

Message

From: Bertram, Mark
[Mark.Bertram@bigrivers.com]
Sent: 3/28/2025 11:48:56 PM
To: AirAction [AirAction@epa.gov]
Subject: MATS Presidential Exemption -
D.B. Wilson Station
Attachments: MATS Presidential Exemption -
D.B. Wilson Station (ORIS ID
6823).pdf
Flag: Follow up

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Please find attached a MATS exemption request for our D.B. Wilson Station, which is located in Ohio County, Kentucky.

Please contact me by email should you have questions or need additional information.

Sincerely,

Mark W. Bertram, CHMM

Director Environmental Services

Physical Address | 710 West 2nd Street | Owensboro, KY 42301

Mailing Address | P.O. Box 20015 | Owensboro, KY 42304

Office: (270) 844-6297

Cell: (270) 869-7815



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Message

From: AirAction [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FA78B98923384078995E04A73D258D83-AIRACTION]
Sent: 3/31/2025 1:49:57 PM
To: Bertram, Mark [Mark.Bertram@bigrivers.com]
Subject: RE: MATS Presidential Exemption - D.B. Wilson Station

Flag: Follow up

Thank you for emailing the AirAction mailbox to request a Presidential Exemption under section 112(i)(4) of the Clean Air Act and for engaging with EPA in advancing President Trump's Executive Orders and Powering the Great American Comeback. We have received your email and will be in contact soon. If you have Confidential Business Information (CBI) that you'd like to submit, please submit it in electronic version to the CBI@epa.gov inbox or in hardcopy to:

USEPA, OAQPS
CORE CBI Office
4930 Old Page Road
Durham, NC 27703

From: Bertram, Mark <Mark.Bertram@bigrivers.com>
Sent: Friday, March 28, 2025 7:49 PM
To: AirAction <AirAction@epa.gov>
Subject: MATS Presidential Exemption - D.B. Wilson Station

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Office: (270) 844-6297
Cell: (270) 869-7815



March 28, 2025

Mr. Lee Zeldin, Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

airaction@epa.gov

Subject: Presidential Exemption - D.B. Wilson Station, Ohio County, Kentucky
National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility
Steam Generating Units Review of the Residual Risk and Technology Review
(Federal Register - May 7, 2024)

Dear Mr. Zeldin,

D.B. Wilson Station is a 440 megawatt coal-fired electric generating unit that is owned and operated by Big Rivers Electric Corporation (BREC). BREC is a member-owned, not-for-profit, G&T Cooperative that supplies wholesale electric power to three distribution members across 22 rural counties in western Kentucky.

BREC is respectfully requesting a two-year exemption from compliance with the 0.010 lb/mmBtu filterable Particulate Matter (fPM) emission limitation that was codified in the Federal Register on May 7, 2024 as referenced in the Subject line above. The current deadline for meeting this new standard is July 6, 2027.

A new scrubber was installed at D.B. Wilson Station in December 2022 that enhanced the control efficiency of air emissions including SO₂, fPM, and acid gases (HCl). In spite of this multi-million dollar investment by BREC, compliance with the new limit of 0.010 lb/mmBtu cannot be reliably achieved at D.B. Wilson Station. EPA's own analysis corroborated this finding as documented in Appendix A of EPA's PowerPoint presentation dated April 25, 2024, which is attached for review.

The intent of the reconsidered rule is to reduce the emissions of Hazardous Air Pollutants (HAPs). fPM is considered a surrogate to HAPs, but not an actual HAP. EPA provides no evidence that periods of increased fPM concentrations correlate to an actual increase in HAP emissions at the levels of the revised standard. In addition, the basis of the fPM / non-Hg metal surrogacy was established during performance testing at full load. EPA has failed to provide supporting documentation that HAP emissions increase during periods of control device upset that may result in higher fPM concentration.

Our Generating Stations & Office Locations: Headquarters • Energy Transmission & Substation • Sebree Station • Wilson Station



Furthermore, EPA failed to consider the accuracy limitations of the measurement techniques used as the basis of the revised standard. EPA relied upon performance test data (representing only full load operation during discreet time periods) to establish a revised limitation that would apply at all times. EPA also relied on PM CEMS data in which the PM CEMS response is correlated to actual fPM measurements. On an ongoing basis, the response of the PM CEMS was considered acceptable within a broad tolerance range (the allowable measurement error was approximately ± 0.0075 lb/mmBtu).

