Final Rule Rescinding 2024 MATS Rule and Reinstating 2012 Standards

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On February 24, 2026, EPA finalized its recission of the 2024 Mercury and Air Toxics Standards (MATS) and reinstated the 2012 MATS. Under the Biden administration, EPA made three substantive changes to the 2012 standards. The 2024 rule: (1) strengthened the emissions standards for filterable particulate matter (fPM) (which is regulated as a way to capture non-mercury hazardous air pollution emissions such as arsenic, cadmium, chromium, lead, and nickel), (2) required coal- and oil-fired power plants to use continuous monitoring systems (PM CEMS) to measure compliance with the new fPM standard, and (3) required lignite-fired power plants to comply with the same standards as other coal-fired power plants. The 2026 rule rescinded these three changes and provided a new statutory basis for determining when EPA is required to update hazardous air pollutant (HAP) regulations under the residual risk and technology review provision of the Clean Air Act.

In this analysis, I explain the statutory basis and regulatory history of MATS and EPA's legal rationales for repealing the 2024 MATS. I then analyze the agency's response to adverse public comments and EPA's decision to not monetize public health harms when assessing the costs and benefits of the rule.

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What is the statutory basis for these standards?

Section 112 of the Clean Air Act requires EPA to regulate sources of HAPs. Based on extensive research conducted in the 1990s, EPA determined that coal- and oil-fired power plants warranted regulation.[i] In 2012, following years of litigation about this determination, EPA promulgated the MATS which regulated HAP emissions from coal- and oil-fired power plants.[1]

Following this initial regulation under section 112, the Clean Air Act requires EPA, every 8 years, to: (1) conduct a "residual risk review" to ensure regulations remain adequately protective of public health, and (2) conduct a "technology review" to determine whether advances in emission reduction technology warrant updating the standards. Collectively this process is known as the risk and technology review ("RTR").[2] In 2020, the first Trump administration conducted an RTR and determined updated MATS were not necessary.[3]

The Biden administration, however, concluded in 2024, that while the existing standards were sufficiently stringent to provide an "ample margin of safety to protect public health" pursuant to the residual risk review,[4] the technology review indicated more stringent emissions requirements were necessary.[5] The technology review requires EPA to "review, and revise [emissions standards] as necessary (taking into account developments in practices, processes, and control technologies)."[6]

[i] Rather than telling EPA to directly regulate power plants, section 112(n) of the Clean Air Act directs EPA first to study whether regulation from power plants is appropriate and necessary, and then to implement regulations if so. 42 U.S.C. § 7412(n)(1); *Michigan v. EPA*, 576 U.S. 743 (2015).

Under the Biden administration, EPA found advances in technology warranted three substantive updates.[7] In determining whether these updates were "necessary" under the statute, EPA considered available technologies, their relative costs and effectiveness in controlling emissions, and the burden on regulated power plants to comply.[8] Using the information EPA had gathered in the 2020 RTR, EPA identified that a minority of power plants emitted fPM at "significantly higher levels" than the rest and set a new standard to ensure that all power plants would be required to use "proven technologies to reduce their HAP to the levels achieved by the rest of the fleet."[9] EPA also found that requiring PM CEMS would provide additional benefits including more transparent emissions monitoring for power plants, regulators, and neighboring communities, and more immediate feedback for power plant operators if their control technologies were not working, allowing for quicker repairs.[10] Finally, EPA evaluated the control technologies available for lignite-fired power plants and found better cost-effective technology than had been available in 2012, warranting more stringent emissions standards for those plants.[11]

EPA evaluated the cost and feasibility of available technologies when it determined whether updated standards were necessary. The agency asserted these considerations were consistent with Supreme Court precedent in *Michigan v. EPA*, which held that when the Clean Air Act required the agency to determine whether regulation is "appropriate and necessary," the agency must consider costs as part of that determination.[12]

These three changes are now rescinded by the February 2026 final rule. As a result, the 2012 standards are reinstated with minor technical changes.[13]

How did EPA interpret its obligations under section 112 of the Clean Air Act in the new rule?

