

MCTA Annual Meeting

Legislative/Regulatory Updates from 2024 and what to expect in 2025 and beyond

November 7, 2024



PO BOX 518 Upton Ma, 01568



Anyone aware there was an election?

Legislative session

January 2023 – December 31, 2024

- **Most Active:** *An Act to protect Massachusetts public health from PFAS*
 - Original version expansive, covered lots of industries and was extremely hurtful to businesses. With MCTA input a slightly better and narrower bill went to House W&M. Focused mainly on consumer goods.
 - Remaining Points of disagreement:
 - Definition of PFAS - *a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.*
 - MCTA suggested two- fluorinated carbon atoms and consistency with other rules. (Issue: New Firefighting equipment law defines PFAS as one-fluorinated carbon atom)
 - Definition of “Intentionally added” and “current unavoidable use” and Registration of products.
- **Less Active:** Extended Producer Responsibility (EPR), plastics, and chemical bans.
 - Little bit of action but no serious threats
- **Climate Bill** – Lots of controversy - passed Senate but not house
 - Not much DIRECT impact to MCTA members
 - Most of the bad stuff (gas system curtailment) was taken out at the last minute
 - Remember – all costs paid by ratepayer eventually



COMING SOON

Vision for 2025 and 2026

- PFAS – We are working with legislators now to finalize a narrower/clearer bill before it is filed.
- EPR, chemical bans, plastics and others will likely come back
- More Climate/Gas bans (Northampton is the 10th city/town to ban natural gas under pilot)

Regulatory Update – very active

- Cumulative Impact Analysis (CIA) regulations (new applications after 7/1/24)
 - MCTA comments resulted in several clarifications to the final regulation (“netting”, non-applicability to GHG, sequence of required public meetings, availability of list of toxic or potentially toxic to human health by inhalation)
- DEP Title V Operating Permit Program Fees (Under Development)
 - Title V of 1990 Clean Air Act (CAA) amendments established Operating Permit (OP) Program and CAA requires states to collect OP Fees to fully fund program.

	2000 (last update)	2023
Regulated Facilities	206	105
Revenue	2.93M	532K
Tons of Emissions	110,000	9,300
Cost of FTE	\$91,000	\$196,000 (Inflation 165,000)

- Potential Fee increase
 - 100-250 tons: \$27,000 to \$56,000
 - Less than 100 tons: \$5,000-\$27,000

MCTA Response

(letter June 20, 2024)

- MassDEP must consider all options to reduce the cost of this program.
- MassDEP must understand the universe of OP sources.
 - Currently, manufacturing facilities account for less than 30% of the current OP sources. Seventy five percent are now primarily power generation or waste-to-energy (WTE) facilities.
- MassDEP should consider a large base fee for the largest sources.
 - The emissions fee should recognize that manufacturers have no way to reduce emissions and employ more people than larger sources
- Municipal and state agencies must pay their fair share.
 - Currently 13/105 are fee exempt.
- MassDEP should open discussion with EPA about changes to the program.

Low Emission Vehicle Standard for Medium/Heavy Duty Trucks

- California Air Resources Board (CARB) has authority to set their own emissions standards for vehicle due to exemption in CAA
 - Massachusetts follows these CARB changes
- New Medium/HD truck rules
 - Phase II GHG and Heavy-Duty Omnibus (HDO) – Emission Standards
 - Advanced Clean Trucks (ACT) rule - manufacturers must begin selling (with annual increases) a set percentage of zero emission medium and heavy-duty vehicles (ZEVs).
- 10 States follow these CARB rules – MA, RI and VT in NE
- MA rules begin MY year 2025 (along with WA, OR, NY, NJ) other states 2026/2027
 - Already causing shortages of 2025 MY vehicles
 - New Phase II and HDO - trucks not available/higher priced
 - ACT - Lack of charging infrastructure, particularly outside Massachusetts, time to recharge, higher prices

MCTA Response

(letter September 13, 2024)

