



## SENSE Act

### The SENSE Act provides a single additional, alternative limit for one standard in the MATS rule

- The SENSE Act will establish a **single additional, alternative acid gas limit** in 40 CFR Part 63 Subpart UUUUU [also known as the Mercury and Air Toxics Standards (MATS) Rule] that will allow certain coal refuse to energy plants to remove, use and remediate the higher sulfur content coal refuse piles. **No other limit in MATS or any other regulation is modified or changed by the SENSE Act.**
- This SENSE Act additional, alternative acid gas sulfur dioxide (SO<sub>2</sub>) limit will be used by a limited number of facilities – three (3) bituminous fired coal refuse-fired plants in Western Pennsylvania and two (2) in West Virginia. These plants are critical to the economies and quality of life improvements in the areas where they are located. Anthracite coal refuse has lower sulfur content enabling electric generating units using it as fuel to meet the current MATS acid gas limit for SO<sub>2</sub>.
- To qualify, a facility must use a fluidized bed boiler. The fluidized bed boiler must use at least 75% coal refuse annually in the fuel mix.

### The SENSE Act Preserves All of the Monetized Health Benefits of the MATS Rule and All Other Air Quality Rules Affecting these Coal-Refuse Fired Facilities

- **There are no negative health impacts from the SENSE Act.** This is because any increase in SO<sub>2</sub> emissions that would occur at any of the facilities because of the SENSE Act would be offset by the need to purchase the “over control” of SO<sub>2</sub> emissions from another affected plant under the Cross State Air Pollution Rule (CSAPR). The CSAPR SO<sub>2</sub> emission budget is set using the same SO<sub>2</sub> emission rate as the MATS rule acid gas SO<sub>2</sub> limit. By preserving the overall SO<sub>2</sub> emissions budget from the electric generating sector, all of the monetized health benefits from the MATS rule are preserved.
- The total monetized health benefits of the MATS rule are 97% to 99% due to the co-benefit reductions in SO<sub>2</sub> emissions, not from the control of air toxics.
- **There will not be any increase in other air toxic emissions or particulate emissions.** Every other limit included in the MATS rule remains in effect at the current level.

- All coal refuse-fired electric generating units in Pennsylvania and West Virginia qualify as **mercury low emitting electric generating units as specified by the MATS rule** requirements.
- Two of the five facilities that would use the SENSE Act alternative acid gas SO2 limit were **used to set the mercury limit** for all electric generating units using non-low rank virgin coal (lignite) in the MATS rule.
- All of the facilities that would use the additional, alternative acid gas limit in the SENSE Act are collecting filterable particulate emissions testing data that demonstrates they will **qualify as Filterable Particulate Matter (FPM) low emitting electric generating units as specified by the MATS rule** requirements. Compliance with the MATS rule FPM limit demonstrates compliance with total non-mercury metals including Antimony (Sb), Arsenic (As), Beryllium (Be), Cadmium (Cd), Chromium (Cr), Cobalt (Co), Lead (Pb), Manganese (Mn), Nickel (Ni) and Selenium (Se).

## The SENSE Act is Good for Communities and the Environment

- Without the SENSE Act, the public in the bituminous coal region will continue to be exposed to hazardous air pollutants, particulate matter, volatile organic compounds and hydrogen sulfide from the remaining piles of coal refuse. Acid mine drainage and the toxic materials discharged that prevent the survival of fish and other aquatic life in the local and downstream areas will also continue.
- All of the coal refuse to energy facilities in Pennsylvania and West Virginia, **including those that will not use the additional, alternative SO2 performance removal standard**, support the SENSE Act.
- One of the biggest problems, if not the biggest problem, that the SENSE Act faces is that most people have not personally experienced coal refuse piles and the impacts of those piles. People who have never lived in a coal region and haven't experienced daily the environmental, health and safety issues associated with coal refuse simply do not appreciate those issues and the amazing benefits provided by these coal refuse to energy facilities.