

As Prepared for Delivery

Comments of Paul G. Billings
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On

The U.S. Environmental Protection Agency
National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility
Steam Generating Units—Revocation of the 2020 Reconsideration, and Affirmation of the
Appropriate and Necessary Supplemental Finding; Notice of Proposed Rulemaking
Docket ID No. EPA–HQ–OAR–2018– 0794
February 24, 2022

Good morning, I am Paul Billings – (P A U L B I L L I N G S), National Senior Vice President of Public Policy at the American Lung Association. The American Lung Association strongly supports the cleanup of hazardous air pollutants from coal and oil-fired power plants. Cleaning up power plants is appropriate and necessary. Thirteen months ago, on his first day in office, President Biden, issued Executive Order 13990. He directed the EPA to propose this rule by August 2021. This proposal is six months late. We strongly support EPA's proposal and urge the agency to promptly finalize this rulemaking.

The President was correct to prioritize the Mercury and Air Toxic Standards rule. Last week, EPA released the 2021 data on power plant emissions. These data show power plant pollution increased in 2021 compared to the previous year. The EPA report showed large increases in all the pollutants tracked, including a 20% increase in SO₂ emissions, which likely means that toxic acid gases increased last year. In this report EPA also showed a 13% increase in mercury emissions. Let me repeat that – mercury – a potent neurotoxin that causes permanent damage to the brains of babies and unborn children, leading to developmental delays, learning disabilities and birth defects had a double digit increase of 13% in 2021 compared to the previous year.

The thirteen percent increase in mercury last year is a nationwide number, but the specific increases at individual power plants are eye-popping.

For example, a power plant in Tennessee – Bull Run – shows 299% increase in mercury emissions and 202% increase in the rate of mercury emissions. The Comanche plant in Colorado had a 227% increase in mercury emissions, placing it into the top 10 largest mercury polluters in 2021, up from 65th in 2020. There are many more examples of emission increases at power plants in three dozen states. More toxic mercury pollution is unacceptable. And we know that certain communities bear a disproportionate health burden from toxic pollution from power plants.

I call your attention to the data to highlight the ongoing health threat that toxic air pollution poses.

Yes, it is appropriate and necessary to regulate toxic pollution that harms health from power plants.

Yes, The Mercury and Air Toxics rule is important, and emissions of all these pollutants are much lower as a result of the rule, but it did not end toxic air pollution from power plants. The

2012 rule has significantly reduced mercury and other pollutants from power plants. Yet power plants still emit more than 80 hazardous air pollutants including arsenic, chromium, lead, formaldehyde, acid gases, dioxins, and furans. These pollutants can cause cancer; damage the eyes, skin, and breathing passages; harm the kidneys, lungs, and nervous system; cause cardiovascular disease; and kill.

In the proposal EPA notes that power plants are a major source of metallic hazardous air pollutant emissions including arsenic, chromium and nickel. Arsenic, chromium, and nickel - have been classified as human carcinogens.

We support EPA's "totality-of-the-circumstances" approach that looks at all the benefits of reducing hazardous air pollutants, regardless of whether the benefits can be quantified or monetized. We know that there are adverse health effects caused by exposure to toxic air pollution from power plants that cannot be quantified. EPA's approach, the "totality-of-the-circumstances" approach recognizes that limitation. For the benefits that EPA has tools to quantify, in 2012, EPA estimated that the standards would prevent up to 11,000 premature deaths each year and prevent 4,700 heart attacks, 130,000 asthma attacks, and 5,700 hospital visits annually.

We also know that back in 2012, EPA vastly overestimated the annual compliance costs by \$4.4 billion or more. So, it was far cheaper than EPA forecast to implement the Mercury and Air Toxics Standards.

Significant pollution reductions that provide enormous health benefits and save lives certainly are appropriate and necessary.

Finally, the American Lung Association is calling on EPA to finalize this rule and do an additional rulemaking to further curb these emissions. We urge EPA to complete the residual risk and technology review or RTR promptly. As EPA noted in the proposed rule, the President, in his executive order called for the RTR rule to be proposed by August 2021.

The recent year over year increases show that there is no time to delay the cleanup of toxic pollution. Our most vulnerable deserve better.

In closing, I thank EPA for the opportunity to share my views. I also know that many people who wanted to share their comments were not able to do so due to the limitation on the number of speaking slots. I want to urge EPA for future rulemakings to provide more opportunity for public comments at public hearings by adding additional days or running simultaneous hearings.

Thank you