EPA based its recission, in part, on an assessment that, when deciding whether revision to the HAP standards is "necessary" under a technology review, the agency may also consider whether technology-based standards will "meaningfully" protect public health.[14] EPA stated that when the Clean Air Act requires the agency to undertake the technology review—"taking into account developments in practices, processes, and control technologies"[15]— it is afforded discretion to "consider additional relevant factors" including cost.[16] The 2026 final rule notes that the authority to consider costs is supported by both D.C. Circuit[17] and Supreme Court precedent.[18]

EPA additionally asserted, however, that it could consider the residual risk review (the first part of the RTR) when deciding how to weigh the cost of regulations.[19] This merging of the two types of reviews is a departure from how previous administrations, including the first Trump administration, have considered cost. For example, in the 2024 rule, EPA examined cost effectiveness, total capital costs, annual costs, and costs compared to revenues as part of its technology review.[20] In contrast, for the 2026 recission, EPA concluded that if the residual risk review finds "the remaining risk of cancer . . . is below 1-in-1 million, cost considerations bear additional weight in determining whether revised standards are 'necessary' under" the technology review.[21] Thus, if the residual risk is low, the final rule concluded that updated emissions standards under a technology review are only "necessary" under the statute when the costs to the regulated industry are "at the low end of the range of acceptability."[22]

EPA received comments on the June 2025 proposed rule[23] both supporting and opposing the agency's authority to consider potential risk reduction as part of the technology review.[24] In disagreeing with EPA's interpretation of the statutory requirements, commenters argued that EPA's interpretation does not apply the best reading of Section 112 of the Clean Air Act, and that the

agency failed to adequately justify why the 2024 regulations were unnecessary.[25] Some commenters criticized EPA, asserting the agency was deciding "that the 2024 changes were not necessary in a conclusory manner, only citing changes in the Administrator's policy preferences . . . rather than citing any factual developments in practices, processes, or control technologies at emissions sources."[26] Further, commenters stated the technology review does not allow recission of standards based on a conclusion that the standards "produce no 'meaningful risk reduction.'"[27]

In the 2026 final rule, EPA agreed that the technology review and residual risk review are "distinct, parallel analyses" that EPA undertakes "[s]eparately."[28] However, EPA stated that it should consider costs relative to public health benefits in determining whether regulations are "necessary."[29] Historically, EPA used "cost effectiveness" metrics to determine whether regulation is necessary — measured as a dollar per ton of HAP emissions reduced.[30] Now, however, EPA stated that "HAP emissions figures are important because of the health and environmental impacts they represent, and it is reasonable to consider such impacts when determining whether to regulate."[31] By using health risk as a factor in determining whether regulation is "necessary" under a technology review, EPA combined the parallel analyses required by the Clean Air Act and in part, used this rationale to determine the 2024 regulations were not "necessary."

How did EPA apply this statutory interpretation in the rescission?

EPA applied this statutory interpretation to rescind the 2024 standards for fPM. The agency also used a separate, severable rationale based on cost to justify rescinding the 2024 fPM standard and the requirement that power plants use PM CEMS. The agency also asserted that the more stringent 2024 standard for lignite-fired plants was not feasible, and so warranted rescission.

1. EPA raised the allowable emissions level for filterable Particulate Matter (fPM).

In rescinding the 2024 standard for fPM, EPA asserted two separate bases for repeal.

First, the agency argued that the cost per pound of emissions removed (the cost-effectiveness measure) for the 2024 standard was "significantly higher" than previous cost effectiveness determinations in EPA technology reviews.[32]

In 2024, EPA explained the higher cost measure was reasonable because cost-effectiveness should be assessed in context.[33] Given the size of the power sector as compared to other regulated industries, the significant revenue streams of the power sector, and the finding that "hundreds" of power plants were already complying, with a small number of facilities with "largely outdated or underperforming controls . . . emitting significantly more than their peers," EPA found the higher cost effectiveness was reasonable.[34]

In the 2026 rule, EPA decided that the "unique nature" of the power sector did not justify the high cost-effectiveness estimate as compared to other technology review rulemakings.[35] EPA stated that the Clean Air Act does not provide for the power sector to be regulated differently[36] and changed circumstances since the 2024 rulemaking, including shifts in national policy and electricity demand, meant "any unnecessary downward pressure on the power industry at this time is not in the national interest or in the interest of consumers."[37]

Second, applying its new interpretation of the Clean Air Act, EPA determined that the 2024 standards were not "necessary."[38] In 2020, EPA decided that the 2012 MATS rules were sufficiently effective because "the highest cancer risk from non-Hg [non-mercury] HAP metals from a coal-fired [power plant] was 0.3-in-one million, and most coal-fired [power plants] were assessed to pose considerably lower cancer risks from such HAP emissions."[39] Given this low cancer risk, in the 2026 rule EPA asserted "a harder look at costs should be conducted and additional controls [should] be considered unnecessary unless the costs of such controls are at the lower range of cost acceptability."[40] Because the 2024 standard's cost-effectiveness values were "highest (or among the highest)" when compared to other Clean Air Act technology review regulations, EPA decided the standards were not "necessary."[41]

