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EPA FINALIZES REPEAL OF UPDATED MERCURY & AIR TOXICS LIMITS FOR POWER PLANTS

Today, the U.S. Environmental Protection Agency (EPA) finalized its rule repealing the 2024 updates to the mercury and air toxics limits for power plants. The 2024 Mercury and Air Toxics Standards (MATS) rule was a common-sense surgical regulation that would have required the worst-polluting plants to tighten their emission controls and meet limits that the majority of power plants have long achieved. As discussed in a policy brief from the Institute for Policy Integrity at NYU School of Law, EPA based the 2024 emission limits on pollution-control methods that have been available for years—a fact that the regulated industry has conceded.

Last June, EPA proposed to repeal the updated pollution limits, claiming that various components of the updated regulations were unreasonably costly or unachievable. The Institute for Policy Integrity submitted comments detailing EPA's errors, including the agency's failure to justify repealing key components of the 2024 Rule and the agency's reliance on incomplete and inadequate analysis.

Dena Adler, Senior Attorney at the Institute for Policy Integrity at NYU School of Law, released the following statement:

"With this action, EPA is letting some of the country's dirtiest power plants off the hook for causing neurotoxic and carcinogenic pollution. Since 2012, the Mercury and Air Toxics Standards have delivered enormous benefits for public health and the environment while the rule's costs have been far below the original estimates. The 2024 standards were a modest update, relying on technologies that industry admits have long been available.

The fact that EPA could not fully monetize all of the health benefits of the 2024 update does not mean that these benefits are unimportant. In addition to reducing mercury emissions, the 2024 Rule would have reduced particulate matter and other health-harming air pollution, saving lives. EPA cannot reasonably suggest that uncertainty now bars it from monetizing and properly accounting for the health harms of particulate matter. It has been estimating those costs to human health for decades."

Adler and other experts at the Institute for Policy Integrity are available for interviews on these issues.

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The Institute for Policy Integrity *at New York University School of Law is a non-partisan think tank dedicated to improving the quality of government decisionmaking. The institute produces original scholarly research in the fields of economics, law, and regulatory policy; and advocates for reform before courts, legislatures, and executive agencies.*