



## Federal Taconite Ore NESHAP/RTR

Anne Jackson PE | Engineer, Air Policy Unit

Feb. 5, 2021

# Risk and Technology Review (RTR)

- Clean Air Act first requires EPA to promulgate a National Emissions Standard for Hazardous Air Pollutants (NESHAP) for major air emission sources of Hazardous Air Pollutants or HAPs. (Sec. 112(d)(3))
- Clean Air Act identifies HAPs, including mercury.
- EPA then determines the risk remaining after the NESHAP is applied.
  - Additionally, EPA must evaluate whether there are technology improvements.
  - This technology assessment is required to be completed every 8 years. (Sec. 112(d)(6))
  - EPA must evaluate risk once in the first 8-year assessment. (Sec. 112(f)(2))

# Minnesota & EPA Milestones

Year	Federal Milestone	Minnesota Milestone
2003	Taconite NESHAP adopted without Hg limit	
2005	Court remands MACT to EPA to develop Hg limit	
2007		Minnesota Hg TMDL approved by EPA
2009		TMDL Implementation plan completed
2013	Court orders RTR completed by June 2020	
2014		MPCA adopts Hg Reduction rule. Reduction plans should show how to achieve 72% reduction.
2018		Taconite reduction plans submitted to MPCA; 14% overall reduction proposed.
2019	EPA proposes Taconite RTR without Hg limit	
2020	EPA adopts Taconite RTR without Hg limit	
2020		MN, MI, Earthjustice submit Request for Reconsideration to EPA
2020		MN, MI, Earthjustice Petition to Sue (DC Court)
2025		TMDL reduction goal compliance