In opposing this proposed decision, commenters highlighted examples of other rulemakings with high cost-effectiveness values.[42] EPA responded that the agency does not believe there is "any particular threshold" for whether a control technology is cost effective or not and using past cost-effectiveness values for mercury controls were not appropriate for determining what is cost-effective for non-mercury HAP controls.[43]

Commenters challenged EPA's approach of merging the residual risk review with the technology review, arguing that EPA must consider technology changes since the 2012 rulemaking, and "explain why the 2012 emissions standards are the maximum achievable emissions standards given major developments in control technology since 2012."[44] Commenters also stated that EPA failed to address its own findings that 93 percent of the industry was already complying with the 2024 standard.[45]

In response, EPA outlined its authority to reconsider past decisions and disagreed that the agency was required to select the maximum degree of emissions reductions in the technology review.[46] Addressing the widespread current compliance with the standard, EPA acknowledged while "the fleet is largely over performing . . . that fact alone does not make the high cost-effectiveness number reasonable or necessary . . . particularly in light of the low remaining risk."[47]

Finally, commenters argued EPA's evaluation of cost-effectiveness is "subjective" and its proposal to base the repeal of a more stringent fPM standard based on cost was arbitrary and capricious.[48] EPA responded that the agency had discretion to judge when a standard is "necessary" and is permitted to reconsider, repeal, or revise past rulemakings based on new policy judgments.[49]

The proposed repeal did not offer or analyze any alternative regulatory approaches.[50] In submitted comments, environmental groups argued that, in the proposal for the recission, "EPA arbitrarily and capriciously failed to consider regulatory alternatives to a complete withdrawal of the 2024 Rule."[51] Comments submitted by sixteen states argued, "EPA has ignored critical information in the rulemaking record that undermines its conclusions and has failed entirely to consider any potential alternatives to returning to the emission standards under the 2012 MATS Rule."[52]

While EPA acknowledged that it had solicited comments on alternatives to repeal,[53] it did not explain why the agency did not evaluate alternate emissions standards aside from a repeal. When an agency rescinds a prior policy, it is required to "consider the alternatives that are within the ambit of the existing policy."[54] Given the widespread compliance with the lower 2024 standard, petitioners challenging the rule may argue the agency should have explained why a complete repeal was necessary, rather than an alternative emissions standard between the 2024 and 2012 standards.

2. EPA allowed multiple pathways to demonstrate compliance, no longer requiring continuous monitoring (PM CEMS).

The final rule alters the compliance method for power plants by no longer requiring operators to install PM CEMS.[55] Instead, power plant operators may select the method for demonstrating compliance.[56] Along with this change, EPA reinstated the "Low Emitting EGU" (LEE) program, which allows operators to reduce their required stack testing frequency if they demonstrated their power plant emissions were less than 50 percent of the corresponding emissions limit for 3 consecutive years.[57]

In the 2026 rule, EPA stated that requiring PM CEMS was an unnecessary expense for owners and operators, especially if their power plants do not need to meet the more stringent fPM standard.[58] The 2024 rulemaking required power plants to install PM CEMS on the basis that it was a more efficient and transparent compliance method. EPA also noted in the 2026 rule that there was already widespread compliance with the more stringent fPM standard, supporting EPA's new conclusion that the "various options for demonstrating compliance with the fPM standards have been appropriate and effective."[59]

Commenters had argued that EPA failed to adequately explain the rescission of the PM CEMS requirement given the accuracy, transparency, widespread use, and relatively low cost of these systems compared to power plants' operating expenses.[60] Commenters further argued that EPA did not demonstrate that alternative compliance methods are equally effective.[61] EPA responded that, while the agency recognizes the advantages of PM CEMS, "EPA must consider cost in deciding whether it is 'necessary' to revise" the standards.[62] EPA concluded that stack testing was less expensive and plants have consistently demonstrated overperformance using other methods of demonstration, so EPA decided it was "reasonable to continue to provide flexibility."[63]

