

Washington, D.C. - Today, US Rep. David Price testified with North Carolina Attorney General Roy Cooper at a hearing at the Environmental Protection Agency Headquarters in Washington.

Price and Cooper are urging the Administration to impose tougher emission restrictions on air pollution sources in nearby states. Pollution drifting into North Carolina from those sources makes it more difficult to meet our state's federal Clean Air Act requirements.

Price, whose district includes a major EPA facility that studies air pollution, has been outspoken in calling for the federal government to be more aggressive in improving air quality.

Transcripts of Price's remarks are below:

"Good morning. My name is David Price, and I represent the Research Triangle area, Fourth District of North Carolina, in the U.S. House of Representatives. I appreciate the opportunity to join North Carolina Attorney General Roy Cooper in commenting on EPA's response to North Carolina's Section 126 Petition.

"At issue is EPA's proposal to deny North Carolina's Section 126 petition, based on the premise that emissions reductions required by state implementation plans under the Clean Air Interstate Rule (CAIR), or a proposed back-up federal implementation plan, would make the petition moot.

"That's a complicated way of saying that while my state is doing its part -- more than its part -- to reduce pollution and protect the health of our citizens, EPA is proposing to let sources in other states continue to send significant air pollution our way for several more years.

"Before we get into the jargon and the legal-ese that is an inevitable part of this testimony, I'd like to share a few facts with you to drive home the health effects of power plant pollution in North Carolina:

According to the Southern Environmental Law Center:

- Fine particle pollution shortens the lives of 1,133 North Carolinians each year;
- Pollution from power plants causes more than 27,000 asthma attacks each year;
- 1,000 of those are so severe that they require an ER visit;
- Over 170,000 children in our state suffer from asthma;
- It costs the state about \$100 Million each year to care for those children;
- More than half of all North Carolinians – some 4 million people -- live in counties where the air fails to meet federal standards for human health;

"I share these facts with you, to emphasize the consequences of federal and state policies. The pace of improving all of the indicators I just mentioned will be directly affected by EPA's decision in this matter.

"North Carolina's leaders have taken their public health responsibilities seriously. I'm proud to note that our state has one of the strongest state air pollution laws in the country, the Clean Smokestacks Act, the result of a cooperative effort among state elected officials, the business community, environmental groups, and the major utilities. It requires power plants to reduce their nitrogen oxide emissions beginning in 2007 and by 77% by 2009 and their sulfur dioxide emissions beginning in 2009 and by 73% by 2013. Controlling those emissions is also expected to have the added benefit of reducing mercury emissions by approximately 60 percent, according to some estimates.

"I am confident that, as a result of my state's efforts, we will significantly reduce nitrogen oxide emissions by the end of the decade. Today, however, 26 whole counties and parts of 6 more counties in North Carolina still are designated non-attainment under the federal clean air standards for ozone due in significant part to pollution crossing our state's borders from upwind states. Section 126 requires EPA to mandate emission reductions in upwind states that significantly contribute to noncompliance in downwind states within a three year period. Simply put, EPA's apparent willingness to jettison Section 126 is contrary to the requirements of the Clean Air Act and is patently unfair.

"I applaud EPA for implementing the CAIR rule, but it is simply no substitute for what Section 126 requires. The CAIR rule will not be fully implemented for over fifteen years, while Section 126 is focused on reductions in the nearer term, based on significant emission contributions by sources in upwind states that are occurring now and that are significantly contributing to noncompliance now.

"EPA appears to justify ignoring Section 126 in part because it forecasts that all areas in North Carolina will attain the federal ozone standard by 2010. But as I understand it, this will primarily be the result of North Carolina's own aggressive efforts to curb emissions from in-state sources, and not due to reductions from upwind states.

"In fact, we cannot necessarily count on upwind sources for making significant emission reductions because the CAIR Rule's interstate trading regime and early reduction credits will make it possible for some sources to avoid making such reductions. Emissions trading can be an efficient and effective way to reduce air pollution, but only if appropriate safeguards are used to prevent regional imbalances.

"Section 126 was designed to hold upwind contributors accountable, not to let them off the hook when the affected downwind state enacts laws that go beyond federal requirements. The state of North Carolina has taken an aggressive approach to combating air pollution from sources within our borders. EPA should hold out-of-state polluters responsible for their contribution to North Carolina's air problems and grant the state's Section 126 petition."

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