

emissions below 0.010 lb/MMBtu in order to ensure compliance. *See* Pet’rs’ Brief at 72. Therefore, the CEMS technology to demonstrate compliance with the revised fPM standard is unavailable.

II. It is in the Interest of National Security to Issue an Exemption for the Rule

The requested exemptions from the Rule’s revised fPM standard and CEMS requirement are in the national security interests of the United States. The Rule adversely affects the nation’s energy generation capacity and threatens grid stability and the supply of affordable, reliable energy. The Rule’s stringent revised limits and the high costs associated with compliance, particularly in combination with other rulemakings impacting coal-fired EGUs, places a considerable burden on the operation of the Martin Lake Units. And MATS rules have historically resulted in the loss of generation capabilities—the 2012 MATS rule resulted in the retirement of approximately 60,000 MW of coal-fired capacity. Pet’rs’ Brief at 23. As explained in Luminant’s Comments, coal plants “continue to be of paramount importance for grid reliability during the transition to renewables.” *Id.* at 29.

The President has identified energy generation and grid reliability as issues of national security, and it is, therefore, in the interest of the nation to exempt these units from compliance with the MATS RTR. As set forth in President Trump’s Executive Order (“E.O.”) 14156, *Declaring a National Energy Emergency*, the “generation capacity of the United States [is] . . . far too inadequate to meet our Nation’s needs” and “a reliable, diversified, and affordable supply of energy” is necessary to ensure “military preparedness.” 90 Fed. Reg. 8,433, 8,433 (Jan. 29, 2025). The E.O. continues, “integrity . . . of our Nation’s energy infrastructure—from coast to coast—is an immediate and pressing priority for the protection of the United States’ national and economic security,” while “insufficient energy production . . . constitutes an unusual and extraordinary threat to our Nation’s economy, national security, and foreign policy.” *Id.* at 8,433-34. As explained above, the MATS RTR is one of the “policies” that the President has indicated will contribute to the “inadequate and intermittent energy supply” and “increasingly unreliable grid.” *Id.* at 8,433.

Similarly, in E.O. 14154, *Unleashing American Energy*, President Trump acknowledged that prior regulations—which include this Rule—have “limited the generation of reliable and affordable electricity” and, in turn, “weaken[ed] our national security.” 90 Fed. Reg. 8,353, 8,353 (Jan. 29, 2025). This E.O. plainly states it is in “the national interest to unleash America’s affordable and reliable energy” and that ensuring “an abundant supply of reliable energy” will help “protect the United States’s economic and national security and military preparedness.” *Id.* Providing the requested exemptions will achieve these goals of ensuring national security through the supply of reliable energy. Moreover, E.O. 14154 specifically calls for the review and potential rescission of rules like this one, which “impose an undue burden on the . . . use of domestic energy resources.” *Id.* at 8,354.

Thus, in order to ensure a sufficient and reliable supply of energy, President Trump should use his lawful authority under Section 112(i)(4) of the CAA to grant the requested exemptions from compliance with the standards set forth in the MATS RTR.