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Clean Air Task Force statement on comments submitted to EPA on draft rules regulating hazardous air pollutants from coal- and oil-fired electric utility generating units (EGUs), August 4, 2011.

“EPA should be commended for its timely proposal of long-overdue rules that will finally regulate hazardous emissions from power plants, including substances known to adversely affect public health, such as mercury, nickel and other toxic metals, as well as particulate matter (soot) and acid gases. Issuance and timely compliance by existing sources with final air toxics rules will result in many thousands of lives saved from cardiovascular and respiratory diseases, especially in lower income and ethnic neighborhoods where exposure to a mixture of these pollutants is highest. In fact, each year, the proposed rule would prevent 6,800-17,000 premature deaths, 11,000 heart attacks, 120,000 asthma attacks, and 850,000 missed work or “sick” days. EPA’s Regulatory Impact Analysis estimates the monetary benefits of this rule at well over \$50 billion, and this figure doesn’t even account for significant environmental or ecosystem benefits.

“Moreover, the record for these rules shows that over half of the regulated industry already has in place many of the controls needed to meet these standards. These rules have been pending since 2008, when a court vacated an earlier EPA attempt to regulate mercury through a cap-and-trade program. That ruling is clear about what is required, so as a result, utilities have had three years already to prepare. Compliance by 2014 or 2015 at the latest should have no effect on the reliability of electricity supply to consumers.

“The proposal is not perfect, however, and we will strongly urge EPA to tighten up the draft rules in several of the following areas:

- The rules must be equally applied to all forms of coal. Lignite should not be held to a less stringent standard for air toxics control than that required of other coal-fired EGUs.

- When considering the maximum acceptable emissions, or a “floor,” EPA’s final rule must set standards that reflect the actual emissions of the best performers in this industry to achieve the maximum achievable reduction in hazardous air pollution.
- EPA must amend its new source standards in the final rule, so that they truly reflect the application of the “best” system of emissions reduction, including emerging technologies. Only then will the rules adhere to the Congressionally-intended mandate of stimulating the innovative nature of industry to develop more effective, less costly systems to control air pollution.

“Clean Air Task Force looks forward to working with EPA on strengthening these rules as they are finalized by November 2011, and also to vigorously defending them against attack from those who seek to strip EPA of its Congressionally-granted authority under the Clean Air Act to protect the public health of our citizens.”

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Clean Air Task Force is a non-profit environmental organization with offices throughout the United States and in China that works to protect the earth’s atmosphere by improving air quality and reducing global climate change through scientific research, public advocacy, technological innovation and private sector collaboration. For more information, please visit www.catf.us.