

Administrator Scott Pruitt
Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Re: Request to Grant Clean Air Act “Good Neighbor” Petitions from Connecticut, Delaware, and Maryland (Docket ID Nos. EPA-HQ-OAR-2016-0347, EPA-HQ-OAR-2016-0402, EPA-HQ-OAR-2016-0509, EPA-HQ-OAR-2016-0690, and EPA-HQ-OAR-2016-0691).

Dear Administrator Pruitt:

The American Lung Association’s 2017 State of the Air report found that nearly 4 in 10 Americans live in communities with dangerous air pollution levels. The burden on human health from this air pollution is serious and far-reaching. Every year in the U.S., air pollution causes thousands of premature deaths, heart attacks, asthma attacks, and missed school and work days. Those afflicted include the most vulnerable in our nation: the elderly, children, those who work outdoors, and people living in poverty. In addition, some communities of color bear a disproportionate burden from air pollution. Families from rural Shelocta to urban Pittsburgh in Pennsylvania, and communities extending from Columbus, Ohio to Atlanta, Georgia, are breathing air that is unsafe. In the face of this evidence, commencing an unprecedented attack on clean air safeguards (including some fully-implemented clean air measures) that will only worsen this serious health burden for all Americans moves the Agency further away from achieving its Congressional purpose to protect and enhance the quality of the Nation’s air resources so as to promote the health and welfare and the productive capacity of its population. At the same time, you are failing to respond to states that have petitioned you to carry out your duty under our nation’s clean air laws to protect millions from pollution originating from large industrial sources in upwind jurisdictions. We urge you to carry out your duties under our nation’s clean air laws.

On behalf of the undersigned public health, conservation, and environmental organizations, and our millions of members and supporters, we strongly urge you to carry out your responsibility under the statutory Good Neighbor provisions of the Clean Air Act to protect communities and families in Connecticut, Delaware, and Maryland, and millions more in communities across the eastern United States living downwind from smokestack pollution significantly contributing to dangerous ground-level ozone (or smog) pollution levels. Last year, the States of Connecticut, Delaware, and Maryland all submitted petitions under section 126 of the Clean Air Act asking EPA to find that specified power plants outside of their respective borders were violating the Good Neighbor protections of the Clean Air Act because their smokestack pollution was contributing to unhealthy ozone levels within their respective states.

Remarkably, each and every one of the power plants identified by Maryland’s November 16, 2016 petition and by Delaware’s August 8, 2016 and November 10, 2016 petitions—plants located in Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia—has modern pollution controls *installed* that

the owners are not fully *operating* to reduce dangerous smog-forming pollution. In addition, the Pennsylvania power plant identified by Connecticut's June 1, 2016 petition and by Delaware's July 7, 2016 petition is also capable of dramatically reducing its ozone-causing emissions this upcoming ozone season. In other words, all of the identified power plants are able to immediately provide much-needed pollution reductions for surrounding communities and downwind states struggling to clean up their air. To protect the health of millions of Americans, it is urgent that you end your delay and grant these petitions by the May 1st start of the summer ozone season.

In its petition, Maryland asked EPA to require the affected power plants to effectively run their *already-installed* pollution controls every day during the ozone season, which extends from May 1 through September 30. Maryland's petition included rigorous air quality modeling showing that its proposed solution would not only help Maryland meet the national, health-based, air quality standards for ozone, but would also help the Philadelphia and Washington, D.C. areas to make progress towards achieving those public health standards. Similarly, Connecticut's and Delaware's petitions showed significant air quality benefits in their respective states stemming from solutions that are immediately available at upwind power plants. These proposed solutions would also provide critical air quality benefits to the communities surrounding the affected power plants in Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia, as well as other downwind states, including New Jersey and New York, and even Maine, Massachusetts, and Rhode Island. You can get additional information, review Maryland's petition, and see its list and descriptions of the power plants failing to operate their pollution controls [here](#). In addition, you can find additional information about the Connecticut petition [here](#).

Given the imminent onset of ozone season on May 1, 2017 and the fact that you have had several months to review and act upon these petitions, we request that you immediately grant the petitions as a necessary part of fulfilling your obligations to ensure that communities and families in all of the affected states have air that is safe to breathe. Taking the common-sense and easily-implemented step of requiring the specified power plants to turn on their existing pollution controls and run them effectively every day during ozone season will help keep the millions of people in these communities from being subjected to dangerous smog levels.

We also urge you to stop the unprecedented attack on vital clean air safeguards that are protecting these same communities and millions of Americans nationwide. Your assault on clean air safeguards is a clear and present danger to the health and well-being of our communities, our families, and our children.

Thank you for your prompt attention to these urgent matters.

Sincerely,

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0691)