

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,
to require an annual report on compliance with
the Mercury Emissions provisions of 2000 PA 141.

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Case No. U-12486

Report on the Compliance Status of each Electrical Power
Generating Facility in Michigan with all Rules, Regulation, and
Standards of the Federal Environmental Protection Agency
Regarding Mercury Emissions as
Required Under 2000 PA 141

Submitted by: Upper Peninsula Power Company

Dated: January 31, 2025

1. Introduction

Upper Peninsula Power Company (UPPCO) submits the following report in response to the commission's June 19, 2000 order in the captioned docket. The Commission ordered the owner or operator of each electrical power generating facility in Michigan to file a report showing that it is in compliance with all applicable federal Environmental Protection Agency regulations governing mercury emissions and how it determined that it is in compliance. If any facility is not in compliance, the report shall detail how it will bring itself into compliance and shall commit to a date for full compliance. The commission also ordered that the first report required under Case No. U-12486 be filed within 90 days of the Commission's June 19, 2000 Order, and that each subsequent report be filed by January 31 of each succeeding year. The following report satisfies the requirements of Subsection 10d(9) of 2000 PA 141; MCL 460.10d(9); and MSA 22.13(10d)(9).

Report Outlining the Compliance Status with All Applicable Environmental Protection Agency Regulations Governing Mercury Emissions

UPPCO is the owner or operator of the following electrical power generating facilities in Michigan:

Group A:	Prickett Hydroelectric	Hoist Hydroelectric
	Victoria Hydroelectric	Escanaba 1 Hydro
	McClure Hydroelectric	Escanaba 3 Hydro
	Boney Falls Hydro	
Group B	Gladstone Turbine (Diesel)	

Facilities in Group A are hydroelectric plants and have no air emissions.

Facilities in Group B have air emissions that may contain negligible amounts of mercury and are not subject to the federal mercury rule.

In addition, facilities in both groups A & B are not subject to the reporting requirements under the Toxic Release Inventory program.

On March 15, 2005, the EPA issued the Clean Air Mercury Rule to permanently cap and reduce mercury emissions from coal-fired power plants. Additionally, the EPA issued the determination that it is not appropriate or necessary to regulate mercury and other hazardous air emissions from coal and oil-fired utility units under Section 112 of the Clean Air Act. Portions of the mercury rule and the Section 112 determination were challenged and in February 2008, a court decision vacated the rule. In December 2011, the EPA issued the final Electric Generating Unit (EGU) Mercury and Air Toxics (MATS) Rule that will regulate emissions of mercury beginning in 2015. However, facilities in both groups A & B are not subject to the MATS Rule.

Based on the information provided above, we hereby submit that all of these facilities are in compliance with all current, applicable federal Environmental Protection Agency regulations governing mercury emissions.

Should the Commission and its staff require additional information please advise.

Respectfully submitted,

By: 
Virgil E. Schlorke, P.E.
Director – Generation &
Environmental Services

Dated: January 31, 2025