3. EPA raised the mercury emission standards for lignite-fired power plants.

EPA repealed the 2024 standard that required existing lignite-fired power plants to meet the more stringent mercury emission standard of other coal-fired power plants. With this repeal, EPA returned to the more lenient 2012 standards for lignite-fired power plants.[64] To justify the repeal, EPA stated that the 2024 rule did not properly account for the "complex composition of lignite," which makes mercury emissions control more difficult.[65] The agency also asserted the 2024 rule did not properly demonstrate that the more stringent emission standard was feasible.[66] EPA noted that the data the agency relied on in 2024 made incorrect assumptions about the performance capabilities of these power plants based on the performance of two nonrepresentative facilities.[67]

Commenters argued that there was existing technology available (i.e., baghouses) that efficiently capture mercury emissions, but EPA asserted that despite this technology, the agency did not find that more stringent emissions standards were "achievable for all lignite-fired units once the wide-ranging and highly variable [mercury] content of the various lignite fuels is taken into account."[68]

Commenters also argued that EPA did not justify returning to the less stringent standard because lignite-fired plants represent a disproportionate share of mercury emissions, particularly in Texas and North Dakota where these plants are located.[69] EPA responded that because the residual risk review found the 2012 standards provided an "ample margin of safety," EPA believed any risk associated with increased emissions remained at an acceptable level.[70]

How is EPA assessing costs and benefits in the new rule?

In the 2026 regulatory impact analysis (RIA), EPA assessed the relative costs and benefits of the recission. The agency measured the reduced compliance costs for power plant owners and operators and general economic impacts of the rule but, unlike in 2024, EPA did not monetize any costs associated with the public health or environmental impacts of rescinding the 2024 rule.

Agencies are permitted to change policy but are required to provide "reasoned explanation . . . for disregarding facts and circumstances that underlay or were engendered by the prior policy."[71] Here, EPA cited uncertainty to justify the change in its approach to measuring and quantifying public health costs associated with the new rule,[72] however, petitioners challenging the rule may argue EPA needed to have more comprehensively evaluated and explained "factual findings that contradict" the new policy.[73]

This table compares the approaches for the 2024 and 2026 RIAs.

	2024 Rule [from 2028 through 2037]	2026 Recission [from 2028 through 2037]
Compliance Costs/ Savings	-$790 million (compliance costs)[74]	$670 million (compliance savings)[75] and $540 million in "economy wide" savings (not accounting for environmental impacts of the repeal)[76]
Costs/ Benefits associated with added or removed mercury (Hg) and non-mercury HAP emissions	Non monetized benefits of reductions of about 900 to 1000 pounds of Hg annually and 4 to 7 tons of non-Hg HAP metals annually[77]	Non monetized costs associated with an additional 76 to 1531 pounds of mercury annually and 0.4 to 7.0 tons of non-Hg HAP metals emitted annually.[78] Estimates assume the compliance waivers granted to certain coal- and oil-fired power plants*
Costs/ Benefits associated with added or removed $PM_{2.5}$ and ozone emissions	$260 million in health benefits[79]	No quantification or monetization of costs associated with $PM_{2.5}$ and ozone emissions[80]
Costs/ Benefits associated with added or removed CO_2	$130 million in climate benefits[81]	No quantification or monetization of costs associated with CO_2 emissions changes[82]

* The additional emissions that will result from this deregulatory action are significantly lower until July 2029 because the President exempted most regulated oil- and coal-fired power plants from the 2024 rules through July 2029.[83]

In the 2026 RIA, EPA estimated $670 million in compliance savings from the recission for 2028-2037.[84] The agency also estimated $530 million in savings in economy-wide social costs and economic impacts from 2026-2037, using a model that did not account for environmental impacts.[85] In 2024, EPA estimated $790 million in compliance costs.[86]

The 2026 RIA also factored in waivers the Trump administration granted to certain coal- and oil-fired power plants from the 2024 rule.[87] The majority of regulated facilities were granted waivers, and therefore would have been exempt from the 2024 rule until July 2029.[88] For this reason, the impact of the repeal is more dramatic in the years 2030-2037 when all facilities would have become subject to the 2024 rule.

