

Non-Hg HAPs: A Utility View

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Outline

- **Health risks (or lack of)**
- **Data (real lack of)**
- **MACT Process**
- **Implications**

Non-Hg HAPs and Health Risks

- No EPA finding of health concerns for non-Hg HAPs
- For non-carcinogens, MACT not invoked for Cl₂ & HCl by EPA for chlor-alkali plants due to “below threshold” determination (Fed. Reg. 7/3/02)
- EPA in Report to Congress stated only two HAPs (arsenic and dioxins) are “of potential concern” but “further evaluations and reviews” are needed
- EPRI (1994) found that multimedia risk for all carcinogens was below 1 in 1 million for all plants studied and that, for non-carcinogens, all exposures were below threshold levels

Non-Hg HAPs Data for Utilities

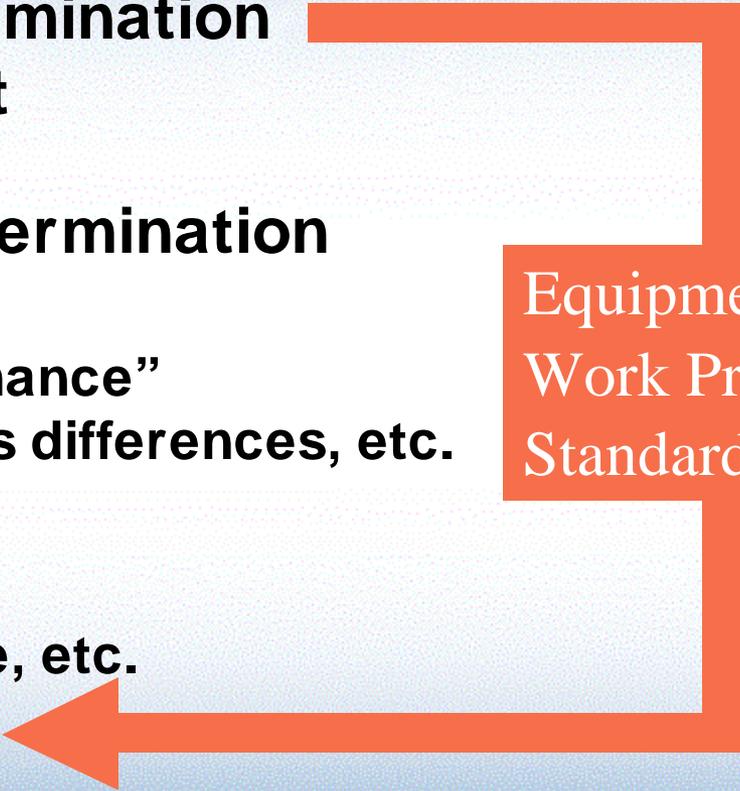
- **Existing data - old, questionable**
 - Organics very bad, especially dioxin
 - Trace metals best of bad lot
 - Acid gases limited
- **Source plant selection - no design!**
 - funding and DOE projects determined site measured
 - coal type, control tech., boiler type, etc. not selected
- **Conclusion - Data not sufficient to determine “achieved” performance of best or top 12% of sources**

MACT Floor Determination Process

- 1. Regulatory determination**
- 2. Data assessment**
 - Get more data?
- 3. Subcategory determination**
- 4. Floor level set**
 - “achieved performance”
 - variability, process differences, etc.
- 5. Beyond the floor**
- 6. Compliance**
 - Method, time scale, etc.
- 7. Draft rule**

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Equipment &
Work Practice
Standard

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Implications

- **Clean Air Act calls for regulation of industry if and only if there is a health basis**
- **As proposed, the surrogate approach would swallow virtually the whole Clean Air Act**
- **Costs could approach \$100+ billion, severe impact to world economy**
- **Draconian impact on the industry with no finding of health concerns**
- **No non-carcinogen has been shown to be near a health threshold (EPA & EPRI)**