

## NACAA Discussion on Proposed Mercury and Air Toxics Standards May 31, 2023

EPA is seeking comment on its [proposed Mercury and Air Toxics Standards](#) (MATS), published on April 24, 2023. NACAA can submit comments if there is interest from the membership. *State and local agencies are strongly encouraged to submit their own comments on this proposal directly to EPA as well.*

The notice includes proposed provisions and instances in which EPA solicits comment. The following is a list of a few topics for the members' consideration. NACAA may choose to comment (or not) on any of these:

- Stronger fPM Standard – EPA proposes to strengthen the surrogate standard for non-mercury metal HAPs (filterable particulate matter -- fPM) for existing coal-fired electricity generating units (EGUs) to 1.0E-02 lb/MMBtu (equal to the current new source standard). EPA says currently 91 percent of existing capacity has demonstrated this emission rate.
- Even more stringent fPM Standard – EPA seeks comment on a more stringent level of 6.0E-03 lb/MMBtu for existing EGUs. Currently 72 percent of existing coal-fired capacity has demonstrated this emission rate.
- CEMs – EPA proposes to require the use of continuous emissions monitors (CEMs) to demonstrate compliance with the fPM emission standards.
- Lignite-Fired EGUs – EPA proposes to require that lignite-fired EGUs meet the same mercury mission standard being met by non-lignite EGUs (1.2E-06 lb/MMBtu). EPA states “lignite-fired EGUs were responsible for almost 30 percent of all Hg emitted from coal-fired EGUs in 2021, while generating about 7 percent of total 2021 megawatt-hours.”
- Non-Lignite Coal Standards – EPA is not proposing a change to the non-lignite Hg emission standard but solicits comment on the performance of Hg controls for non-lignite fired EGUs.
- Definition of “Startup” – EPA proposes to change the definition of startup to remove the alternative work practice standards that are in the current rule. EPA believes the change is achievable by all EGUs and would result in little to no additional expenditure.
- Risk and Technology Review – EPA is not reopening the Risk and Technology Review from 2020, which found the residual risks to be acceptable. The agency notes that the more stringent standards in the proposal “will likely reduce HAP exposure to affected populations.”
- Compliance Period – EPA is proposing a three-year compliance period but is seeking comment on a one-year compliance time.
- Organic HAPS – EPA continues to regulate them via work-practice standards, stating this is more effective than establishing a numeric standard that cannot reliably be measured or monitored.
- Other – Other topics not identified above.