



Seward
Generation

595 Power Plant Road
New Florence, PA 15944
814-446-7162

March 31, 2025

President Donald J. Trump
The White House
Office of the President
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

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 FR 38508; May 7, 2024) (MATS Rule): Seward Generation LLC

Dear President Trump:

In accordance with the terms of your Executive Orders and to Power the Great American Comeback, Seward Generation LLC (Seward) hereby requests a Presidential exemption for the Seward Generating Station with respect to compliance with the MATS Rule for a period of two years because the technology to implement the standard is not available and it is in the national security interests of the United States to do so.

Emissions standards or limitations subject to the request

This request is for exemption from compliance with the "National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units Review of the Residual Risk and Technology Review"

Length of compliance period being requested

Two years.

Seward notes that the two-years will cover sources beyond the original compliance date of July 2027, allowing an extension to July 2029 and that the statute allows for potential renewal.

Justification to support the request

As is shown below the Seward facility is a Low Emitting EGU (LEE) affected MATS facility. Mercury testing occurs annually, and particulate testing is conducted every three years in accordance with the Title V Operating Permit. The plant continues to meet LEE criteria and are in compliance with not only the current PM emission limit of 0.030 lbs/mmBtu and would also be in compliance with "new" compliance limit of 0.010 lbs/mmBtu.



Seward
Generation

595 Power Plant Road
New Florence, PA 15944
814-446-7162

FACILITY	PADEP LIMIT	PM	EPA MATS PM LIMIT	EPA MATS LIMIT PROPOSED	RECENT TESTED PM EMISSION VALUE
Seward Generation	0.10 lbs/mmbtu		0.030 lbs/mmbtu	0.010 lbs/mmbtu	0.00736 lbs/mmbtu

Under the MATS Rule, there is a requirement to install PM CEMS. Seward submits that the technology to implement such standard is not available, installing relevant upgrades that are needed to comply by the Rule's Compliance Deadline is not feasible, converting to Gas-fired Boilers is not feasible by the rule's compliance deadline, and that there are various issues with PM CEMS that demonstrate a lack of technical availability by of means of demonstrating compliance with the rule.

Seward believes that EPA significantly underestimated costs associated with a PM CEMS. Installation of a PM CEMS at a single unit, including site preparation and engineering activities, analyzer equipment and installation cost, and initial PS-11 correlation testing is estimated to range from \$180,000 to over \$400,000 (depending on vendor and brand). However, Seward estimates that the installation of PM CEMS at all three plants could exceed \$350,000-\$550,000.00 and would include analyzers, engineering stack studies/port installation, upgraded umbilical collection lines, revise DAHS programming, daily calibrations, semi-annual RATA certifications, and annual maintenance. Another factor is that CEMS parts need to be replaced over time. Manufacturers have stopped making CEMS replacement parts, making it necessary to replace an entire PM CEMS system more often. In addition, EPA did not account in its MATS Rule for the fact that PM CEMS needing to be replaced every 10 years or the cost of the replacement (\$180,000 to over \$400,000).

Seward notes that ongoing PM CEMS correlation testing with injection of media in the effluent to artificially raise emission levels costs at least \$250,000 per test evolution at one source, and testing is required by MATS once every three years. For some EGUs, annual costs associated with a PM CEMS are estimated to range from \$92,900 to over \$154,600, whereas annual costs associated with stack testing are estimated to range from \$24,000 to \$32,000.



Seward
Generation

595 Power Plant Road
New Florence, PA 15944
814-446-7162

During the comments period on the proposed MATS Rule, many commenters provided data showing that, by eliminating the LEE provisions which allow once per three-year emissions testing as an incentive to be a low emitter, EPA is forcing massive cost increases by the requirement of continuous emissions monitoring, record keeping, and reporting on the lowest emitting affected EGUs.

Seward believes that PM CEMS cannot be used to demonstrate compliance with the new MATS Rule. The fPM standards were lowered by 2/3rds. Starting in 2027, sources will be required to demonstrate compliance with a PM CEMS on the more stringent fPM standards which are 0.010 lbs/MMBtu. Demonstrating compliance with emissions standards this low utilizing a PM CEMS is not a viable option. Some units have used PM CEMS for many years and have encountered problems with operating their PM CEMS with regard to (i) meeting the Quality Assurance-Quality Control (QA-QC) criteria; and (ii) establishing the correlation curve.

PM CEMS also fail to meet the QA/QC criteria. When a PM CEMS fails to meet the QA-QC criteria, the collected data are considered out-of-control and are no longer considered valid. An owner/operator has no real time indication that its EGU might have failed the required QA-QC criteria until several weeks after the testing has been completed. This could result in hundreds of hours of monitor downtime being created retroactively after the QA-QC criteria failure has been identified and is required to be reported as a deviation under the MATS rule. Most states have minimum data availability requirements that could result in enforcement actions. At the more stringent fPM standard of 0.010 lb/MMBtu, the likelihood of out-of-control periods increases. This downtime is not reflective of poor maintenance or operation but rather the difficulties associated with the quality assurance procedure at such low emission levels and is not accounted for in the EPA analysis.

Finally, there currently is no calibration procedure available that can accurately verify continuous measurements of fPM at levels as low as 0.010 lb/MMBtu. Moreover, PM CEMS is not a direct measure of compliance with the applicable emission limitation; rather, emissions are correlated and as such can be in error as much as +/- 25% when having to correlate to standards as low as 0.010 lbs/MMBtu.



Seward
Generation

595 Power Plant Road
New Florence, PA 15944
814-446-7162

National security interests of the United States to provide the exemption

Several of President Trump's Executive orders support the national security interest in granting this exemption, including:

EO 14156, Declaring a National Energy Emergency

- o "Our nation's current inadequate development of domestic energy resources... poses an imminent and growing threat to the United States'... national security."
- o "The United States' in sufficient energy production, transportation, refining, and generation constitutes an ... extraordinary threat to our... national security."

EO14154, Unleashing American Energy

- o "It is the policy of the United States... to protect the (Nation's) economic and national security... by ensuring that an abundant supply of reliable energy is readily accessible."
- o "High energy costs... weaken our national security."

Executive Order 14213 – "Establishing the National Energy Dominance Council"

Accordingly, Seward believes that a Presidential Exemption is in the national security interests of the United States. There is growing demand for electricity to support the grid. Many states need additional electricity supply due to data centers, artificial intelligence, and manufacturing. To illustrate, the Department of Energy recently released a new report indicating that domestic energy usage (and therefore demand) from data centers is expected to double, or even triple, by 2028. The power sector also continues to break daily peak load records due to extreme weather events and generation shifting. In sum, there is significant demand for electricity and a concomitant need to reinforce system reliability and capacity.

Conclusion

For the foregoing reasons Seward respectfully requests a two-year Presidential exemption from compliance with the MATS Rule for the Seward Generation LLC.

Sincerely,

Mark Crawford
Environmental Manager
Seward Generation LLC