

Under CAA Section 112(i)(4), the President of the United States is authorized to grant up to two-year exemptions from compliance obligations for any NESHAP if the President determines that “the technology to implement such standard is not available and that it is in the national security interests of the United States to do so.” 42 U.S.C.S. § 7412(i)(4). On March 12, 2025, EPA announced reconsideration of the MATS Rule and requested feedback from affected sources on why technology is unavailable and why it is in the national security interests of the United States to provide an exemption to the MATS Rule.² Subsequent correspondence from EPA formally solicited requests for Presidential Exemptions under CAA Section 112(i)(4) by March 28, 2025.

Basin Electric hereby requests Presidential Exemptions from all requirements of the 2024 MATS Rule for the following affected EGUs that Basin Electric owns and operates:

- Leland Olds Station Units 1 and 2;
- Laramie River Station Units 1, 2, and 3;
- Antelope Valley Station Units 1 and 2; and
- Dry Fork Station Unit 1.

These EGUs provide significant electrical power to four different electricity grid systems: the Southwest Power Pool, Midwest Independent System Operator, Northwest Power Pool, and Western Area Power Administration’s Rocky Mountain Region. In total, the affected EGUs produce 3,665 megawatts (“MW”) of electricity:

- Leland Olds Station: 660 MW
- Laramie River Station: 1700 MW
- Antelope Valley Station: 900 MW
- Dry Fork Station: 405 MW

We understand that the “Class of ‘85 Regulatory Response Group” will be submitting a letter to Administrator Zeldin on March 31, 2025, which will recommend exemptions from the 2024 MATS Rule for affected facilities. The Class of ‘85 is a voluntary, ad hoc coalition of over 40 electric generating companies from across the country that have been actively involved in the development of CAA regulations for 35 years. Basin Electric adopts the findings of the forthcoming Class of ‘85 Letter. For the reasons discussed at length in the Class of ‘85 Letter and explained herein, Presidential Exemptions are necessary for Basin Electric’s affected facilities

² EPA, *Fact Sheet – Reconsideration of Mercury and Air Toxics Standards* (Mar. 12, 2025), <https://www.epa.gov/system/files/documents/2025-03/fact-sheet-reconsideration-of-mercury-and-air-toxics-standards.pdf>.