



# States' Mercury Legislation and Regulations

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**Mercury Rule Workgroup Meeting**

**October 14, 2005**

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# Overview

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- Final Hg Action
  - Wisconsin
  - Connecticut
  - New Jersey
  - Massachusetts
- Pending Hg Regulatory Action
  - Indiana
  - Virginia
  - North Carolina
  - Michigan
  - STAPPA/ALAPCO
- Legislative Action
  - Ohio
  - New Hampshire
  - Minnesota
  - Illinois
  - New York
  - Montana
  - Maryland



# Wisconsin Final Rule For Coal-Fired Units

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- Regulation has two phases:
  - 40% by 2010, and
  - 75% by 2015, with
  - 80% goal by 2018
- No specific emission rates or control technology.
- Utility can select most cost effective approach.
- Legislature modified this rule to require WI to adopt CAMR requirements within 18 months after issuance.
- WI is in the process of discussing issues like public participation and the implications of CAMR before it revises its 2000 rule.



# Connecticut Enacted Legislation For Coal-fired Units

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- By July 1, 2008:
  - Comply with an emission factor equal to or less than 0.6 lbs. of Hg/Tbtu or
  - An emission rate with a 90% reduction in Hg emissions.
- By July 1, 2012:
  - Review current Hg limits and authorizes State to adopt more stringent limits after that date.



# New Jersey Final Rule For Coal-fired Units

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- By December 15, 2007:
  - Can't exceed 3 mg of Hg/MW-hr, or
  - Maintain control efficiency of at least 90%.
- If company controls at least 50% of MW capacity and controls NO<sub>x</sub>, SO<sub>x</sub>, and PM to BACT levels, it can enter into a CD with State to control remaining 50% by December 15, 2012.
- NJ may extend these regulatory deadlines.



# Massachusetts Final Rule For Coal-fired Units

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- By January 1, 2008 or 15 months after CAIR Phase 1:
  - Capture at least 85% of Hg or
  - Emit no more than 0.0075 lb. of Hg/GW-hr.
  - Averaging between units at same facility only.
- By October 1, 2012
  - Capture 95% of Hg or
  - Emit no more than 0.0025 lb. of Hg/GW-hr.



# Indiana Regulatory Process For Coal-fired Units

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- June 2004 Hg rulemaking petition filed.
- “Utility Rule Workgroup” assembled.
- June 2005 IN publishes “First Notice of Comment Period.”
- Workgroup identified three alternatives
  - Adopt CAMR,
  - Adopt modified version of CAMR, or
  - 90% control, no cap and trade, and 2008 compliance date.



# Virginia Regulatory Process For Coal-fired Units

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- On July 11, 2005, VADEQ issues "Notice of Intended Regulatory Action" for CAMR.
- Seven regulatory program alternatives
  - Include all CAMR elements.
  - Include all CAMR elements and source specific rates.
  - No CAMR trading but meet CAMR cap.
  - Include all CAMR elements, but make compliance dates more restrictive.
  - Include all CAMR elements for coal-fired units, but also regulate non-coal fired units to meet VA's envt'l needs.
  - In lieu of regulating coal-fired units, regulate all non coal-fired units to keep within cap and not include any CAMR requirements.
  - Take no action.





# North Carolina Regulatory Process For Coal-fired Units

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- The Air Quality Committee of the North Carolina Department of the Environment and Natural Resources is meeting to discuss Hg regulatory options more restrictive than CAMR.
- Any such option needs to be finalized before the NC legislature reconvenes in May 2006.



# Michigan Proposed Rule For Coal-fired Units

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- In 2003, MI Hg Electric Utility Workgroup formed.
- As of June 2005 MI plans to adopt CAMR's 2010 cap.
- MIDEQ is considering two options for second cap:
  - Require 90% reduction by 2013, or
  - Require greater unspecified reduction than EPA by 2018.



# STAPPA-ALAPCO Model Mercury Control Rule

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A model rule is being developed to reduce mercury emissions from coal-fired electric generating units.

- The owners and operators of new units would be required to install “state-of-the-art” control technology.
- The owners and operators of existing units would have a number of compliance options.
- The Model Hg rule is expected to be released by the end of October 2005.



# Ohio Pending Legislation For Coal-fired Units

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- Introduced in the 2005-2006 legislative session.
- Aim of the bill is to have coal-fired units achieve 90% Hg reduction or 0.6lb/Tbtu emission rate by December 15, 2007.



# New Hampshire Legislation and Pending Legislation

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- 2002 legislation requires coal-fired units to reduce emissions of NO<sub>x</sub>, SO<sub>x</sub>, CO<sub>2</sub>, and Hg.
- 2005 pending bill will require 60% reduction in Hg emissions by July 1, 2009 and 89% Hg emission reduction by 2013.



# Minnesota Pending Legislation

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- Introduced in the 2005 legislative session.
- By July 1, 2010, install BACT, if installation is economically feasible.
- If installation is not economically feasible, then upgrade facility to meet CAMR NSPS.
- Facilities have option to fuel switch to natural gas to meet CAMR NSPS compliance.



# Illinois Pending Legislation For Coal-fired Units

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- Introduced in the 2005 legislative session.
- Bill would require coal-fired units to reduce Hg emissions by 90% or meet an emission rate of 0.6 lb./Tbtu, whichever is more achievable.
- Compliance must be achieved on July 1, 2008.



# New York Pending Legislation

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- Introduced in the 2005 legislative session.
- On January 1, 2012 no coal-fired unit shall emit more than the Hg emission cap as determined under this act.
- On January 1, 2012 no municipal waste incinerator shall emit more than the Hg emission cap as determined under this act.





# Montana Pending Legislation

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- Introduced in the 2005 legislative session.
- Existing fossil-fuel or biomass power plants shall reduce the uncontrolled mercury emissions from the generating unit by a minimum of 80%.
- Compliance required by January 1, 2010.
- Bill has not moved out of committee.



# Maryland Legislative Effort For Coal-fired Units

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- Introduced in the 2005 legislative session.
- Bill proposed to set emission limits from coal-fired power plants for NO<sub>x</sub>, SO<sub>2</sub>, CO<sub>2</sub>, and Hg.
- Passed Senate, but was defeated in the House.



# Conclusion

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- A number of States have moved beyond CAMR.
- A number of States are considering moving beyond CAMR.



# Contact

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- Additional information on any of these will be provided upon request.
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