

ultimately cease operation immediately upon the Final Rule compliance date.

71. With respect to the fPM limitation, Minnkota is unable to meet the New fPM Limitation with its existing technology at full capacity at MRY Unit 2.

72. An ESP rebuild project must take place at a minimum. If further study indicates that an ESP upgrade is not sufficient, Minnkota must install a baghouse. If Minnkota cannot commence these projects – either due to cost or timing – then MRY would be forced to cease operation beginning on the MATS compliance date.

73. Minnkota is immediately harmed because it must expend financial resources to commence testing and project development to lower its fPM and mercury emissions and even have an opportunity to meet the MATS RTR compliance deadline.

74. In summary, the Rule may force MRY off-line due to control infeasibility, cost, or project timing. The Rule would cause this dispatchable,