

Board Adopts Final Amendments to MPS Rule for Downstate Coal-Fired Power Plant Emissions

On August 22, 2019, the Board adopted final amendments to the Multi-Pollutant Standards (MPS). The Illinois Environmental Protection Agency (IEPA) initiated this rulemaking to provide operational flexibility by combining the two current MPS groups into one group and replacing the current rate-based emission standards for sulfur dioxide (SO_2) and nitrogen oxides (NO_x) with annual mass-based limits. The final amendments, which take effect on August 23, 2019, adopt those two measures but impose more stringent limits than IEPA had originally proposed.

Specifically, the final amendments set annual mass-based caps for SO_2 (34,500 tons per year) and NO_x (19,000 tons per year), as well as an 11,500-ton NO_x cap for the ozone season. The amendments also include an annual plant-specific cap of 19,680 tons of SO_2 for Joppa Power Station. These mass caps reduce allowable emissions from the current MPS rule by 31,854 tons for SO_2 annually, 13,841 tons for NO_x annually, and 2,266 tons for NO_x during the ozone season. The amendments also require further decreases in the mass caps when an electric generating unit (EGU) is transferred, permanently shut down, or temporarily shut down. Additionally, the amendments require the permanent reduction of at least 2,000 megawatts of coal-fired electric generation from one or more EGUs in the MPS group.

The Board determined, based upon the rulemaking record, that the amendments are protective of human health and the environment, including air quality around the MPS plants. The record demonstrated that the amendments would not interfere with the National Ambient Air Quality Standards (NAAQS). The United States Environmental Protection Agency established the NAAQS to protect public health—including the health of sensitive populations—with an adequate margin of safety. Moreover, in the unlikely event that emissions from EGUs lacking pollution controls approach levels threatening the NAAQS, the federal Clean Air Act would require IEPA action to control those emissions.

The Joint Committee on Administrative Rules, at its August 13, 2019 meeting, issued a “Certification of No Objection” to the MPS rule amendments. The rulemaking is captioned [Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standard \(MPS\)](#), docket R18-20. Here are links to the Board’s (1) [final opinion and order](#) and (2) [addendum](#) containing the adopted rule text. For more information, please contact Tim Fox (312-814-6085, Tim.Fox@Illinois.Gov).