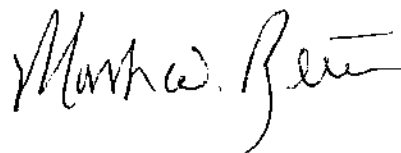
Moreover, EPA “selectively” picked data to support their desired narrative but failed to consider normal fluctuations in unit operations that are necessary to support the reliability of the nation’s energy grid and did not consider normal fluctuations in control device capabilities. EPA’s revised standard removed all compliance margin such that the cost of compliance was grossly under-estimated in the reconsidered rule.

The reliability of the nation’s energy grid is critical to the national security interests of the United States. In establishing the revised standard, EPA failed to consider normal fluctuations in unit operations that are necessary to support the reliability of the nation’s energy grid, to support future growth in demand, and to maintain fuel flexibility. Sites subject to this standard, such as D.B. Wilson Station, must commit to millions of dollars in capital investments to meet the 2027 standard, all while being faced with the regulatory uncertainty of other regulatory actions which are also being reconsidered by your Administration.

The factors noted above necessitate that companies invest significant time, money, and research to develop additional control technologies prior to July 6, 2027 knowing that emission standards in the reconsidered rule were not based on sound science, a comprehensive set of operational data, or appropriate financial considerations. We ask for the 2-year exemption to allow adequate time for your Administration to reconsider those aspects of the rule that are significantly flawed.

BREC would like to thank you in advance for the opportunity to make this request. Please contact me at mark.bertram@bigrivers.com if you have questions or need additional information.

Best Regards,



Mark W. Bertram
Director, Environmental Services
Big Rivers Electric Corporation



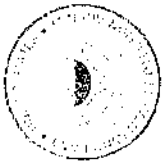
**Mercury and Air Toxics Standards (MATS)
for Coal-Fired Power Plants**
Review of the 2020 Residual Risk and Technology Review (RTR)
Final Rule

April 25, 2024



Overview

- Key Messages
- Background on MATS Since 2012
- Final Rule
- Emissions Changes, Benefits and Costs



Key Messages

- On April 25, 2024, EPA issued final revisions to strengthen the Mercury and Air Toxics Standards rule for existing coal-fired power plants.
- EPA is finalizing more stringent emissions standards and additional, cost-reasonable monitoring and control methods to further reduce harmful pollution from these sources. The final rule will reduce emissions of mercury and non-mercury metal hazardous air pollutants (HAPs), such as nickel, arsenic, and lead.
- MATS pairs a stronger filterable particulate matter (fPM) standard, as a surrogate for non-mercury HAP metals, with a requirement to use continuous emissions monitoring (CEMs) at the stack. The standard and monitoring requirements work together to increase health protection and provide operators and communities access to better, more up-to-the-moment data.
 - The fPM standard will reduce emissions of hazardous metals and ensure that the worst performing units reduce their emissions to a level that has been demonstrated by most of the existing coal-fired electric steam generating units (EGUs).
 - PM CEMS requirements mean a continuous stream of emissions and performance data will be collected hourly by all coal-fired power plants, and it will be publicly reported at regular intervals -- just like all coal-fired power plants already use CEMS for SO₂ and NO_x emissions.
- The tighter mercury standard for lignite units will ensure these units meet the same mercury standard as other coal-fired power plants.
- EPA is committed to protecting communities from the various health and environmental impacts of power plant pollution.
- This final rule provides regulatory certainty that allows states, grid operators, and power companies to make investments and planning decisions, while supporting the industry's ability to deliver reliable and affordable electricity.



Background and Timeline

- 2012 – EPA issued final MATS rule for coal- and oil-fired EGUs
 - Within 8 years of promulgating standards under Clean Air Act (CAA) section 112(d)(2), the EPA must conduct a residual risk and technology review (RTR)
 - 112(f)(2): update standards if needed to provide an ample margin of safety to protect public health
 - 112(d)(6): review and revise standards as necessary taking into account developments in practices, processes, and control technologies
- 2020 – RTR Conclusions:
 - Current MATS requirements provide ample margin of safety to protect human health; and
 - Existing air pollution control technologies in use were well-established and provided capture efficiencies necessary for compliance
- 2021 - Executive Order 13990 instructed EPA to consider publishing a notice of proposed rulemaking suspending, revising, or rescinding the 2020 RTR
 - EPA found that no revisions were warranted under risk review – the 2020 risk analysis was conducted approaches and methodologies consistent with those used in RTRs for other source categories
 - EPA found that there have been developments in the costs and effectiveness of control technologies and that many sources outperform current standards
- April 24, 2023 - Published proposed revisions to the MATS rule under Clean Air Act (CAA) 112(d)(6) technology review
- April 25, 2024 – Final Revision to MATS Rule



