



FACT SHEET: MERCURY AT NEW POWER PLANTS

What is the rule regulating mercury from new power plants?

The new rule, tentatively titled *20.2.86 NMAC - Best Available Control Technology for Mercury at New Power Plants*, is intended to minimize mercury emissions from new coal-fired power plants. The rule will require that new coal-fired power plants control mercury with either Best Available Control Technology (BACT) or removal of ninety percent (90%) of the mercury from the input fuel, whichever is greater.

Why is New Mexico proposing this rule?

The new rule will implement House Bill 318, a product of the 2007 Legislative Session in New Mexico. House Bill 318 provides statutory authority (under the Air Quality Control Act, NMSA 1978, Section 74-2-5(C)(4)) for the Environmental Improvement Board (EIB) to issue a rule requiring that new coal-fired power plants control the greater of what is achievable with BACT or 90% of the mercury from the input fuel.

When will the rule take effect?

If approved by the EIB, the rule will apply to new power plants built after July 1, 2007.

How will the rule affect me?

The rule will help control mercury from any new coal-fired power plant. Mercury is a powerful neurotoxin that affects the human brain, kidneys, liver and cardiovascular system. Unborn and young children may be critically affected because mercury affects the development of the brain and nervous system. Pregnant women who eat fish contaminated with mercury may jeopardize fetal development of their unborn children.

How is this rule different from the existing mercury rule for power plants?

The new rule will work in concert with *20.2.85 NMAC - Mercury Emission Standards and Compliance Schedules for Electric Generating Units*, which became effective June 15, 2007. 20.2.85 NMAC establishes mercury emission limitations for coal-fired electric generating units with capacity greater than 25 megawatts. The new rule will apply to all new coal-fired power plants, regardless of capacity. New plants greater than 25 megawatts will also need to comply with a mercury emission limitation contained in 20.2.85 NMAC.

Where can I find more information?

Go online to: http://www.nmenv.state.nm.us/aqb/prop_regs.html

How can I comment on the mercury rule?

Through **September 14**, we welcome your comments on the rule regulating mercury from new power plants.

Contact Andy at NMED's Air Quality Bureau at 1-800-224-7009 or andy.berger@state.nm.us