

May 26, 2023

Administrator Michael S. Regan
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Request for 60-Day Extension of Comment Deadline for New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule (EPA Docket ID No. EPA-HQ-OAR-2023-0072)

Dear Administrator Regan:

We respectfully request that EPA extend the comment period for its proposed Carbon Rule (proper citation above) by at least 60 additional days to allow time to evaluate and comment on the proposal itself as well as its technical supporting documents. As you know, EPA has provided only a 60-day comment period that ends on July 24. It is both necessary and reasonable to provide at least 120 days to comment on a profoundly consequential rule that could speed up the retirement of as much as 100,000 megawatts of coal-fired generation (more than half the existing coal fleet) and have a substantial negative impact on the coal supply chain.

America's Power is the only national trade organization whose sole mission is to advocate for the nation's fleet of coal-fired electricity generators and its supply chain that enables the coal fleet to produce affordable and reliable electricity. Membership of America's Power is composed of companies that generate electricity, produce coal, transport coal, and manufacture coal-related equipment.

The proposed Carbon Rule would have an unprecedented impact on the coal fleet, which must comply with the proposal by January 1, 2030. However, even the 2030 deadline can be misleading because the owners of the coal fleet would have less than three years to comply as states have two years (mid-2026) to submit plans to EPA after the rule is finalized, and the agency has one year (mid-2027) to approve (or disapprove) state plans.

Our current plans to evaluate the proposal include modeling (1) a base case scenario that includes the Inflation Reduction Act and other EPA rules and then (2) a scenario that includes the proposed Carbon Rule. This later scenario will highlight the impact of the proposal on the future electricity generation mix and its implications for grid reliability and resource adequacy. This is exactly the same process that EPA undertook over a period of months – not 60 or even 120 days – to evaluate its proposed Carbon Rule. We anticipate that our modeling results will be useful to EPA and other stakeholders.

Therefore, America's Power requests a 60-day extension of the current 60-day comment period. Providing an extension of the comment deadline will allow stakeholders additional time to provide thoughtful comments to assist the agency.

Sincerely,

A handwritten signature in black ink, reading "Michelle A. Bloodworth". The signature is written in a cursive style with a prominent initial "M".

Michelle Bloodworth
President and CEO