

KyPSC Case No. 2025-00342
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DATA REQUEST

WITNESS

TAB NO.

STAFF-DR-03-001

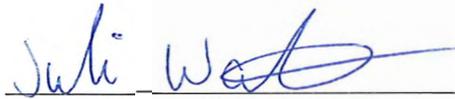
Nathan Gagnon

Julie Walters.....1

VERIFICATION

STATE OF INDIANA)
)
COUNTY OF HENDRICKS) SS:

The undersigned, Julie Walters, Lead EHS Consultant, being duly sworn, deposes and says that she has personal knowledge of the matters set forth in the foregoing data requests, and that the answers contained therein are true and correct to the best of her knowledge, information, and belief.



Julie Walters, Affiant

Subscribed and sworn to before me by Julie Walters on this 9th day of
March, 2026.

AMY MCKENNA
NOTARY PUBLIC
HENDRICKS COUNTY, STATE OF INDIANA
MY COMMISSION EXPIRES SEPTEMBER 21, 2033
COMMISSION NUMBER NP0766012



NOTARY PUBLIC

My Commission Expires: September 21, 2033

Duke Energy Kentucky
Case No. 2025-00342
STAFF Third Request for Information
Date Received: March 5, 2026

STAFF-DR-03-001

REQUEST:

Regarding the repeal of the “Endangerment Finding” in Section 202(a) of the Clean Air Act:

- a. Explain how its repeal affects Duke Kentucky’s current and future planning in its environmental compliance strategy.
- b. Explain how its repeal affects Duke Kentucky’s current and future operating strategy.
- c. Explain whether its repeal affects Duke Kentucky’s current and future planning as it relates to controls for any pollutant limitations listed in the National Ambient Air Quality Standards (NAAQS).
- d. If not discussed above, explain whether Duke Kentucky is aware of any pending relaxation of environmental control standards that may affect its current level of compliance related to fossil fuel generation.

RESPONSE:

- a. The Endangerment Finding is focused on greenhouse gas (GHG) emissions from motor vehicles. Repeal of the Endangerment Finding would not have an immediate impact on Duke Energy Kentucky. Regulation of GHG emissions from power plants occurs under the Clean Air Act (CAA), Section 111. On June 17, 2025, the Environmental Protection Agency (EPA) published a proposed rule to repeal the Biden-era EPA rule regulating GHG emissions from fossil fuel-fired power plants based on a finding that these

plants “do not contribute significantly to dangerous air pollution” under the meaning of section 111 of the CAA.¹ The EPA also published an alternative proposal to repeal a narrower set of requirements leaving in place only greenhouse gas emission standards for new and reconstructed stationary combustion turbine electric generating units.² However, EPA has not finalized this rulemaking. Repeal of CAA Section 111 GHG regulations could impact future planning and operations; however, from an environmental compliance perspective, Duke Energy Kentucky will continue to comply with all applicable permits and regulatory requirements.

b. Please see response to (a) above.

c. The NAAQS establishes limits for six criteria pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. Because the Endangerment Finding applies only to GHG emissions, it does not affect controls or compliance obligations for NAAQS-regulated pollutants. Duke Energy Kentucky will continue to comply with all environmental permits and applicable regulations.

d. At the current moment, Duke Energy Kentucky is not aware of any other upcoming rules that would affect the current level of compliance related to fossil fuel generation at East Bend or dispatch. Pending changes to rules like Effluent Limitations Guidelines and Coal Combustion Residuals Rule may only delay specific project(s), but will not change the current level of compliance.

PERSON RESPONSIBLE: Nathan Gagnon
Julie Walters

¹ See generally *Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units*, Section IV, Summary and Rationale of Primary Proposal (June 17, 2025), available at <https://www.regulations.gov/document/EPA-HQ-OAR-2025-0124-0001> (accessed March 19, 2026).

² See generally *Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units*, Section V, Summary and Rationale of Alternative Proposal (June 17, 2025), available at <https://www.regulations.gov/document/EPA-HQ-OAR-2025-0124-0001> (accessed March 19, 2026).