

## FACT SHEET

# Proposal to Repeal Revisions to the Mercury and Air Toxics Standards for Power Plants

### SUMMARY OF ACTION

- On June 11, the U.S. Environmental Protection Agency (EPA) proposed to repeal certain amendments issued on May 7, 2024, to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coal- and Oil-Fired Electric Utility Steam Generating Units (EGUs), commonly known as the Mercury and Air Toxics Standards for power plants or simply MATS. Under EPA's initiative to *Power the Great American Comeback*, this proposed action would contribute to Restoring American Energy Dominance by removing undue burdens on coal-fired EGUs while accomplishing the Agency's core mission of protecting human health and the environment.
- EPA is proposing to repeal:
  - The filterable particulate matter (fPM) emission standard for existing coal-fired EGUs of 0.010 pounds per million British thermal units of heat input (lb/MMBtu)
    - The cost effectiveness of meeting this standard is significantly higher than ratios the Agency had previously determined to be too high.
    - The previous fPM standard, 0.030 lb/MMBtu, would remain in place.
  - The fPM emission standard compliance demonstration requiring all coal- and oil-fired EGUs to use PM continuous emission monitoring systems (CEMS).
    - The PM CEMS requirement creates an unnecessary expense and limits flexibility to demonstrate compliance with the fPM standard.
    - Owners and operators of coal- and oil-fired EGUs would still have the option to use PM CEMS to demonstrate compliance or use other reliable options including continuous parametric monitoring systems (CPMS) or quarterly stack testing.
  - The mercury (Hg) emission standard for existing lignite-fired EGUs of 1.2 pounds per trillion British thermal units of heat input (lb/TBtu).
    - Because of the wide-ranging and highly variable Hg content of various lignite fuels, the data used to revise this limit do not demonstrate that all lignite-fired units could achieve this standard.
    - The previous Hg standard, 4.0 lb/TBtu, would remain in place.
- As an alternative to returning to the previous emissions standards for Hg and fPM, EPA is requesting comment on cost-effective and achievable options that could replace the 2024 standards.
- EPA also is proposing to reinstate the low-emitting EGU (LEE) program for fPM and individual and total non-Hg hazardous air pollutant (HAP) metals, which reduces the frequency of stack testing if an EGU's emissions are less than 50 percent of the emission limit.
- In addition, EPA is requesting comment on whether the Agency, when conducting a technology review under Clean Air Act (CAA) Section 112(d)(6), should consider if any

meaningful risk reduction would be obtained from revised HAP emission standards resulting from that technology review.

- EPA estimates that this proposed repeal of the 2024 MATS Amendments would save up to \$1 billion in regulatory costs over a decade beginning in 2028, or at least \$120 million a year.
- EPA will accept comment on the proposal for 45 days after publication in the *Federal Register*.

## REGULATORY IMPACT ANALYSIS

- In accordance with Executive Orders (E.O.) 12866 and 13563, the guidelines of OMB Circular A-4, and EPA's Guidelines for Preparing Economic Analyses (U.S. EPA, 2024), EPA prepared a Regulatory Impact Analysis (RIA) to analyze the costs and benefits associated with this proposed deregulatory action.
- Power plant emissions would not increase from today's levels because of this proposed repeal. Rather, the projected emission reductions of the 2024 MATS amendments would not occur in the future if it is repealed.
- The RIA estimates are presented two ways—as present values (PV) and equivalent annualized values (EAV). The PV is the costs or benefits over the period of 2028-2037. The EAV represents the value for each year of the analysis. The value of costs and benefits are reported in 2024 dollars (2024\$), discounted to 2025 at a 3 percent and 7 percent discount rate. Figures presented in this fact sheet reflect a 3 percent discount rate.
- EPA estimates that this proposed repeal of the 2024 MATS Amendments would save up to \$1 billion in regulatory costs over a decade beginning in 2028, or about \$120 million a year at a 3 percent discount rate.
- EPA estimates emissions changes of Hg, acid gas, and non-Hg HAP metals for three snapshot years in the RIA, including 2028, 2030, and 2035.
- At this time, data limitations prevent EPA from assigning monetary value to reductions of HAP such as Hg, lead, arsenic, chromium, nickel, and cadmium.
- The RIA also provides estimates of nationwide changes in EGU emissions of particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>), sulfur dioxide (SO<sub>2</sub>), annual and ozone-season nitrogen oxides (NO<sub>x</sub>), and carbon dioxide (CO<sub>2</sub>) for the snapshot years.

