

Archived: Thursday, May 31, 2012 4:00:33 PM
From: Tom Shaw
Sent: Tuesday, February 21, 2012 9:00:59 AM
To: Bob Berry; Eric M. Robeson; Albert Yockey
Cc: Mark Bailey; Jim Garrett; Wayne O'Bryan; Ron Gregory
Subject: RE: Mercury Rule
Importance: Normal

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Bob,

I called the state yesterday about the process for the 1st year extension and the phone message that I got back was they are not ready to discuss it yet. The reason the state is not ready is that they are waiting on some additional information from EPA. In regards to the 5th year, my understanding is that utilities will need to show the reason why 4 years was not sufficient time to install controls and originally it looked like the utility might need to agree to a consent decree with EPA (not the state), but now it looks like it might be an administrative order. I not really sure what the difference is between the two, but it appears it will be difficult to get the 5th year. I will pass along information on the possibility of extensions (particularly the 5th year) as they become available.

Finally, I need to correct the date I originally gave for compliance. I failed to include the 60 day comment period after the rule was published in the Federal Register in the final date. The compliance date will be April 16, 2016 with the 1 year extension.

Tom

From: Bob Berry
Sent: Tuesday, February 21, 2012 7:36 AM
To: Tom Shaw; Eric M. Robeson; Albert Yockey
Cc: Mark Bailey; Jim Garrett; Wayne O'Bryan; Ron Gregory
Subject: RE: Mercury Rule

Tom, When should we start the process of requesting the one year extension to comply? Also I have read some articles stating the EPA has outlined a procedure for utilities to request an additional year for a total of 5 years to comply.

Bob

From: Tom Shaw

Sent: Thursday, February 16, 2012 3:54 PM

To: Mark Bailey; Eric M. Robeson; Bob Berry; Jim Garrett; Ron Gregory; Wayne O'Bryan; Albert Yockey

Subject: Mercury Rule

To All:

In case you have not already heard, EPA published in today's Federal Register the Mercury and Air Toxics (MATs) rule. This means the compliance time clock begins today and we will need all of the control equipment in place and operating no later than February 16, 2016 (assuming we get the promised 1 year extension). If I find any changes from the pre-published rule I will let the group know. If you have any questions please do not hesitate to ask.

Tom