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 Cl\textsubscript{2} & 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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MACT Floor Determination Process

Equipment & Work Practice Standard
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)