

Background Information – Please Keep Confidential

MATS COMPLIANCE EXTENSION REQUESTS

Question sent to NACAA Air Toxics Committee on January 17, 2013 (repeated January 31, 2013):

We have had a request for information from a NACAA member who asks if any state or local agencies have received Mercury and Air Toxics Standards (MATS) compliance extension requests (under 40 CFR 63 Subpart UUUUU)? Please let me know if you have.

Responses:

ARIZONA – The Arizona DEQ received a request from one of our coal-fired utilities for the 1-year extension and we granted the extension.

CALIFORNIA-SAN JOAQUIN VALLEY – San Joaquin Valley Air District has not received any MATS compliance extension requests.

CALIFORNIA-SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT – All four of the sources identified by EPA Region 9 in our area have responded that they fall under the exemption and are therefore not subject to the MATS, and therefore, don't need to request any extensions.

COLORADO – Colorado anticipates receiving MATS compliance extension requests for 1 or 2 stations, but has not yet formally received the requests.

DELAWARE – According to the Delaware Permitting and Compliance people, we have not received a MATS compliance extension request to date.

DISTRICT OF COLUMBIA – We have neither received nor granted them here in DC.

IOWA – Iowa has not received any MATS extension requests. We have not yet taken delegation of this rule, so for now, any extension requests would be handled by EPA Region 7. I think the Iowa facilities subject to this rule would have copied us on any extension request, so my best guess is that none have been submitted to Region 7 either.

KANSAS – Yes, Kansas has received three requests for extensions of the MATS rule and granted all of them after receiving adequate documentation.

KENTUCKY – I received one but I asked the company to retract it, which they did. It didn't nearly have all the information necessary so I asked them to try again. I haven't received a second submittal. However, I suspect we will get requests from multiple

companies over the next few months. As you know they have up to 120 prior to the MATS compliance deadline to submit.

KENTUCKY-LOUISVILLE – We have received and granted two extensions.

MAINE – No, we have not received any MATS compliance extension requests.

MARYLAND – The requests may be received by the Department up to Dec 2014 and to date Jan 2013 we have not received any.

MICHIGAN – Michigan has received and approved several MATS extension requests. To date we have approved six requests and we understand more are coming.

MINNESOTA – Minnesota has received one request, which is being granted.

MISSISSIPPI – We have received one such request for two units at MS Power Company's Plant Daniel.

MISSOURI – Missouri has received requests for 7 different facilities, so far.

NEBRASKA – We received several 1-year extension requests from our utilities subject to 5U last October timeframe. (provided example letter)

NEBRASKA-OMAHA – Omaha Air Quality Control has received a compliance extension request from our local power utility, and we did grant the extension (see our attached request response).

NEVADA-WASHOE COUNTY – Washoe County Air Quality Management, Reno, Nevada, has not received any MATS compliance extension requests.

NEW JERSEY – None received. Six coal units already comply. Two units converted to gas. Last two coal units that do not comply today are in process of converting to gas well before MATS compliance deadline. NJ multi-pollutant performance standards predate EPA's and are equal to or more stringent than EPA's.

NEW YORK – We have not received any at this time.

OHIO-DAYTON – Bob Hodanbosi [Ohio EPA] told me some time back that Ohio EPA met with all the in-state utilities to discuss their plans. The last I heard from Bob was that no utility has since requested the extended time.

PENNSYLVANIA-ALLEGHENY COUNTY – We have not received any in Allegheny County.

PENNSYLVANIA-PHILADELPHIA – I don't believe Philadelphia has received any.

PUERTO RICO – None in Puerto Rico yet.

VIRGINIA – We haven't formally gotten one yet, but we had a meeting with a MATS source that informed VADEQ that they would be submitting a request for two of their facilities. From conversations with all other utilities, we don't anticipate any other requests for extensions.

WEST VIRGINIA – One-year compliance extensions to the requirements of the Utility MACT until April 16, 2016 were granted to the existing coal-fired EGUs at Harrison, Fort Martin, and Pleasants Power Stations in West Virginia. FirstEnergy's November 29, 2012 request, and subsequent December 13, 2012 discussion of the complexity of attaining compliance via retrofit controls at existing sites with physical constraints to accessing co-located units, and during outage periods approved by the electricity grid operator to allow for stability and reliability were used as the basis for these approvals. These conditional approvals were granted on December 28, 2012. One of these is attached as an example. During our discussions with the company, we found out that the following one-year Utility MACT compliance extensions had also been issued:

- Michigan Department of Environmental Quality, Air Quality Division to Consumers Energy Company's JH Campbell Facility
- Indiana Department of Environmental Management to Duke Energy's Gibson Station & Cayuga Station
- Missouri Department of Natural Resources, Air Pollution Control Program to Kansas City Power & Light's Montrose Station; GMO Sibley Station; GMO Lake Road Station; and to Ameren Missouri Meramec's Energy Center & Labadi Energy Center
- Kansas Department of Health and Environment to KCP&L La Cygne

WISCONSIN – WI has not yet received a request

REGION VII (information provided by Kansas) – EPA HQ has granted at least one compliance extension request, to Magellan Pipeline. Their request extended over several states and EPA Regions, so it was handled by HQ. It was actually a RICE request, but the documentation and issue is similar as for MATS (they're both part 63 MACT rules). I've attached the Region 7 correspondence and the HQ letter is attached to that. Let me know if you have any questions. Thanks, Miles

Toxics/utility MACT/MATS extensions – requests to agencies