



## **Comments on the EPA Clean Power Plan Proposed Rule**

**Docket ID: EPA-HQ-OAR-2013-0602**

December 1, 2014

Dear Administrator McCarthy,

We, the undersigned individuals and organizations, on behalf of our members across the nation, write today to express our strong support for the Clean Power Plan, also known as carbon pollution standards for existing power plants. We urge you to strengthen and finalize these standards as soon as possible. The carbon pollution standards should ensure that emissions from existing power plants are rapidly reduced by the amounts that modern science indicates is necessary to begin to ensure the health and safety of our communities.

### **Summary**

We strongly support EPA in moving forward with the proposed Clean Power Plan in the strongest form possible. We know that communities of color and low-income communities, including the Latino community, are frequently among those most negatively impacted by carbon pollution. Whether it is exposure to health damaging co-pollutants associated with carbon emissions or the present and worsening effects of climate change, these impacts are both direct and indirect and they threaten the social and economic order of overexposed and overburdened communities. We urge EPA to finalize these historic and urgently needed carbon pollution standards by June 1, 2015, as set forth in the Presidential Memorandum on Power Sector Carbon Pollution Standards.

### **Latino and Other Communities of Color**

Latinos are the fastest growing population in our country and strongly support clean air and climate policies. Our groups are deeply concerned about the climate and health impacts that harmful pollutants, particularly those emitted by coal-fired power plants, have on our communities. Nationwide, communities of color and low-income communities are among the most negatively impacted by the dirty emissions associated with carbon-polluting power plants. Disproportionate exposure to the health-harming pollutants associated with coal fired power plants has caused Latinos and African-Americans to suffer disproportionately from high rates of respiratory diseases like asthma, and other illnesses worsened by this pollution. 40 percent of Latinos live within 30 miles of a power plant, and Latino children are 40 percent more likely to die from asthma than non-Latino white children. Addressing the dangerous pollution that is linked to asthma is critical for the health of Latino communities -- and for all Americans.

Carbon pollution also endangers Latinos nationwide by driving climate change. Already, we see Latinos on the frontlines of climate change, in the line of fire of extreme heat in the Southwest, extreme drought in California, and sea level rise in Florida. Often, Latinos also work the highest-risk jobs, in sectors including construction, agriculture, and landscaping, where they are directly confronted by the worsening impacts of climate change. In the Endangerment Finding for greenhouse gases, the Environmental Protection Agency has recognized the disproportionate risks

climate change poses to certain communities. EPA reiterated this in the proposed Clean Power Plan Regulatory Impact Analysis:

“As part of the Endangerment Finding, the Administrator considered climate change risks to minority or low-income populations, finding that certain parts of the population may be especially vulnerable based on their circumstances. These include the poor, the elderly, the very young, those already in poor health, the disabled, those living alone, and/or indigenous populations dependent on one or a few resources. The Administrator placed weight on the fact that certain groups, including children, the elderly, and the poor, are most vulnerable to climate-related health effects...

“Strong scientific evidence that the potential impacts of climate change raise environmental justice issues is found in the major assessment reports by the U.S. Global Change Research Program (USGCRP), the Intergovernmental Panel on Climate Change (IPCC), and the National Research Council (NRC) of the National Academies, summarized in the record for the Endangerment Finding. Their conclusions include that poor communities can be especially vulnerable to climate change impacts because they tend to have more limited adaptive capacities and are more dependent on climate-sensitive resources such as local water and food supplies.”<sup>1</sup>

Considering that roughly 1 in 4 Latinos in the U.S. live under the poverty level,<sup>2</sup> their susceptibility to these risks is heightened. Similarly, EPA recognized in the proposal that:

“persons with lower socioeconomic status are an at-risk population for experiencing adverse health effects related to [particulate matter (PM)] exposures. Persons with lower socioeconomic status have been generally found to have a higher prevalence of pre-existing diseases, limited access to medical treatment, and increased nutritional deficiencies, which can increase this population’s risk to PM-related and ozone-related effects. Therefore, in areas where this rulemaking reduces exposure to PM<sub>2.5</sub>, ozone, and methylmercury persons with low socioeconomic status would also benefit.”<sup>3</sup>

Latino communities are depending on EPA to finalize strong standards for existing power plants to address carbon pollution, with the added benefit of achieving co-pollutant reductions of precursors to soot and smog, which in 2030 will save up to 6,600 lives, prevent up to 150,000 asthma attacks, and up to 490,000 missed school or work days.

## **Environmental Justice**

While all communities stand to gain from EPA’s proposed Clean Power Plan, it is also clear that certain communities need to be taken into particular consideration. These are the environmental justice communities, Americans who suffer disproportionately from toxic air pollution and from climate change. We believe that the federal EPA should mandate that states conduct an environmental justice analysis as part of the State Implementation Plan (SIP) approval process. We believe this analysis will be critical to understanding the implications of states’ proposed mitigation solutions, and that this is feasible as part of their final implementation planning. This would enable

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<sup>1</sup> Environmental Protection Agency, Regulatory Impact Analysis for the Proposed Carbon Pollution Guidelines for Existing Power Plants and Emission Standards for Modified and Reconstructed Power Plants, June 2014.

<sup>2</sup> United States Census Bureau, “Income and Poverty in the United States: 2013. Current Populations Reports.” Carmen DeNavas-Walt and Bernadette D. Proctor. September 2014.

<sup>3</sup> Environmental Protection Agency, Regulatory Impact Analysis for the Proposed Carbon Pollution Guidelines for Existing Power Plants and Emission Standards for Modified and Reconstructed Power Plants, June 2014.

states to demonstrate how their plans will achieve absolute emissions reductions in the American communities that are hardest hit by carbon emitting power plants.

The concerns of low-income and communities of color must be taken into account, as mandated in Executive Order 12898 and Title VI of the Civil Rights Act of 1964. These mandate that federal rules, regulations, and policies protect the human rights of low income and communities of color. We expect this mandate to be taken seriously as part of the finalization process for the Clean Power Plan. Moving forward, EPA should make equity and justice a primary consideration in future rules and environmental justice communities should be engaged throughout the entire rule-making process.

### **Strengthening the Clean Power Plan**

In addition to being the fastest growing segment of the U.S. population, Latinos are also among the most supportive of government action to combat climate change. In a survey by Latino Decisions released earlier this year, 9 in 10 Latinos want the government to take action against the dangers of global warming and climate change.<sup>4</sup> A full 87% of Latinos surveyed specifically supported the limit of carbon pollution from power plants. Latinos also overwhelmingly support the use of clean, renewable energy (92%) and better energy efficiency in buildings and homes (94%). We believe EPA can significantly strengthen its emissions reductions targets for 2030 by accounting for the most up-to-date cost and performance data available for renewable energies and energy efficiency measures.

Carbon pollution standards for existing power plants will hasten our transition to a clean energy economy and can benefit communities most at risk from the impacts of climate change and conventional pollutants. In partnership with other strong clean air standards, this rule will improve air quality and save lives across the country. It will also help accelerate deployment of the cost-effective, efficient, and clean energy technologies that are readily available and in operation today. We urge you to finalize the standards as soon as possible.

Sincerely,

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<sup>4</sup> Natural Resources Defense Council/Latino Decisions Survey, January 2014.

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