The 2026 RIA estimated the repeal will result in a 23% increase in mercury (Hg) emissions in 2030 and 2035 (1,422 additional pounds of mercury in 2030 and 1,531 additional pounds of mercury in 2035.)[89] EPA also estimated the rescission will result in additional 0.4–7.0 tons of non-mercury HAPs emissions.[90] However, EPA stated that the agency is "unable to monetize the benefits of Hg and non-Hg metals emissions changes due to overall uncertainty and data limitations."[91]

The 2024 RIA had similarly acknowledged the complexity of measuring the benefits of HAP reductions.[92] The complexity, however, did not lead EPA to conclude that the benefits were small.[93] Instead, the 2024 RIA explained there were significant benefits, especially to fish consumers, commercial fish operations, and vulnerable populations.[94]

The 2026 RIA also did not quantify the other health implications of the recission. The agency neither measured nor monetized the impact of additional $PM_{2.5}$ and ozone emissions that will result from the recission. EPA explained that while short-term and long-term ozone exposure was "related to an array of adverse human health effects,"[95] the health effects of ozone emissions as a result of this rule were not quantified or monetized.[96] Additionally, EPA acknowledged that $PM_{2.5}$ had been found to cause adverse health effects but did not quantify or monetize the health impacts of the increased $PM_{2.5}$ emissions expected under this rule.[97]

The 2024 RIA explained the regulations would result in public health benefits from reduced ozone and $PM_{2.5}$ — analyzing, for example, decreased cardiac and pulmonary risks, avoided mortality, avoided health care costs, and economic benefits associated with fewer missed work and school days.[98] EPA estimated $260 million in health benefits as a result of the 2024 rule.[99]

The 2026 RIA also explained that consistent with Executive Order 14154, "Unleashing American Energy"[100] and due to "uncertainty and limitations" in measuring climate impacts, EPA did not estimate the climate costs associated with the rescission.[101] In 2024, EPA found the more stringent regulations would result in an estimated $130 million in climate benefits.[102]

The 2026 cost benefit analysis, therefore, includes $670 million in savings to regulated parties but only unmeasured costs to human health and the environment.[103]

Next steps

Now that EPA has finalized the rule, petitioners have until the end of April to challenge the rule in the D.C. Circuit.[104]

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[1] 77 Fed. Reg. 9304, 9307 (Feb. 16, 2012) https://www.federalregister.gov/documents/2012/02/16/2012-806/national-emission-standards-for-hazardous-air-pollutants-from-coal--and-oil-fired-electric-utility
[2] 89 Fed. Reg. 38508, 38514 (May 7, 2024), https://www.federalregister.gov/documents/2024/05/07/2024-09148/national-emission-standards-for-hazardous-air-pollutants-coal--and-oil-fired-electric-utility-steam [hereinafter "2024 Rule"] (citing Clean Air Act 112(d)(6) and 112(f)(2)).
[3] 85 Fed. Reg. 31286 (May 22, 2020), https://www.federalregister.gov/documents/2020/05/22/2020-08607/national-emission-standards-for-hazardous-air-pollutants-coal--and-oil-fired-electric-utility-steam
[4] 2024 Rule at 38518.
[5] *Id.* at 38509.

[6] 42 USC 7412(d)(6)
[7] 2024 Rule at 38518.
[8] *Id.* at 38510.
[9] *Id.* at 38520.
[10] *Id*.
[11] *Id.* at 38537.
[12] *Id.* at 38552.
[13] 2026 Rule at 9095
[14] *Id.* at 9111.
[15] 42 USC 7412(d)(6)
[16] 2026 Rule at 9091–92.
[17] *Id.* (citing Louisiana Env't Action Network v. Env't Prot. Agency, 955 F.3d 1088, 1097 (D.C. Cir. 2020)) (holding the language requiring EPA to "take into account" certain considerations is "non-exhaustive).
[18] *Id*. (citing to Michigan v. E.P.A., 576 U.S. 743, 752–53, 135 S. Ct. 2699, 2707, 192 L. Ed. 2d 674 (2015) (holding that the phrase "appropriate and necessary" requires agencies to "pay attention to the advantages *and* the disadvantages of agency decisions")(emphasis original).
[19] *Id.* at 9092.
[20] 2024 Rule at 38533.
[21] 2026 Rule at 9092.
[22] *Id.* at 9109.
[23] 90 Fed. Reg. 25535 (June 17, 2025), https://www.federalregister.gov/documents/2025/06/17/2025-10992/national-emission-standards-for-hazardous-air-pollutants-coal--and-oil-fired-electric-utility-steam [hereinafter 2025 Proposed Rule]
[24] 2026 Rule at 9110.
[25] *Id.*
[26] *Id.*
[27] *Id.*
[28] *Id.*, citing *Nat'l Ass'n for Surface Finishing,* 795 F.3d at 5.
[29] *Id.* at 9111.
[30] *Id.*
[31] *Id.*
[32] *Id.* at 9090.
[33] 2024 Rule at 38523.
[34] *Id.* at 38524.
[35] 2026 Rule at 9096.
[36] *Id.*
[37] *Id.* at 9097.
[38] *Id.* at 9099.
[39] *Id*.
[40] *Id*.
[41] *Id.*
[42] 2026 Rule at 9100. https://www.federalregister.gov/d/2026-03638/p-263
[43] *Id.*
[44] *Id.*
[45] *Id.*
[46] *Id.*
[47] *Id.* at 9101.
[48] *Id.*
[49] *Id.*
[50] 2025 Proposed Rule at 25541.
[51] Comments of Public Health and Environmental Organizations, Docket ID No. EPA-HQ-OAR–2018–0794, p. 27 (August 11, 2025), https://www.regulations.gov/comment/EPA-HQ-OAR-2018-0794-7609

