

FACT SHEET

PROPOSED UPDATES OF THE LIMITS FOR NEW POWER PLANTS UNDER THE MERCURY AND AIR TOXICS STANDARDS (MATS)

ACTION

- On November 16, 2012, the Environmental Protection Agency (EPA) proposed to update emission limits for new power plants under the Mercury and Air Toxics Standards (MATS). This includes emission limits for mercury, particulate matter (PM), acid gases and certain individual metals.
- The new proposed standards affect only new coal- and oil-fired power plants that will be built in the future. The proposal does not change the final emission limits for existing power plants.
- The proposed update continues to ensure that the rules will protect all Americans from dangerous pollutants such as mercury. The proposed limits are achievable and are consistent with the requirements of the Clean Air Act (CAA).
- New power plants will use the same types of state-of-the-art control technologies to meet these proposed standards as they would have used under the previously finalized standards.
- The agency reconsidered the new source limits for MATS based on new information and analysis that became available to the agency after the rule was finalized.
- The proposed updates are calculated from data about the emissions rates achieved by the best performing source for each of the air toxics or surrogates. The calculated limits remain very low and will still require new power plants to be among the most modern and cleanest ever built.
- We project that these proposed updates will result in no significant change in costs, emission reductions or health benefits from MATS.
- EPA is also proposing to revise and clarify requirements that apply during periods of startup and shutdown in MATS and startup and shutdown for particulate matter in the Utility New Source Performance Standards (NSPS), and is proposing other minor technical corrections.
- As part of the routine, open and transparent rulemaking process EPA will accept comment on the proposal for 30 days after publication in the Federal Register, and if a public hearing is requested, EPA plans to hold one on December 18, 2012, in Washington, DC.
- EPA will issue a final reconsideration in March of 2013.

BACKGROUND

- On December 16, 2011, the EPA Administrator signed the final MATS and Utility NSPS rulemakings, and these were published in the Federal Register on February 16, 2012.
- Following publication of the rules, EPA received 20 petitions for reconsideration of the MATS and 4 for reconsideration of the Utility NSPS.
- On July 20, 2012, EPA sent a letter to petitioners stating that the Agency was granting reconsideration of certain new source issues. Among other things, petitioners said EPA did not use all of the data in the record to set certain air toxics standards for new sources, did not base the SO₂ standard on a regulated utility unit, and finalized startup and shutdown provisions that the public did not have an opportunity to review and provide comment on.

HOW TO COMMENT

- EPA will accept comment on the proposal for 30 days after publication in the Federal Register. Comments on the proposed revisions to the mercury and air toxics standards should be identified by Docket ID No. EPA-HQ-OAR-2009-0234. Comments on the proposed Utility NSPS revisions should be identified by Docket ID No. EPA-HQ-OAR-2011-0044. All comments may be submitted by one of the following methods:
 - www.regulations.gov: Follow the on-line instructions for submitting comments.
 - E-mail: Comments may be sent by electronic mail (e-mail) to a-and-r-Docket@epa.gov.
 - Fax: Fax your comments to: 202-566-1741.
 - Mail: Send your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave., NW, Washington, DC, 20460.
 - Hand Delivery or Courier: Deliver your comments to: EPA Docket Center, Room 3334, 1301 Constitution Ave., NW, Washington, DC, 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.
- If anyone requests a public hearing within 10 days of the proposal being published in the Federal Register, EPA will hold one on December 18, 2012, in Washington, DC.

FOR MORE INFORMATION

- The proposed reconsideration is posted at: <http://www.epa.gov/mats/actions.html> and <http://www.epa.gov/ttn/atw/utility/utilitypg.html>.
- For further information about the notice, contact Mr. William Maxwell of EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Energy Strategies Group at (919) 541-5430 or by email at maxwell.bill@epa.gov.