

Tail and the Co-owners seek an exemption for a two-year period from the current compliance date, extending to July 6, 2029. We support this request with information regarding the following:

- The new mercury limitation of 1.2 lb/TBtu has not been demonstrated as achievable on a long-term basis – as required by the MATS RTR – at Coyote Station. Without a two-year exemption, Coyote Station will need to make expenditures throughout 2025 and 2026 related to testing and monitor procurement before EPA is able to complete reconsideration of the Rule.
- The PM continuous emissions monitors (PM CEMS) required by the Rule at Coyote Station are not reliable at low levels of PM. Reliable monitoring technology is not available on or after the compliance date. Coyote Station has achieved low emitting EGU (LEE) status under the existing standards and currently uses periodic stack testing as its compliance measure.

II. Background

A. About Coyote Station

The Coyote Station, located near Beulah, ND, is an approximate 427 MW coal-fired electrical generating unit (EGU) designed to combust North Dakota lignite produced at the nearby Coyote Creek Mine. Coyote Station has been providing reliable, economical, and environmentally responsible power since 1981. Coyote Station generates electricity to support the Midcontinent Independent System Operator (MISO) and the Southwest Power Pool (SPP) portions of our national electrical grid. The Station is equipped with efficient and cost-effective environmental controls, including dry flue gas desulfurization and a fabric filter baghouse for sulfur dioxide and particulate matter control. Coyote Station is subject to the MATS RTR requirements.

B. MATS RTR and Presidential Exemption Section 112(i)(4)

1. The MATS RTR

EPA promulgated MATS under CAA Section 112 which regulates hazardous air pollutant (HAP) emissions. Congress defines EPA's scope of review for the RTR under the CAA in Sections 112(d)(6) and 112(f)(2). CAA Section 112(d)(6) defines the technology review for air toxics standards such as MATS as follows:

The Administrator shall review, and revise as necessary (taking into account developments in practices, processes, and control technologies), emission standards promulgated under this section no less often than every 8 years.⁶

⁶ 42 U.S.C. § 7412(d)(6).