[52] Comment submitted by Office of the Illinois Attorney General et al., Docket ID No. EPA-HQ-OAR–2018–0794, p. 21 (August 11, 2025), https://www.regulations.gov/comment/EPA-HQ-OAR-2018-0794-7603
[53] 2026 Rule at 9095. https://www.federalregister.gov/d/2026-03638/p-192
[54] *DHS v. Regents of the Univ. of California*, 140 S. Ct. 1891, 1913 (2020) (citing *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co*., 463 U.S. 29, 41 (1983)). (cleaned up)
[55] 2026 Rule at 9090.
[56] *Id.* at 9102.
[57] *Id.*
[58] *Id.* at 9090.
[59] *Id.* at 9102–03.
[60] *Id.* at 9104-9105
[61] *Id.*
[62] *Id.* at 9105.
[63] *Id.*
[64] *Id.* at 9106.
[65] *Id.* at 9107.
[66] *Id.*
[67] *Id.* at 9106.
[68] *Id.* at 9108.
[69] *Id.*
[70] *Id.*
[71] F.C.C. v. Fox Television Stations, Inc., 556 U.S. 502, 516 (2009)
[72] 2026 RIA at ES-5, 5-4,5
[73] 556 U.S. at 515.
[74] 2024 RIA at 7-8.
[75] 2026 RIA at ES-3. (at a 3% discount rate, in 2024 dollars, discounted to 2025)
[76] 2026 RIA 4-19
[77] 2024 RIA at ES-15
[78] 2026 RIA at ES-4 – ES-5
[79] 2024 RIA at ES-15
[80] 2026 RIA at 3-16 – 3-17, 5-2
[81] 2024 RIA at ES-15
[82] 2026 RIA at 3-1, 5-2
[83] *Id.* at 2-24, ES-4, *see also Regulatory Relief for Certain Stationary Sources to Promote American Energy,* 90 Fed. Reg. 16777 (April 8, 2025), https://www.federalregister.gov/documents/2025/04/21/2025-06936/regulatory-relief-for-certain-stationary-sources-to-promote-american-energy
[84] At a 3% discount rate, in 2024 dollars, discounted to 2025. EPA, Regulatory Impact Analysis for the Final Repeal of Amendments to National Emission Standards for Hazardous Air Pollutants: Coal- and Oil Fired Electric Utility Steam Generating Units (Feb. 2026) at ES-3, https://www.epa.gov/system/files/documents/2026-02/ria-mats-final-repeal-of-amendments-2026-02.pdf [hereinafter 2026 RIA].
[85] *Id.*
[86] EPA, Regulatory Impact Analysis for Final National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units Review of the Residual Risk and Technology Review (Apr. 2024) at ES-11, https://www.epa.gov/system/files/documents/2024-04/2024-mats-rtr-final-ria-final.pdf [hereinafter 2024 RIA]. (At a 3% discount rate in 2019 dollars.)
[87] 2026 RIA at ES-1 – ES-2.
[88] *Id.* at 2-24 – 2-25.
[89] *Id.* at 2-7.
[90] *Id.* at ES-4.
[91] *Id.* at ES-5.
[92] 2024 RIA at 4-12.
[93] *Id.*
[94] *Id.*
[95] 2026 RIA at 3-15.

[96] *Id.* at 3-16.
[97] *Id.* at 3-17.
[98] 2024 RIA at 4-16, 4-32.
[99] *Id.* at ES-15.
[100] 90 Fed. Reg. 8353, (Jan. 29, 2025), https://www.federalregister.gov/documents/2025/01/29/2025-01956/unleashing-american-energy
[101] 2026 RIA at 3-1.
[102] 2024 RIA at ES-15.
[103] 2026 RIA at 5-3.
[104] 42 U.S.C. § 7607.