

Miami Fort Power Company, LLC

Miami Fort Power Company, LLC
11021 Brower Rd
North Bend, OH 45052

March 31, 2025

Submitted via email to airaction@epa.gov

President Donald J. Trump
c/o Administrator Lee M. Zeldin
Office of the Administrator (1101A)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Presidential Exemption: *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units Review of the Residual Risk and Technology Review*, 89 Fed. Reg. 38,508 (May 7, 2024): Miami Fort Power Plant Unit 1 (B015) and Unit 2 (B016).

Dear President Trump:

Please accept this letter on behalf of Miami Fort Power Company LLC requesting a Presidential exemption under Section 112(i)(4) of the Clean Air Act (“CAA”) from compliance with the filterable particulate matter (“fPM”) surrogate emission standard for non-mercury metal hazardous air pollutants (“HAP”) and the requirement to install continuous emissions monitoring systems (“CEMS” or “PM CEMS”) under the above-referenced rule (the “MATS RTR” or the “Rule”) for Miami Fort Power Plant Units 1 (B015) and Units 2 (B016) (“Miami Fort”). Miami Fort Power Company LLC is requesting a 2-year exemption, beginning July 6, 2027, from these requirements for the Miami Fort Power Plant.

The MATS RTR amended 40 C.F.R. Part 63 Subpart UUUUU and became effective on July 8, 2024. Under the Rule, the Miami Fort electric generating units (“EGUs”) are required to reduce fPM emissions from 0.030 lb/MMBtu to 0.010 lb/MMBtu. Compliance is based on a continuous, 30-day rolling limit. In addition, the Rule requires all coal-fired EGUs to install CEMS to implement the revised fPM standard, rather than allowing EGUs to continue to use stack testing to demonstrate compliance. The compliance deadline for meeting the fPM standard and for installing and using PM CEMS is July 6, 2027, but work to design, purchase, and install the necessary controls and the new CEMS would need to begin much sooner.

Under Section 112(i)(4) of the Clean Air Act, the President may issue exemptions “from compliance with any standard or limitation under this section for a period of not more than 2 years 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. § 7412(i)(4). Accordingly, the President is authorized to exercise his discretion to exempt EGUs from complying with the MATS RTR where (1) the technology required “to implement” the standard