

Congress of the United States
Washington, DC 20515

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue NW
Washington, DC 20460

November 15, 2018

Dear Acting Administrator Wheeler:

We write in strong opposition to the Environmental Protection Agency's (EPA) recently proposed Affordable Clean Energy (ACE) Rule, which would replace the 2015 Clean Power Plan (CPP) with a far weaker rule that poses direct threats to both human health and the environment and undermine U.S. efforts to combat climate change. This rule will undoubtedly have severe consequences for the health and well-being of the communities we represent, many of whom have long endured profound environmental injustice. In contrast, EPA's own assessment demonstrated that the CPP would have saved thousands of lives each year.¹

As you know, the CPP is a landmark rule finalized in 2015 that would set our country on track to significantly reduce greenhouse gas emissions, combat global climate change, and protect the health and safety of the American people. The CPP lays out a commonsense plan that gives states the authority to establish individual proposals for how they intended to achieve specific emission reduction goals. Instead of establishing reduction targets for states, however, ACE opens up the possibility of weaker state standards and will likely result in an increase in overall power plant emissions.

Under the CPP, EPA estimated that carbon emissions from the electric power sector – the second highest emitting sector after transportation – would be reduced by 32 percent compared to 2005 levels by 2030. In addition to combatting global temperature increases and addressing the dangerous health and environmental impacts of those increases, the CPP also presents enormous health benefits. Upon full implementation, the plan would have led to air quality improvements in all lower forty-eight states and would prevent up to 90,000 childhood asthma attacks and 4,500 premature deaths each year.

We have grave concerns that ACE significantly weakens the pollution limits established under the CPP and poses severe health threats to the American public. The proposal would reduce sulfur dioxide and nitrogen oxide - precursors to smog – each by only 1 to 2 percent in 2030, compared to 2005 levels. In contrast, the CPP would have cut sulfur dioxide levels by 24 percent and nitrogen oxide by 22 percent, compared to 2005 levels.² Finalizing this proposal would result in increased

¹ U.S. Environmental Protection Agency. 2017. Regulatory Impact Analysis for the Review of the Clean Power Plan: Proposal, 2017. EPA-452/R-17-004, Research Triangle Park, NC.

² Eilperin, J. 2018. New Trump power plant plan would release hundreds of millions of tons of CO2 in the air. Available online at <https://www.washingtonpost.com/national/health-science/new-trump-power-plant-plan-would-release->

exposure to these dangerous pollutants, causing premature death, lung cancer, aggravated asthma, trouble breathing, heart attacks, and exacerbations of chronic obstructive pulmonary disease (COPD).

Under ACE, your own agency estimates that the rule will result in up to 1,600 more premature deaths and 120,000 more asthma attacks per year by 2030, a stark contrast to the gains that would have been made under the CPP. Moreover, climate change and air pollution disproportionately affect vulnerable populations, such as children, the elderly, low-income individuals, and communities of color, all of whom will continue to bear the brunt of these negative impacts. For example, African Americans' exposure to the particulate matter emitting facilities that the CPP would have regulated is 1.54 times greater than the American population at large³ and communities of color demonstrate higher rates of association between asthma and emergency department visits, lost work and school days, and overall poorer health status.⁴ The EPA has also previously reported that Asian Americans and Hispanics had the greatest percentage of populations residing in counties where air quality did not meet EPA standards for particulate matter and ozone, compared with other populations.⁵

The cost of this misguided replacement plan goes beyond the direct health ramifications from air pollution. Under ACE, carbon dioxide emissions would be reduced by only 2.6 percent compared to 2005 levels—far less than the 32 percent reduction under the CPP.⁶ This will lead to continued temperature rises that pose enormous dangers across the country, particularly in low-income communities and communities of color, including exposure to the increased spread of vector-borne diseases, heightened incidents of heat-related illnesses, and power outages that can result in dangers within hospitals and people's own homes.

By taking an enormous step backwards in our efforts to combat climate change, sea levels will continue to rise, severe weather incidents such as hurricanes will worsen, and extended droughts will lead to increased rates of devastating forest fires and crop failures.⁷ Again, these extreme weather events will be felt far more acutely in lower-income, elderly, and minority communities: for example, the black mortality rate from Hurricane Katrina was 1.7 to 4 times higher than that of

hundreds-of-millions-of-tons-of-co2-into-the-air/2018/08/18/be823078-a28e-11e8-83d2-70203b8d7b44_story.html?noredirect=on&utm_term=.d8438c9a1824.

