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May 31, 2023

U.S. Environmental Protection Agency  
EPA Docket center  
Docket ID No: EPA-HQ-OAR-2023-0072

Submitted via the Federal eRulemaking Portal: <http://www.regulations.gov>

Re: Comment extension request for EPA's Proposed *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*; 88 Fed. Reg. 33,240 (May 23, 2023)

On behalf of the Kentucky Energy and Environment Cabinet (Cabinet), the Division for Air Quality respectfully requests the United States Environmental Protection Agency (EPA) extend the comment period on the proposed action for an additional 90 days.

The Cabinet finds that additional time is needed to review all aspects of the proposed rule and provide meaningful comment. Multiple agencies and stakeholders will need to collaborate to fully evaluate the impacts of the proposed rule, including its five separate proposed actions: 1) revised new source performance standards (NSPS) for greenhouse gas (GHG) emissions from new fossil fuel-fired stationary combustion turbine electric generating units (EGUs); 2) revised NSPS for GHG emissions from modified fossil-fuel fired steam generating units; 3) emission guidelines (EG) for GHG emissions from existing fossil fuel-fired steam generating EGUs; 4) EG for GHG emissions from existing stationary combustion turbines; and 5) repeal of the Affordable Clean Energy (ACE) Rule.<sup>1</sup> In addition, this robust proposal overlaps with other significant recently proposed rulemakings also impacting the power sector, including the proposed Steam Electric Power Generating Effluent Limitations Guidelines (ELG), Legacy Coal Combustion Residual (CCR) Surface Impoundments and CCR Management Units rulemaking, and the Mercury and Air Toxics (MATS) Risk and Technology Review (RTR), making review even more complex.

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<sup>1</sup> 88 Fed. Reg. 33,240 (May 23, 2023).

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The Cabinet appreciates EPA's consideration of this extension request and looks forward to continuing to work with EPA in developing regulations that improve air quality for all Kentuckians. If you have questions regarding this request for extension of the comment period, please contact Ms. Cassandra Jobe, Manager of Program Planning & Administration at [Cassandra.Job@ky.gov](mailto:Cassandra.Job@ky.gov).

Sincerely,

 Recoverable Signature

X *Michael Kennedy*

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Signed by: Michael Kennedy

Michael Kennedy, P.E., Director  
Division for Air Quality