

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

October 9, 2014

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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 has conducted surveys to determine how many requests for one-year MATS compliance extensions (under 40 CFR 63 Subpart UUUUU) state and local agencies have received and how many requests have been granted. The following table contains updated information from 66 agencies in 47 states, DC and Puerto Rico. According to the responses, to date:

- 145 extension requests have been made;
- 133 requests have been granted;
- 9 are under consideration;
- 2 were denied due to incomplete information; and
- 1 request was accommodated through a permit waiver
- 2 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. Therefore, only approximately 32 percent of the plants have indicated that they need additional time to comply and, of those, 92 percent have been granted an extension.

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

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 42 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 requests for information.

Agency	Compliance Extension Requests Received	Requests Granted	Comments
Alabama	6	6	
Alabama-Jefferson Co.	0	0	Facility expected to comply on time.
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	4	4	
Arkansas	3	3	
California	0	0	See local agency-specific entries.
California-Mojave Desert Air Quality Management District	0	0	The three sources do not need extensions. One ceased operation and is decommissioning. The second will comply by not burning oil. The third falls under the exemption and is not subject to MATS.
California-San Joaquin Valley	0	0	
California-South Coast Air Quality Management District	0	0	The one applicable source falls under the exemption, is not subject to MATS and does not need an extension.
Colorado	3	1	One extension is from all requirements in full; one extension is for HCl only; two requests were not granted due to incomplete information.
Connecticut	0	0	
Delaware	0	0	
District of Columbia	0	0	
Florida	0	0	One request is expected.
Georgia	2	2	
Hawaii	2	2	
Idaho	0	0	There are no affected sources.
Illinois	5	5	All 5 are partial extensions, which cover only small parts of the rule (not the same parts for each source). The majority of the rule will take effect on the compliance date.
Indiana-Indianapolis	1	1	Approval granted by the state.
Iowa	2	2	Iowa has not yet taken delegation of this rule, so any extension requests are currently handled by EPA Region

Agency	Compliance Extension Requests Received	Requests Granted	Comments
			7. Two facilities have submitted requests and received extensions from Region 7. One additional facility is expected to request an extension.
Kansas	3	3	
Kentucky	11	11	Two additional extension requests were withdrawn.
Kentucky-Louisville	2	2	
Maine	0	0	
Maryland	2	2	Requests originally denied but facilities were told they could request again if more time was needed closer to the deadline. They did request again and this time the requests were granted.
Massachusetts	0	0	
Michigan	16	16	
Minnesota	2	2	
Mississippi	3	3	
Missouri	10	10	
Montana	1	0	Request is under consideration.
Nebraska	5	5	
Nebraska-Lincoln	0	0	
Nebraska-Omaha	1	1	
Nevada	0	0	
Nevada-Washoe Co.	0	0	
New Hampshire	1	1	Extension is conditional on facility applying for/obtaining construction permit for installation of pollution control equipment.
New Jersey	0	0	Six coal units already comply, 2 others converted to gas and 1 other shut down. Only operating coal unit that does not comply is converting to gas. Expect an extension request for an oil-fired unit.
New Mexico	0	0	
New York	4	0	Facilities have applied. Waiting for approval from EPA Region 2.
North Carolina	1	1	Two or three others have expressed interest, but did not submit requests.
North Carolina-Western (Asheville)	0	0	

Agency	Compliance Extension Requests Received	Requests Granted	Comments
North Dakota	1	0	Request is under consideration.
Ohio	7	7	
Oklahoma	3	3	
Oregon	0	0	
Oregon-Lane Co.	0	0	
Pennsylvania	13	12	Request is under consideration.
Pennsylvania-Allegheny Co.	0	0	
Pennsylvania-Philadelphia	0	0	
Puerto Rico	1	1	Expect requests from three sources.
Rhode Island	0	0	
South Carolina	2	2	One of the facilities closed late 2013. Only one of the extensions remains.
Tennessee Error! Bookmark not defined.	1	0	Likely to be approved shortly.
Tennessee-Shelby County	1	0	Expect to approve it with conditions.
Texas	8	8	
Vermont	0	0	There are no affected sources.
Virginia	3	3	A fourth request was withdrawn.
Washington	0	0	
Washington-Northwest Clean Air Agency	0	0	
Washington-Southwest Clean Air Agency	0	0	The sole coal-fired power plant in Washington already complies.
Washington-Spokane Regional Clean Air	0	0	There are no affected sources.
Washington-Yakima	0	0	There are no affected sources.
West Virginia	7	7	
Wisconsin	7	7	
Wyoming	1	0	Extension not needed after state issued permit waiver that met the source's needs.
TOTAL	145	133	