

Congress of the United States
Washington, DC 20515

February 26, 2018

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt:

We write to you with concern regarding your plans to rewrite the rule limiting carbon pollution from existing power plants. We find your Advanced Notice of Proposed Rulemaking (ANPRM) for a replacement for the Clean Power Plan deeply concerning, as it signals that the Environmental Protection Agency (EPA) may seek to replace the Clean Power Plan with a rule that could provide far fewer carbon reductions and cause greater harm from other pollutants. We believe it is critical that the EPA consider the health impacts of this approach, especially because, by your own assessment, the Clean Power Plan was projected to save thousands of lives each year.¹

Your notice asks for comment on a reading of Clean Air Act (CAA) section 111(a)(1) as limited to emission measures that can be applied to or at a stationary source, at the source-specific level. Under this reading, pollution reduction measures must be narrowly based on a physical or operational change to a building, structure, facility, or installation at that source— or “inside the fenceline” —rather than measures that can be implemented on behalf of the source at another location. This interpretation represents a serious limitation on the capacious requirement under the Act that performance standards be based on the application of the “best system of emission reduction,” and likely would yield significantly fewer reductions in climate-warming carbon pollution than the Clean Power Plan, as well as potentially increasing other dangerous forms of air pollution.

A study conducted by researchers from Harvard, Boston University, and Syracuse University found that this kind of inside the fenceline approach to cutting carbon pollution from power plants would result in more premature deaths than no rule at all.² Their analysis found only a 2 percent decrease in

¹ U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Health and Environmental Impacts Division., *Regulatory Impact Analysis for the Review of the Clean Power Plan: Proposal*, 2017, EPA-452/R-17-004, Research Triangle Park, NC.

² Charles Driscoll et al., “U.S. power plant carbon standards and clean air and health co-benefits,” *Nature Climate Change*, volume 5, pages 535–540 (2015).

carbon pollution coinciding with a 3 percent increase sulfur dioxide emissions in 2020 compared to a no-new policy reference case. They also found that this approach would lead to an increase in particulate matter and ozone pollution (also known as smog), and ultimately to an increase in premature deaths across seventeen states.

In contrast, they estimated that employing a more flexible approach similar to the Clean Power Plan adopted by the EPA in 2015 would reduce carbon pollution by 24 percent, sulfur dioxide pollution by 27 percent, and nitrogen oxides by 22 percent. They found that the reductions in pollution that would accompany such a flexible approach would lead to air quality improvements in all lower forty-eight states and would prevent an estimated 3,500 premature deaths, 1,000 hospitalizations, and 220 heart attacks a year.

We are concerned that issuing such limited standards could leave Americans more exposed to dangerous pollutants such as sulfur dioxide, particulate matter, and ozone pollution. The hazardous health effects of these pollutants are well established. Exposure can seriously damage the lungs and heart—they have been linked to premature death, lung cancer, aggravated asthma, trouble breathing, heart attack, and chronic obstructive pulmonary disease (COPD). Furthermore, this damage to our health also damages our communities and economic well-being by leading to more missed days of school and work and increased health costs for medication, doctor visits, and hospital admissions.

In the immediate and long-term, we are also concerned that this type of plan would risk exposing more Americans to the dangerous health impacts of climate change by not doing enough to reduce carbon pollution. Climate change is now causing and will continue to pose increasingly serious threats to our health because it worsens ozone pollution; worsens wildfire and drought conditions that increase particulate pollution; increases the spread of vector-borne diseases like West-Nile, Zika and Lyme disease; increases extreme heat that results in heat-related illnesses and deaths; and increases extreme weather that puts lives in danger immediately (for example through extreme flooding, hurricanes, and other dangers) and results in people being cut-off from needed medication and medical care.

Given that an inside the fenceline approach to controlling carbon pollution from existing power plans could put more American lives in danger, we are opposed to its application. We instead encourage you to return to the basics of the Clean Power Plan, which encourages incorporation of cleaner energy sources and gives states needed flexibility to significantly reduce carbon pollution and improve public health.

