

**Congress of the United States**  
**Washington, DC 20515**

June 13, 2013

Bob Perciasepe  
Acting Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**DOCKET NUMBER:** EPA-R08-OAR-2010-0406

Dear Administrator Perciasepe:

We write to express our support for the action the Environmental Protection Agency (EPA) took in March of 2012, whereby your agency approved North Dakota's State Implementation Plan (SIP) as it relates to nitrogen oxide controls for Minnkota's Milton R. Young Station and Basin Electric's Leland Olds Station under the regional haze program. Based on the voluminous public record generated over the last several years by the EPA and state of North Dakota, and the 2011 judicial decision issued by a federal district court, we believe you made the correct decision.

It has been soundly demonstrated that North Dakota's SIP, which includes Over-Fire Air (OFA) and Selective Non-Catalytic Reduction (SNCR) technology on both units at the Milton R. Young Station and unit 2 at the Leland Olds Station, is the right technology for consumers in North Dakota while providing visibility improvements called for in the regional haze program.

As documented in the public record, Selective Catalytic Reduction (SCR) technology has not been proven to work on North Dakota lignite coal in cyclone boilers. Additionally, as the state of North Dakota has pointed out, SCR does not noticeably improve visibility beyond SNCR and OFA.

It makes little sense to require an entity to use unproven technology that would significantly raise electric rates. Minnkota alone could be required to spend approximately \$500 million for new environmental upgrades to meet a Federal Implementation Plan (FIP) requirement. That would be in addition to recently completed environmental upgrades at Minnkota's Young Station totaling \$425 million.

North Dakota has demonstrated that SNCR and OFA technology is the Best Available Retrofit Technology (BART) for Minnkota's and Basin Electric's units. A federal district court judge in 2011 affirmed the state of North Dakota's BACT determination. That judicial decision correctly weighed heavily in EPA's decision to approve North Dakota's BART SIP last year.

Administrator Bob Perciasepe

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We respectfully request you reaffirm your March 2012 decision whereby you properly approved SNCR and OFA for BART for the Milton R. Young Station and Leland Olds Unit 2. It was a decision based upon sound science, legal precedent, and an extensive public record.

Sincerely,

  
JOHN HOEVEN  
U.S. Senator

  
HEIDI HEITKAMP  
U.S. Senator

  
KEVIN CRAMER  
U.S. Congressman