## BACKGROUND

- In the 2012 final MATS rule, EPA established standards to limit emissions of Hg; acid gas HAP such as hydrogen chloride and hydrogen fluoride; non-Hg HAP metals such as nickel, lead, and chromium; and organic HAP such as formaldehyde and dioxins/furans from coal- and oil-fired power plants based on the application of the maximum achievable control technology (MACT) for Hg and other air toxics.
- Combined with other changes affecting the power sector, the 2012 MATS rule has driven sharp reductions in harmful air toxic pollutants from coal- and oil-fired power plants. Required industry-reported emissions data show:

- 2021 mercury emissions from coal-fired EGUs were 90 percent lower than pre-MATS levels;
- Since 2010, acid gas HAP emissions have been reduced by over 96 percent; and
- Emissions of the non-mercury metals – including nickel, arsenic, and lead – have been reduced by more than 81 percent.
- Under CAA Section 112(d)(6), EPA is required to “review, and revise as necessary (taking into account developments in practices, processes, and control technologies), emission standards promulgated under this section no less often than every 8 years.” This is known as a “technology review.”
- In addition, CAA Section 112(f)(2) requires EPA to review residual risk within 8 years after promulgation of standards to ensure the standards provide an ample margin of safety to protect human health or to prevent an adverse environmental effect. Here, EPA must determine if more health-protective standards are necessary. This is known as a “residual risk review.”
- EPA may propose and finalize revised standards, if necessary, based on the results of the risk and/or technology review (RTR).
- On May 22, 2020, EPA published the results of RTR for coal- and oil-fired EGUs. The RTR analysis showed that the HAP emissions from coal- and oil-fired power plants have been reduced such that residual risk is at an acceptable level. As a result, EPA did not promulgate any revisions to MATS.
- On January 20, 2021, EPA was directed to review the results of the 2020 RTR and suspend, revise, or rescind the final action.
- On May 7, 2024, after reviewing the results of the 2020 MATS RTR, EPA finalized revisions to the emission standard for fPM for existing coal-fired EGUs, requirements to demonstrate compliance of the fPM emission standard, and Hg emission standard for existing lignite-fired EGUs.
- In response to recent Presidential Actions, EPA has undertaken a review of the 2024 MATS Amendments. Executive Order 14154, “Unleashing American Energy” (90 FR 8353, January 29, 2025), specified that it is the policy of the United States to “protect the United States’s economic and national security and military preparedness by ensuring that an abundant supply of reliable energy is readily accessible in every State and territory of the Nation” and “to ensure that all regulatory requirements related to energy are grounded in clearly applicable law” (among others). The Executive Order directed the heads of all agencies to review all existing regulations to identify agency actions that impose an undue burden on the identification, development, or use of domestic energy resource, with particular attention to oil, natural gas, coal, hydropower, biofuels, critical mineral, and nuclear energy resources. Agencies were directed to suspend, revise, or rescind all agency actions identified as unduly burdensome.
- On April 8, 2025, President Trump signed a Proclamation, “Regulatory Relief for Certain Stationary Sources to Promote American Energy” (90 FR 16777, April 21, 2025). This Proclamation exempted certain stationary sources, identified in Annex 1 of the Proclamation, from compliance with the 2024 MATS Amendments. The President’s exemption is for a period of 2 years beyond the 2024 Final Action’s compliance date (*i.e.*,

for the period beginning July 8, 2027, and concluding July 8, 2029). Sources identified in Annex 1 will remain subject to the 2012 MATS Final Rule during the 2-year extension period.

## HOW TO COMMENT

- EPA will hold a virtual public hearing for the proposed action 15 days after publication of this proposal in the *Federal Register*. Further details about the public hearing, including registration, will be available at [Mercury and Air Toxics Standards](#).
- EPA will accept comments for 45 days after the proposal is published in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2018-0794, may be submitted via one of the following methods:
  - Go to <https://www.regulations.gov/> and follow the online instructions for submitting a comment (our preferred method).
  - Send an email message to [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov), Attention Docket ID No. EPA-HQ-OAR-2018-0794.
  - Fax your comments to: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2018-0794.
  - Mail: U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA-HQ-OAR-2018-0794, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
  - Hand/Courier Delivery: EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.-4:30 p.m., Monday-Friday (except federal holidays).

## FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule, RIA, and fact sheet from EPA's website at [Mercury and Air Toxics Standards](#).
- This action and other background information are also available online at <https://www.regulations.gov/>. Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2018-0794.