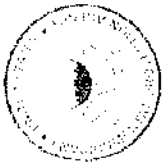
Final Rule Strengthens MATS

- Particulate Matter (PM) standard used as a surrogate for non-mercury HAP metals, and compliance demonstration requirement:
 - Tighter filterable particulate matter (fPM) standard of **0.010 lb/MMBtu**
 - Strengthens by **67 percent** compared to 2012 MATS standard of 0.030 lb/MMBtu
- Require all sources to use PM Continuous Emissions Monitoring Systems (PM CEMS) to demonstrate compliance
 - 0.010 lb/MMBtu is the lowest possible fPM limit where PM CEMS can provide valid and enforceable data
- Mercury (Hg) standard for lignite-fired EGUs
 - Tighter Hg emission standard of **1.2 lb/TBtu**
 - Strengthens by **70 percent** compared to 2012 MATS standard of 4.0 lb/Tbtu
 - 1.2 lb/TBtu is the standard that must be met by all non-lignite-fired EGUs
- Remove startup definition #2



Startup Requirements

- MATS had two options for defining startup:
 - Definition #1: startup ends when steam is used for generation or any on-site purpose
 - requires use of clean fuels for ignition and control device use when coal/oil combustion begins (except for dry scrubber or selective catalytic reduction units, which come online as conditions allow)
 - Definition #2: startup ends 4 hours after the start of generation of electricity or useful thermal energy
 - operators must provide records of clean and non-clean fuel use, load characteristics, as well as exhaust flow and PM control device parameters
- **Final Rule: Removes startup definition #2**



Emissions Changes and Public Health

- Controlling HAP emissions from power plants improves public health for all Americans by reducing the risk of fatal heart attacks, cancer, developmental delays in children, and by reducing adverse environmental impacts.
- These public health improvements are especially important for children and particularly vulnerable segments of the population such as indigenous communities, and people of color and low-income populations who regularly consume fish.
- Emissions reductions in the year 2028:
 - **1,000 pounds** of mercury;
 - **770 tons** of fine particulate matter (PM2.5)
 - **280 tons** of nitrogen oxides (NOx)
 - **65,000 tons** of carbon dioxide (CO2)
 - At least **7 tons** of non-mercury HAP metals



Benefits and Costs

- Benefits over the 10-year period from 2028-2037
 - \$300 million in health benefits
 - \$130 million in climate benefits.
- Compliance costs over the 10-year period
 - \$860 million
- These monetized benefits do not include benefits associated with reductions of HAP such as mercury, lead, arsenic, chromium, nickel, and cadmium.
- In addition, the benefits of the additional transparency provided by the requirement to use PM CEMS for communities that live near sources of HAP, and the assurance PM CEMS provide that the standards are being met on a continuous basis are not monetizable.

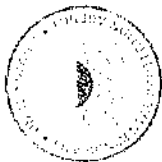


For More Information

- A copy of the final rule and fact sheets are at: [Mercury and Air Toxics Standards](#).



Appendix



Units that may need to update controls to meet MATS

- This table summarizes the locations of EGUs expected to need to upgrade existing controls to meet the final revised standards.
- EPA anticipates 33 coal-fired EGUs would need to improve or upgrade their filterable particulate matter (fPM) control technology in order to meet the finalized limit of 0.010 lb/MMBtu.
- EPA anticipates 22 lignite-fired EGUs would need to make changes to comply with the revised mercury emission standard of 1.2 lb/TBtu.

Seminole	136	fPM	Florida
Marion	976	fPM	Illinois
D.B. Wilson	6823	fPM	Kentucky
Mill Creek	1364	fPM	Kentucky
Red Hills Generating Facility	55076	Lignite & fPM	Mississippi
Labadie	2103	fPM	Missouri
Colstrip	6076	fPM	Montana
Mayo	6250	fPM	North Carolina
Roxboro	7712	fPM	North Carolina
Antelope Valley	6469	Lignite	North Dakota
Coal Creek	6030	lignite	North Dakota
Coyote	8222	Lignite	North Dakota
Leland Olds	2817	Lignite	North Dakota
Milton R Young	2823	lignite & fPM	North Dakota
Spiritwood Station	56786	Lignite	North Dakota
Colver	10143	fPM	Pennsylvania
Foster Wheeler Mt Carmel Cogen	10343	fPM	Pennsylvania
John B Rich Memorial power Station	10113	fPM	Pennsylvania
St Nicholas	54634	fPM	Pennsylvania
Westwood Generation LLC	50611	fPM	Pennsylvania
Martin Lake	6146	Lignite & fPM	Texas
Oak Grove (TX)	6180	Lignite	Texas
San Miguel	6183	Lignite	Texas
Harrison	3944	fPM	West Virginia
Mt Storm	3954	fPM	West Virginia
Jim Bridger	8066	fPM	Wyoming
Laramie River Station	6204	fPM	Wyoming