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MEMORANDUM

TO: Rae Cronmiller, NRECA

FROM: Ralph L. Roberson, P.E.

DATE: June 16, 2023

SUBJECT: Technical Comments on EPA's Proposed Rule: Mercury and Air Toxics Standards Risks and Technology Review – PM CEMS

INTRODUCTION

Recently, the Environmental Protection Agency (EPA) proposed revisions to the Agency's Mercury and Air Toxics Standards (MATS) rule.[1] These revisions are the proposed response of EPA to its previously announced review of its 2020 Risks and Technology and Review (RTR).[2] Among other things, EPA proposes to eliminate the quarterly stack testing option for demonstrating compliance with the filterable particulate matter (fPM) emission standard. If EPA finalizes the rule as proposed, the only compliance option for fPM will be with a PM continuous emission monitoring system (CEMS). Compliance with the proposed emission standard of 0.010 lb/10^6 Btu will be based on 30-day rolling averages computed from hourly PM CEMS data.

The National Rural Electric Cooperative Association (NRECA) asked RLR Consulting LLC (RLR) to review EPA's proposed rule and to assist in preparing technical comments. NRECA asked RLR to focus its effort on the EPA requirement to mandate the use of PM CEMS to demonstrate compliance with the revised fPM emission standard.

REGULATORY DISCUSSION

Section 112(f) of the Clean Air Act (CAA) states, among other things, "if standards promulgated pursuant to subsection (d) and applicable to a category or subcategory of sources emitting a pollutant (or pollutants) classified as a known, probable or possible human carcinogen do not reduce lifetime excess cancer risks to the individual most exposed to emissions from a source in the category or subcategory to less than one in one million, the Administrator shall promulgate standards under this subsection for such category." Then, Section 112(d)(6) requires EPA to "review and revise as necessary

[1] 88 Fed. Reg. 24.854 (April 24. 2023).
[2] 87 Fed. Reg. 7.624 (February 9. 2022).