Because EU IDs 1 and 2 are the only MATS EGUs in Alaska, rescinding MATS applicability for these EGUs would effectively result in rescinding the MATS rule for Alaska. As noted above, such a decision would be consistent with past Congressional and EPA actions that recognized differences between the contiguous 48 states and Alaska, which tailored rules to accommodate these differences.