

March 18, 2019

Administrator Andrew Wheeler
Environmental Protection Agency
EPA Docket Center (EPA/DC), Mail Code 28221T
Attention Docket ID No. EPA-HQ-OAR-2018-0794,
1200 Pennsylvania Avenue, NW, Washington, DC 20460

Re: National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units -- Reconsideration of Supplemental Finding and Residual Risk and Technology Review

Dear Administrator Wheeler:

On behalf of the undersigned organizations we respectfully urge you to immediately withdraw the proposed reconsideration of the supplemental finding for the Mercury and Air Toxics Standards for power plants. EPA's proposal that the Mercury and Air Toxics Standards are no longer "appropriate and necessary" jeopardizes the continuation of the standards. EPA is even soliciting comments on whether they must "rescind" the standards,¹ despite public statements made by yourself and other senior EPA officials that imply you are not considering removing the standards.²

This proposal threatens the continued emission reductions achieved by the Mercury and Air Toxics Standards. We have previously seen instances where power plants have turned off or reduced usage of already installed emission controls to lessen operating expenses when there has been a weakening or change in the regulatory requirements, and there is no reason to assume that some plants will not choose to reduce use of air toxics controls if the standards are rescinded.

The Mercury and Air Toxics Standards are in effect and regulated sources are in compliance. The electric power industry; labor, health, environmental, tribes and tribal organizations, faith, and concerned parents' groups; and members from both parties in Congress have asked EPA to abandon its proposal. The health benefits of the standards are enormous – they prevent up to 11,000 deaths, along with 130,000 asthma attacks among children, and 4,700 heart attacks every year. The standards reduce some of the most hazardous air pollutants emitted by power plants, including pollutants known to cause cancer, or birth or reproductive impacts, respiratory impacts, impaired brain development in children and other harms to human health.

Mercury emissions from power plants have also been found to accumulate in both saltwater and freshwater fish leading to consumption advisories across the nation. Due to this pollution, sales of the once highly popular large predatory fish have plummeted in recent years—hurting the commercial fishing industry.

We now know the cost of meeting the standards was even lower than estimated by both industry and EPA during the rulemaking. Peer-reviewed scientific studies published since 2012 present

¹ Federal Register, Vol. 84, No. 26, 2679. Feb 7, 2019.

² See: <https://www.eenews.net/stories/1060120075>

new and additional data that demonstrate substantially higher benefits to Americans from reduced emissions of mercury from power plants than EPA projected.

There is no defensible reason to continue to pursue this proposal to upend one of the most cost-effective and widely supported public health protections and we urge you to immediately withdraw it.

Sincerely,

Alaska Community Action on Toxics
Bay Mills Indian Community
California League of United Latin American Citizens
Chesapeake Climate Action Network
Chippewa Ottawa Resource Authority
Climate Hawks Vote
Conservation Colorado
Defend Our Future
Downwinders at Risk
Earthjustice
Environmental Defense Fund
Environmental Protection Network
Evangelical Environmental Network
Hispanic Federation
Hoosier Environmental Council
Interfaith Power & Light
League of United Latin American Citizens
Lewinsville Faith in Action
Little River Band of Ottawa Indians
Mi Fmailia Vota
Moms Clean Air Force
NAACP
National Hispanic Medical Association
NRDC
Physicians for Social Responsibility, Tennessee Chapter
Save EPA
Sierra Club
Solidarity Strategies
South Carolina Small Business Chamber of Commerce
Texas Environmental Justice Advocacy Services
Waterkeeper Alliance
WE ACT for Environmental Justice