

National Association of Clean Air Agencies
Survey on MATS Compliance Extension Requests

July 22, 2013

The Mercury and Air Toxics Standards (MATS), issued on December 21, 2011 (published in the *Federal Register* on February 16, 2012¹), are intended to limit emissions of mercury, acid gases and other toxic pollution from power plants. MATS calls for a three-year compliance period for existing sources, with a deadline of April 16, 2015, but provides for an extra year, upon request, for sources that need additional time to comply.

The National Association of Clean Air Agencies (NACAA)² conducted a survey to determine how many facilities had requested one-year MATS compliance extension requests (under 40 CFR 63 Subpart UUUUU) from state and local agencies and how many requests have been granted. The following table contains information from 51 agencies in 40 states, DC and Puerto Rico. According to the responses, 61 facilities have made extension requests, of which 57 have been granted so far (three are still under consideration and one was returned to the facility for additional information) and none has been refused, to date. The respondents indicated that approximately five more requests may be forthcoming. According to EPA's Regulatory Impact Analysis, there are 460 coal-fired power plants that are affected by the MATS rule.

If you have additions or changes to this information, please provide them to Mary Sullivan Douglas of NACAA at mdouglas@4cleanair.org.

The following are the responses NACAA received.³

Agency	Compliance Extension Requests Received	Requests Granted	Comments
Alabama	1	1	
Alaska	0	0	Alaska has not yet taken delegation of this rule, so any extension requests would be handled by Region 10. We are not aware of any requests submitted to Region 10.
Arizona	1	1	
Arkansas	3	3	

¹ <http://www.gpo.gov/fdsys/pkg/FR-2012-02-16/pdf/2012-806.pdf>

² NACAA is a national, non-partisan, non-profit association of air pollution control agencies in 43 states, the District of Columbia, four territories and over 116 metropolitan areas.

³ If a state or local agency is not listed, it does not necessarily mean that it has not received any extension requests. It could merely signify that it did not respond to NACAA's request for information.

Agency	Compliance Extension Requests Received	Requests Granted	Comments
California-San Joaquin Valley	0	0	
California-South Coast Air Quality Management District	0	0	All four of the sources identified by EPA Region 9 indicate that they fall under the exemption, are not subject to MATS, and do not need extensions.
Colorado	1	0	Request is under consideration.
Connecticut	0	0	
Delaware	0	0	
District of Columbia	0	0	
Florida	0	0	One request is expected.
Hawaii	0	0	
Idaho	0	0	There are no affected sources.
Illinois	4	4	
Indiana-Indianapolis	1	1	Approval granted by the state.
Iowa	0	0	Iowa has not yet taken delegation of this rule, so any extension requests would be handled by Region 7.
Kansas	3	3	
Kentucky	1	1	
Kentucky-Louisville	2	2	
Maine	0	0	
Maryland	0	0	
Michigan	13	13	
Minnesota	1	1	
Mississippi	2	2	
Missouri	9	9	
Montana	0	0	
Nebraska	4	4	
Nebraska-Lincoln	0	0	
Nebraska-Omaha	1	1	
Nevada	0	0	
Nevada-Washoe Co.	0	0	
New Jersey	0	0	Six coal units already comply, two converted to gas and two that do not comply are converting to gas well before the MATS deadline. NJ standards predate EPA's and are equal to or more stringent than EPA's.

Agency	Compliance Extension Requests Received	Requests Granted	Comments
New Mexico	0	0	
New York	0	0	
North Carolina	0	0	
North Dakota	1	0	Request is under consideration.
Ohio	1	0	Request is under consideration.
Oklahoma	2	2	
Oregon	0	0	
Oregon-Lane Co.	0	0	
Pennsylvania	2	2	
Pennsylvania-Allegheny Co.	0	0	
Pennsylvania-Philadelphia	0	0	
Puerto Rico	0	0	Expect requests from four sources.
Rhode Island	0	0	
South Carolina	2	2	
Virginia	2	2	
Washington-Northwest Clean Air Agency	0	0	
Washington-Southwest Clean Air Agency	0	0	
West Virginia	4	3	State responded with a notice of insufficient information to one request.
Wisconsin	0	0	
TOTAL	60	56	