- Massachusetts is an outlier
 - PHASE II GHG and HDO rules - Only MA and OR have an HDO rule with an effective date of 2025. Three others have effective dates in 2026 and four in 2027.
 - ACT rules -Four have effective dates in 2025 (Only MA in New England), and the rest have 2026 or 2027.
- MCTA part of a coalition which asks DEP to suspend rules until model year 2027
 - CARB standards and EPA standards for Phase II and HDO emissions will merge in 2027
 - Delaying ACT rule will give states more time to build infrastructure
- Result
 - Mass delayed the Phase II standards for one year – until MY 2026
 - On Oct. 18, DEP announced it would not enforce Advanced Clean Truck (ACT) requirements for MY 2025 and 2026 for government vehicles
- Industry not happy and has sent another letter in asking to reconsider the change.
 - Main point – why exempt government vehicles

New EPA Stormwater Regulations

October 30

- Applies to commercial properties with pavement and roof areas exceeding one acre in total. Resulted from lawsuit filed by local environmental organizations two years ago.
- Applies to about 70 communities in the Charles, Neponset, and Mystic River watershed.
- Under the new rules, thousands of businesses (distribution warehouses, biotech companies, data centers, rail yards, and many other types of large commercial businesses), hundreds of industrial sites, and most universities across the Boston region will be impacted.
- The rules could require using less de-icing salt, reducing fertilizer usage, better managing trash, and installing rain gardens or infiltration systems, depending on the type of property.
- Comments due January 29th. The draft NPDES permits are expected to be finalized next year.

Energy Costs Increasing

- Starting to see lots of pushback on costs
- Massachusetts answer – Give discounts to low-and moderate-income people – which is then passed to all others.
- Shameless Plug - [WhatsInMyElectricBill.com](https://www.whatsinmyelectricbill.com)

WhatsInMyElectricBill.com

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10 Year comparison

Inflation adjusted \$168.37

Avg inflation 2.79%/yr - Avg. Energy inflation 6.53%/yr

Source: WhatsInMyElectricBill.com

Year over Year Growth Rate by Bill Components for 750 kWh

Eversource (Boston) Residential Customer

	Start	End	Duration 10.0 years	
Selected Month	Dec-13	Dec-23	Total ChangeYoY Increase Rate	
Base Distribution	\$40.92	\$50.07	\$9.15	2.02%
Additional Distribution Adjustments	\$7.01	\$6.87	\$0.14	0.2%
Residential Assistance	\$0.77	\$10.32	\$9.55	29.62%
Renewable Energy (Service Provider)	\$0.48	\$6.93	\$6.45	30.58%
Efficiency Programs	\$9.24	\$17.51	\$8.27	6.60%
Distribution Subtotal	\$58.41	\$91.70	\$33.29	4.61%
Transmission	\$13.22	\$28.59	\$15.37	8.01%
Transmission Subtotal	\$13.22	\$28.59	\$15.37	8.01%
Wholesale Power	\$50.19	\$95.43	\$45.24	6.63%
Renewable Energy (Supplier) And Greenhouse Gas Payment	\$6.10	\$25.15	\$19.05	15.21%
Total Electric Bill	\$127.92	\$240.87	\$112.95	6.53%

Year over Year Growth Rate by Bill Components Categories for 750 kWh

Eversource (Boston) Residential Customer

Summary

Type of Cost	Cost Per Month Start	Cost Per Month End	Percent of Bill Start	Percent of Bill End
Distribution	\$48.70	\$67.26	38.1%	27.9%
Transmission	\$13.22	\$28.59	10.3%	11.9%
Wholesale Power	\$50.19	\$95.43	39.2%	39.6%
Renewable Energy/ Efficiency	\$15.82	\$49.59	12.4%	20.6%
Total	\$127.93	\$240.87	100%	100%

Contact

The logo for RAR STRATEGIES is centered on the page. It consists of the letters "RAR" in a large, bold, black serif font, with the word "STRATEGIES" in a smaller, black, all-caps sans-serif font directly below it. The text is enclosed within a thin green rectangular border. Below the border is a solid green horizontal bar.

RAR
STRATEGIES

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