

***1. Existing PM CEMS technology is not capable of measuring fPM emissions at the level required by the 2024 MATS Rule.***

As highlighted in the forthcoming Class of '85 Letter, EPA acknowledged that PM CEMS presents technical challenges that impact the feasibility of compliance by the 2027 deadline. Indeed, in the Rule, EPA stated that “measuring very low and non-normal high fPM emissions can be challenging” using PM CEMS.<sup>9</sup> Though other continuous monitoring methods to directly measure non-mercury hazardous air pollutant metals are being developed, they are not currently available on the market.<sup>10</sup> Because the technology necessary for compliance with this requirement is not yet available, two-year Presidential Exemptions from the use of PM CEMS at Basin Electric’s affected EGUs are necessary.

***2. The necessary studies, procurement, and construction of the technology necessary to comply with the new standards cannot be completed by the 2027 implementation deadline.***

Basin Electric is currently working with its consultants to study whether upgrades to the emission control systems currently installed at the affected EGUs are necessary to comply with the fPM standard as well as the mercury emission standard for lignite-fired EGUs under the 2024 MATS Rule. Consistent with the discussion of this issue in the Class of '85 Letter, continuous compliance with the fPM standard is not possible with the emission controls currently installed at Basin Electric’s EGUs. To identify necessary upgrades, Basin Electric is conducting comprehensive emissions testing at its affected EGUs.

Once the studies are complete, Basin Electric’s consultants will need additional time to analyze the data and identify the necessary upgrades. This process has two possible outcomes—to comply with the new fPM standard, Basin Electric will need to either completely rebuild its hydrostatic precipitators with new parts or install baghouses. Under either scenario, upgrading the emission control systems by the 2027 deadline will have direct impacts on Basin Electric’s ability to reliably operate its EGUs.

After identifying the upgrades, Basin Electric will have to navigate a protracted procurement process for the necessary parts and equipment, which can take up to a year. The timeline is then further complicated by the need to construct the upgrades during EGU outages, which are systematically planned by Basin Electric and approved by electricity grids operators years in advance to prevent grid disruptions. For Leland Olds Station Unit 1 and Laramie River Station Unit 1, the next available outage window for such construction will be in 2027. For Leland

<sup>9</sup> See EPA, *Summary of Public Comments and Responses on Proposed Rule*, 58 (Apr. 2024).

<https://www.regulations.gov/document/EPA-HQ-OAR-2018-0794-6922>.

<sup>10</sup> *Id.* (citing EPRI, *Demonstration of Sorbent Traps for Continuous Measurement of Metal Hazards Air Pollutants (HAPS)* (Oct. 2024), <https://nsites.epri.com/spn/research/056617/demonstration-of-sorbent-traps-for-continuous-measurement-of-metal-hazards-air-pollutants-haps>).