

Environmental Energy Issues Overview

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NEXUS

- **A connection or series of connections linking two or more things.**
- **The central and most important point or place**

Significant

- **Sufficiently great or important to be worthy of attention; noteworthy.**
- **Having a particular meaning; indicative of something.**

Significant or Not Significant

- **Today's regulations are at a point that addressing a rule under one media impacts the regulations related to the other medias!**
(Media meaning Air, Water, and Land)
- **Most environmental issues are looked at a stand alone issue. But, in todays regulatory climate, it is becoming a multi-media environmental issue!**
- **In the past, each issue has been addressed individually with the economic analysis directed at that issue and limited analysis on its impacts on other rules.**

A perspective from an IPP

- **The Issues**

- AIR
- WATER
- LAND (WASTE MANAGEMENT and MINING)

- **The NEXUS from a non-legal perspective can be described as**

- EPA's Regulatory Efforts relating to Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act are as a result of EPA's regulatory efforts is to eliminate a fuel (Coal) by tying together in such a manner that achieving compliance with one rule will require compliance with other rule that impact the other medias resulting in additional costs.

The Interesting Aspect

- **Low energy costs is a key component of our economics.**
- **The electricity costs were controlled by the States via their PUCs, PSC or similar Commissions.**
- **These decisions by some states to deregulate the electric generation and separate that from transmission while other states did not deregulate compounds the problem.**
- **The ability to establish environmental controls in the past were limited because of the States wanting to keep electricity pricing low. However, the cost of environmental controls were passed through. In a deregulated market, the ability to pass through these costs is problematic.**
- **How the RTO's are manages the grid controlling capacity markets adds to the problem.**

AIR

CSAPR

MATS/BMACT

CO₂ (Greenhouse Gases)

NAAQS

- **The Concerns:**
 - **SO₂ Controls**
 - **NO_x RACT**
 - **CO₂**
 - **Start-up/Shutdown**
 - **Monitoring**

WATER

- **WOTUS**
- **Water Withdrawals (Section 316(b))**
- **ELGs (for EGUs Steam Generation)**
- **Water Quality Standards**
 - **Stream Quality**
 - **Drinking Water Quality**
- **Mandated Triennial Reviews for Surface Water Quality**

Waters of the United States

- **The concept of NEXUS is at the heart of this rule making effort**

The NEXUS – Significant or Not?

- **The term NEXUS has been described as a “LEGAL TERM” not a “SCIENTIFIC TERM” by EPA’s Science Advisory Board.**
- **This is a critical component of the proposed modification to the Definition of Water of the United States.**
- **A Definition that impacts all!**

LAND

- WASTE
- MINING

Waste

- **NHSW**
- **Processing and Homogenous**
- **Coal Combustion Residuals**

Coal Mining

- Beneficial Use of Coal Ash in Mine Land Reclamation
- Remining
- AML Program

Summary

- **The more stringent rules requiring additional controls will also impact and be impacted by rules relating to the other environmental media.**
- **The Interrelationships of the different environmental regulatory program initiatives must be more fully examined and become part of the economic analysis that occurs in proposing regulations.**
- **Steps taken to address one issue must now more closely examine what impacts those steps will have on the other medias.**