

**Archived:** Thursday, May 31, 2012 3:59:34 PM  
**From:** [John Talbert](#)  
**Sent:** Wednesday, December 21, 2011 2:39:46 PM  
**To:** [Mark Bailey](#); [Albert Yockey](#); [Bill Blackburn](#); [Bob Berry](#); [Eric M. Robeson](#); [Marty Littrel](#); [Tom Shaw](#); [Mark Bertram](#)  
**Subject:** Utility MACT  
**Importance:** Normal

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EPA has released the utility MACT rule. I have excerpted a portion of the EPA website wherein they describe the compliance process – 3 years with an additional 1 available from the state and up to another year for “reliability critical units”, which the EPA believes will be “few, if any”. They also are assuring us that reliability will not be a problem, because their, and “a number of other analyses”, said so.

Merry Christmas!!

#### ***Power Plants Have Time to Meet the Standards***

*Existing sources generally will have up to 4 years if they need it to comply with MATS.*

- *This includes the 3 years provided to all sources by the Clean Air Act. EPA's analysis continues to demonstrate that this will be sufficient time for most, if not all, sources to comply.*
- *Under the Clean Air Act, state permitting authorities can also grant an additional year as needed for technology installation. EPA expects this option to be broadly available.*

*EPA is also providing a pathway for reliability critical units to obtain a schedule with up to an additional year to achieve compliance. This pathway is described in a separate [enforcement policy document \(PDF\)](#) (7pp, 2MB). The EPA believes there will be few, if any situations, in which this pathway will be needed.*

*In the unlikely event that there are other situations where sources cannot come into compliance on a timely basis, consistent with its longstanding historical practice under the Clean Air Act, the EPA will address individual circumstances on a case-by-case basis, at the appropriate time, to determine the appropriate response and resolution.*

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#### ***Reliable Energy***

*In EPA's 40 year history, the Clean Air Act has not impacted power companies' ability to keep the lights on in communities across the United States. EPA's analysis shows that the MATS rule and the*

*Cross State Air Pollution Rule will not adversely affect resource adequacy in any region of the country. More information is available in [EPA's resource adequacy analysis](#).*

*A number of other analyses have reached conclusions consistent with EPA's, including a report from the [Department of Energy \(PDF\)](#).*

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