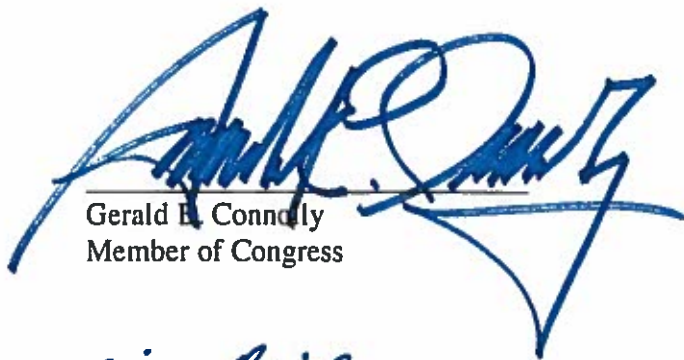
Sincerely,


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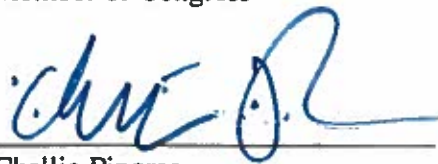
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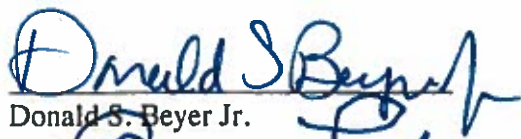
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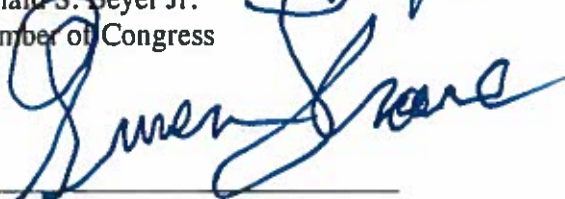
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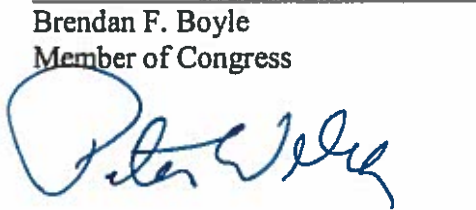


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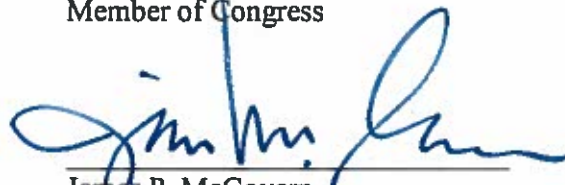

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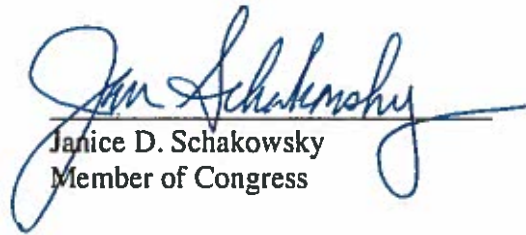

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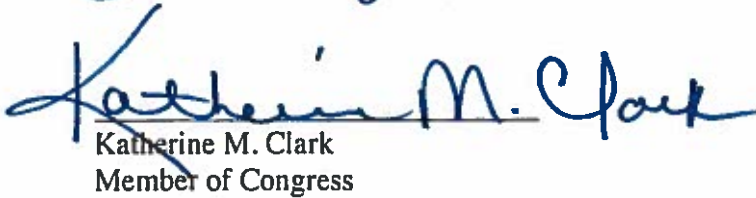

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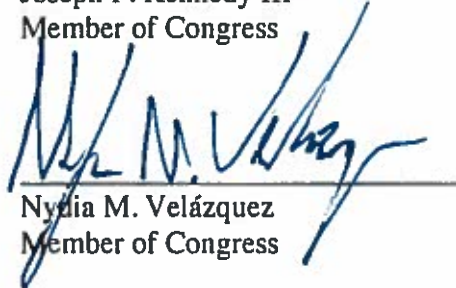
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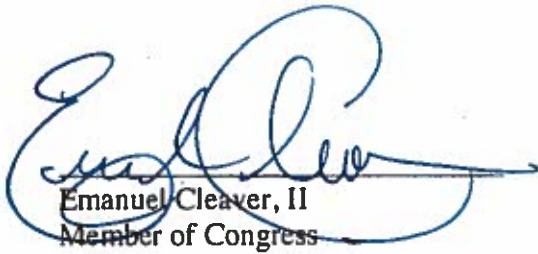

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