³ Mikati, I., A. F. Benson, T. J. Luben, J. D. Sacks, and J. Richmond-Bryant. 2018. Disparities in Distribution of Particulate Matter Emission Sources by Race and Poverty Status. *American Journal of Public Health* DOI: 10.2105/AJPH.2017.304297.

⁴ Fann, N. 2016. The Impacts of Climate Change on Human Health in the United States, A Scientific Assessment. Available online at https://s3.amazonaws.com/climatehealth2016/low/ClimateHealth2016_03_Air_Quality_small.pdf.

⁵ U.S. Environmental Protection Agency. 2016. EPA's Clean Power Plan, Climate Change and Asian American & Pacific Islanders. Available online at <https://19january2017snapshot.epa.gov/sites/production/files/2016-04/documents/aapi-climate-change.pdf>.

⁶ Keyes, A., D. Burtraw. 2018. CPP Replacement: Emissions Increase "At the Source"? Available online at <http://www.rff.org/blog/2018/cpp-replacement-emissions-increase-source>.

⁶ J. Watts. 2018. We have 12 years to limit climate change catastrophe, warns UN. Available online at <https://www.theguardian.com/environment/2018/oct/08/global-warming-must-not-exceed-15c-warns-landmark-un-report>.

⁷ J. Watts. 2018. We have 12 years to limit climate change catastrophe, warns UN. Available online at <https://www.theguardian.com/environment/2018/oct/08/global-warming-must-not-exceed-15c-warns-landmark-un-report>.

whites and nearly half of the deaths from Superstorm Sandy were individuals over the age of 65.⁸ Studies have also shown that children and the elderly suffer a greater risk of contracting vector-borne diseases, such as those carried by mosquitos and ticks, diseases that are likely to become more prevalent in a warming climate.⁹

The consequences of this disastrous plan are clear: people will die sooner, get sicker, and bear the heavy costs of climate-related incidents and disasters. We simply cannot afford to go back on the progress we have made as a nation to combat climate change and the promise we made to protect the best interests of our constituents, especially the vulnerable populations that will be hit the hardest – communities of color, children, the elderly, and low-income families. We urge you to maintain the pollution limits established by the CPP and set our country on a clear path to combat climate change, reduce emissions, and preserve the health and safety of the American people.

Sincerely,



David E. Price
Member
Sustainable Energy & Environment Coalition



Judy Chu
Chair
Congressional Asian Pacific American Caucus



A. Donald McEachin
Co-Chair
CBC Energy, Environment, and Ag. Task Force



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Steny H. Hoyer
Democratic Whip

⁸ Bell, J., S. Herring, L. Jantarasami. 2016. The Impacts of Climate Change on Human Health in the United States, A Scientific Assessment. Available online at https://s3.amazonaws.com/climatehealth2016/low/ClimateHealth2016_04_Extremes_small.pdf.

⁹ Beard, C., R. Eisen. 2016. The Impacts of Climate Change on Human Health in the United States, A Scientific Assessment. Available online at https://s3.amazonaws.com/climatehealth2016/low/ClimateHealth2016_05_Vector_small.pdf.


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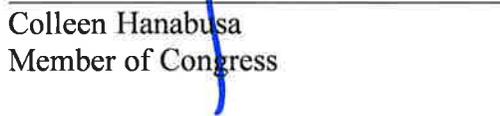

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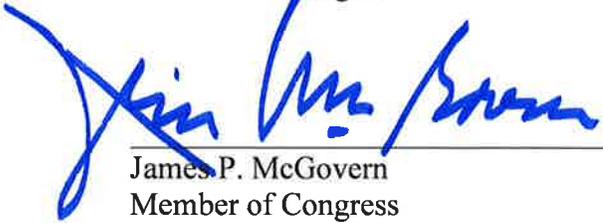

