



**MIKE DEWINE**  
**GOVERNOR OF OHIO**



May 22, 2024

The Honorable Michael S. Regan  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

Dear Administrator Regan,

We write in opposition to the U.S. Environmental Protection Agency (EPA) Final Rule that imposes new restrictions on fossil fuel fired power plants.

Throughout our Administration, we have met with our regional transmission organization, PJM Interconnection, LLC, energy users, and energy producers. Each of these stakeholders has raised concerns regarding the reliability of the energy grid. The EPA's rule undermines Ohio's prosperous economy, which requires a reliable and affordable system of electric generation. That reliable and affordable system must incorporate 24-hour, on-demand generating resources, and this rule subjects those resources to new, costly technology requirements or forced closure in favor of intermittent and insufficient resources. As a result, the reliability of grids across the country will be in jeopardy.

The Final Rule presents existing thermal power plants with a difficult choice: Implement unproven technology at unknown costs and with unknown technical hurdles or shut down. As these technologies cannot realistically be installed in the timeline set by this rule, they will be forced to shut down. In some cases, generators will shut down well in advance of their useful life and force Ohioans to bear the cost of building new generation. The risks are the same for new thermal generators, and the unknown costs and risks associated with the requirements in the rule will serve as a strong disincentive to build new power plants -- especially now when their reliability characteristics are essential.

At a time when Ohio and our Nation are experiencing new levels of energy demand from onshoring manufacturing, the construction and use of electric vehicles, and data centers, this rule is irresponsible and economically foolish. The Final Rule puts Ohio's economy at stake and harms Ohio's residents and businesses, particularly those least able to withstand shocks to the power system's reliability and affordability.

The aspiration of “Made in America” is being threatened by these new EPA rules that will restrict the supply of reliable, affordable energy. As the EPA works to establish a rule to limit greenhouse gases from existing natural gas generating facilities, we strongly urge thoughtful consideration of the harm that can occur from further diminishing the country’s supply of dependable, 24-hour generating power plants.

Very respectfully yours,

A handwritten signature in blue ink that reads "Mike DeWine". The signature is fluid and cursive, with the first name "Mike" and last name "DeWine" clearly legible.

Mike DeWine  
Governor

A handwritten signature in blue ink that reads "Jon Husted". The signature is fluid and cursive, with the first name "Jon" and last name "Husted" clearly legible.

Jon Husted  
Lt. Governor