letter responds to EPA's invitation. EPA also announced on its website the availability of exemptions and directed requests for exemption be submitted by March 31.[10]

Accordingly, Otter Tail and the Co-owners are seeking a two-year exemption from the MATS RTR standards at Big Stone, due to technological unavailability related to PM CEMS requirements and the time and cost necessary to meet the requirements. Section III explains that the technology required to meet the Rule's that PM standard is not available because of the infeasibility of CEMS as the compliance measure. Section IV finds that it is in the national security interest to issue an exemption from compliance with the MATS RTR for Big Stone.

III. PM CEMS Are Not Technologically Able to Assure Compliance with the Revised PM Standard

The MATS RTR requires the installation of PM CEMS to demonstrate compliance with the revised 0.010 lb/MMBtu PM standard. Big Stone has easily achieved LEE status under the current MATS rule and currently complies with MATS using periodic PM stack testing. PM CEMS are not installed on its unit. For the reasons identified below, CEMS are not a technology that is available due to inaccuracies and correlation challenges at low PM levels.

The accuracy of PM CEMS at low PM emissions levels is not proven. PM CEMS do not directly measure PM emissions. In other words, the instrument does not measure the mass of PM and the volume of flue gas from which that mass of PM was sampled. Instead, commercially available PM CEMS measure some property (i.e., light scatter or beta attenuation) that must be correlated to actual stack PM measurements.[11] At lower emissions levels, PM CEMS have not been demonstrated to have the sensitivity needed to accurately account for lower emissions levels. Technological feasibility has not been proven at low PM emissions levels.[12]

Due to the indirect measurements, PM CEMS correlation testing must ensure the measurements are true to the actual PM emission rates.[13] PS-11 correlation testing requires PM spiking to create a correlation curve. EPA requires that PM CEMS undergo the certification testing outlined in Performance Specification 11 - Specifications and Test Procedures for Particulate Matter Continuous Emissions Monitoring Systems at Stationary Sources.[14] This procedure requires sources to test emissions at three levels to create a correlation curve: (1) 0 to 50% of the maximum particulate matter concentration, (2) 25 to 75% of the maximum particulate matter concentration, and (3) 50 to 100% of the maximum particulate matter concentration. If sources cannot vary PM emissions through process operations or by varying

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[10] https://www.epa.gov/stationary-sources-air-pollution/clean-air-act-section-112-presidential-exemption-information.

[11] The EPA statement at 88 Fed. Reg. at 24872, that a beta gauge "detector measures the amount of radiation emitted by the sample" is categorically incorrect and illustrative of several uninformed statements (e.g., cost estimates) about PM CEMS in the preamble to the proposed rule.

[12] *See PGEN Comments on EPA's Proposed Rule: NESHAP Coal- and Oil-Fired Electric Utility Steam Generating Units Review of the Residual Risk and Technology Review*, Docket No. EPA-HQ-OAR-2018-0794-5994, at 22 (June 28, 2023) (PGEN Comments) (citing and attaching Ralph L. Roberson, *Technical Comments on EPA's Proposed Rule: Mercury and Air Toxics Standards Risk and Technology Review*, at 3 (2023) (PM CEMS Technical Memo)).

[13] *Id.*

[14] https://www.epa.gov/sites/default/files/2019-06/documents/performance_specification_11.pdf