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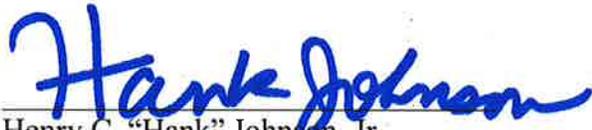
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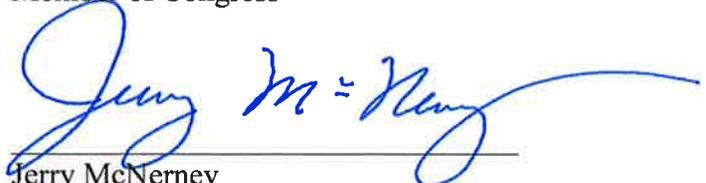
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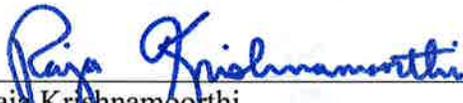
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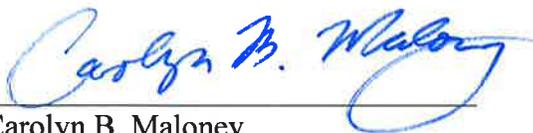
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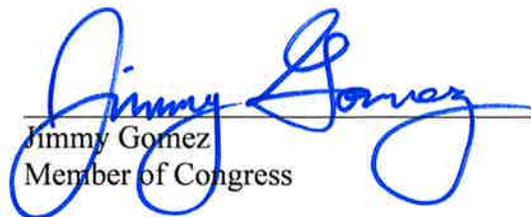
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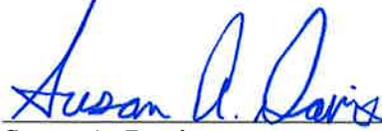
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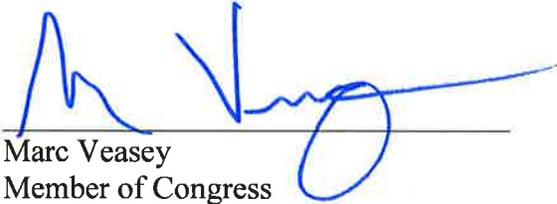
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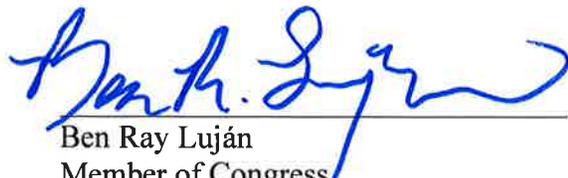
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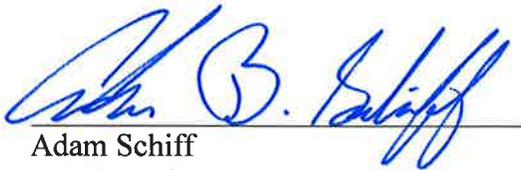
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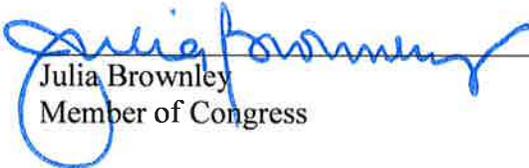
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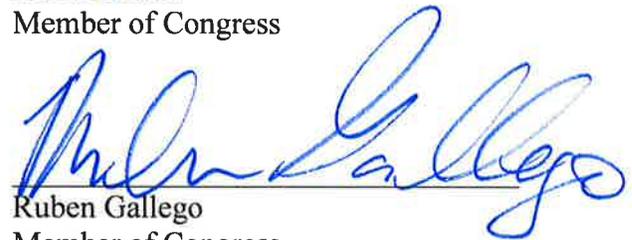
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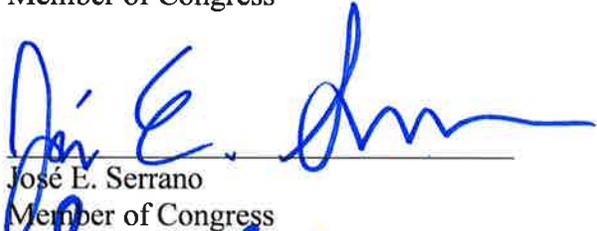
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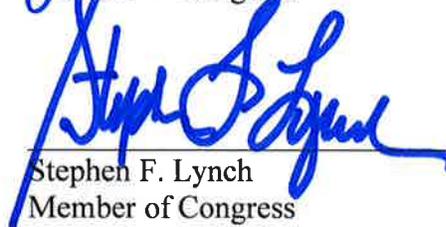
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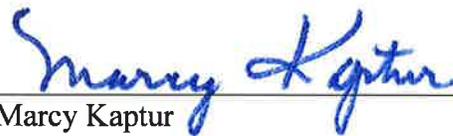
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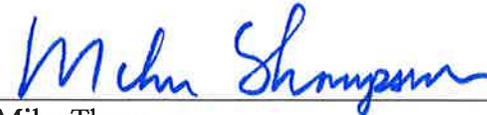
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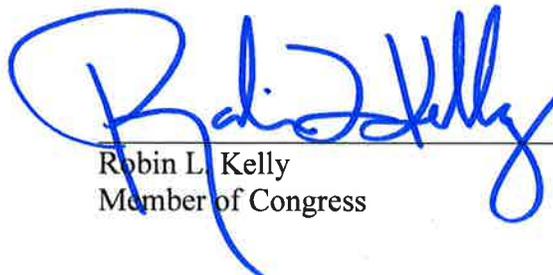
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