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January 29, 2025

Ms. Lisa Felice
Executive Secretary
Michigan Public Service Commission
PO Box 30221
Lansing, MI 48909-7721

Re: Case No. U-12486
Indiana Michigan Power Company

Dear Ms. Felice:

Enclosed for electronic filing in the above-referenced matter is Indiana Michigan Power Company's January 29, 2025 Report on the Compliance of Electrical Power Generating Facilities in Michigan with all Rules, Regulations, and Standards of the Federal Environmental Protection Agency Regarding Mercury Emissions.

If you have any questions, please contact me.

Sincerely,

Dykema Gossett PLLC

Richard J. Aaron

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BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

Indiana Michigan Power Company
January 29, 2025 Report on the Compliance of Electrical Power
Generating Facilities in Michigan with all Rules, Regulations, and Standards
of the Federal Environmental Protection Agency Regarding Mercury Emissions

Facility Name	Facility Address
Donald C. Cook Nuclear Plant	One Cook Place, Bridgman, MI 49106
Berrien Springs Hydroelectric Plant	600 South Mechanic Street, Berrien Springs, MI 49103
Buchanan Hydroelectric Plant	15560 East River Road, Buchanan, MI 49107
Constantine Hydroelectric Plant	135 North Washington Avenue, Constantine, MI 49042
Mottville Hydroelectric Plant	10005 North River Road, White Pigeon, MI 49099
Watervliet Solar Power Plant	9301 Red Arrow Highway, Watervliet, MI 49098

I&M has evaluated each of these electric power generating facilities concerning their compliance status with applicable USEPA regulations governing mercury emissions. A discussion of the compliance status of these facilities is provided below.

Air Emissions of Mercury

The compliance assessment of I&M's Michigan electric generating stations showed that there are no USEPA regulations governing mercury emissions that are applicable to the emissions sources located at I&M's Michigan generating stations. Potentially applicable Clean Air Act regulations are MATS and the National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers (IB MACT rule).

MATS Regulation – this regulation, which became effective on April 16, 2012 with a compliance deadline of April 16, 2015, established emission limitations for several classes of hazardous air pollutants (HAPs), including mercury, from coal- and oil-fired electric utility steam generating units. EPA revised the MATS rule on April 25, 2024. The MATS rule is applicable only to coal- and oil-fired combustion units of more than 25 MW that serve a generator that produces electricity for sale. I&M's electric generating units located in Michigan do not meet this applicability determination and therefore are exempt from this regulation.

IB MACT Rule – EPA finalized this rule in December 2012. The regulation establishes emission standards for certain hazardous air pollutants from industrial boiler area sources. The Cook Nuclear Plant is an area source of HAPs. There are no emission standards for mercury applicable to the fuel oil-fired auxiliary boiler located at the Cook plant. Neither the solar power plant, nor the four I&M Michigan hydroelectric generating plants, have any sources subject to this rule.

Discharge of Mercury to Water

Clean Water Act regulations govern the discharge of mercury to water. The Cook Nuclear Plant's National Pollutant Discharge Elimination System (NPDES) permit regulates mercury discharge. Quarterly monitoring is conducted to verify compliance with the NPDES permit limits for surface water. All monitoring results for NPDES compliance show that the plant is in compliance with these permit limits for mercury. There are no applicable permit requirements that restrict the discharge of mercury from I&M's solar facility and the hydroelectric generating plants located in Michigan.

Toxics Release Inventory (TRI) Program

This program of the Emergency Planning and Community Right-to-Know Act requires several industrial categories, including electric power generating facilities, to report annual emissions of mercury, among other substances, to EPA if these emissions exceed a reporting threshold. EPA regulations implementing this program state, at 40 CFR 372.23(c), that the TRI program is limited to electric generating facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce. I&M's Michigan electric generating plants (one nuclear plant, one solar plant and four hydroelectric plants) do not combust coal and/or oil for the purpose of generating power

for distribution in commerce and therefore are not subject to any TRI reporting requirements.

Summary

I&M submits that it has reviewed the Clean Air Act, the Clean Water Act and the Emergency Planning and Community Right-to-Know Act and their implementing regulations that govern the emission and discharge of mercury. The federal regulations adopted under the Clean Air Act and the TRI program do not apply to I&M's electric generating plants in Michigan. I&M's Cook Nuclear Plant is in compliance with applicable mercury regulations under the Clean Water Act.