

MI. Environmental groups slam Upton, Walberg, Battle Creek Enquirer, 07/27/11.

Representatives from the Sierra Club, Clean Water Action and the National Wildlife Federation told reporters that U.S. Rep. Tim Walberg, R-Tipton, and Rep. Fred Upton, R-St. Joseph, are not supportive of the Environmental Protection Agency, despite the EPA's recent presence in their districts cleaning up the oil spill in Fredonia Township, Talmadge Creek and the Kalamazoo River..."The oil spill last year...is a devastating reminder that the EPA plays a critical role in protecting our land, air and water," Roper said.

MI. Environmentalists call for Walberg, Upton to protect EPA, Michigan Messenger,

07/26/11. The Sierra Club, Clean Water Action and the National Wildlife Federation held a press event along the Kalamazoo river to slam Reps. Tim Walberg (R-Tipton) and Fred Upton (R-St. Joseph). "The fact of the matter is that Congressmen Upton and Walberg should know better than anyone in Congress that the EPA is critical to protecting the water we drink and the air that we breathe," said Cyndi Roper, Michigan director of Clean Water Action. "Instead, they are working to weaken the EPA at the expense of the public health."

MI. Kalamazoo River oil spill 'tragedy' continues with Congressmen Fred Upton and Tim Walberg's votes to weaken Clean Water Act, environmentalists say, Kalamazoo Gazette,

07/26/11. Environmentalists also criticized Upton earlier this year for weakening the Clean Air Act by preventing the EPA from regulating carbon-dioxide emissions. In a viewpoint published in the Kalamazoo Gazette, Upton said "the Environmental Protection Agency (EPA) has changed course, now seeking to regulate greenhouse gas emissions by bureaucratic fiat." Chapman [clean water program director for the Sierra Club's Michigan chapter] said the EPA is being targeted by lawmakers because deregulation helps businesses make more profit.

OH. Under siege, Toledo Blade, (editorial), 07/26/11. Ohio has the most toxic air pollution in the nation from coal- and oil-fired power plants, says a new report by the Natural Resources Defense Council and Physicians for Social Responsibility. Republican initiatives in Congress would make that dismal record even worse. House GOP lawmakers are doing everything in their power to delay or stop the "mercury rule" the Environmental Protection Agency needs to clean the nation's air. More broadly, the EPA and the environment are in the political cross hairs to an extent not seen in years.

PA. Study ranks air pollution from coal and oil-fired power plants, Centre Daily Times (State College), 07/26/11. The most toxic air pollution from coal-and oil-fired power plants can be found in Ohio, Pennsylvania and Florida, according to a new study released Wednesday by the nonprofit Natural Resources Defense Council and Physicians for Social Responsibility. The study, "Toxic Power: How Power Plants Contaminate Our Air and States," used public data from the U.S. Environmental Protection Agency's Toxics Release Inventory, a national database of toxic emissions reported by industrial sources. Data on pollution control systems at specific plants was drawn from the EPA's National Electric Energy Data System database. (Also appeared in the Los Angeles Times on July 20, 2011).

PA. Study ranks atmosphere wickedness from coal and oil-fired energy plants,

Pennsylvania News Press, 07/26/11. The many poisonous atmosphere wickedness from coal-and oil-fired energy plants can be found in Ohio, Pennsylvania and Florida, according to a new study expelled Wednesday by a nonprofit Natural Resources Defense Council and Physicians for Social Responsibility. The study, "Toxic Power: How Power Plants Contaminate Our Air and States," used open information from a U.S. Environmental Protection Agency's Toxics Release Inventory, a inhabitant database of poisonous emissions reported by industrial sources. (Also appeared in the Los Angeles Times on July 20, 2011).

PA. An ugly affront on environment, Wilkes-Barre Times Leader, (editorial), 07/26/11.

PENNSYLVANIA is second only to Ohio in having the worst toxic air pollution in the nation, according to a report released last week by the Natural Resources Defense Council and Physicians for Social Responsibility. Read it and weep – weep for your country. Weep not only

because Republicans in the U.S. House of Representatives are doing everything in their power to delay or stop the so-called Mercury Rule that the Environmental Protection Agency needs to clean the nation's air, but also because the EPA and the environment itself are in the political cross hairs to an extent not seen in years. (Also appeared in the Pittsburgh Post-Gazette on 07/22/11.)

PA. Pa.'s toxic air, (Lancaster) Intelligencer Journal, (editorial), 07/25/11. But it's not just Pittsburgh that is affected. A study released by Physicians for Social Responsibility and the National Resources Defense Council found that Pennsylvania has the second-most toxic air in the nation after Ohio. The study comes 41 years after the passage of the Clean Air Act and at a time when Congress is deciding whether to restrict the authority of the Environmental Protection Agency to address air quality issues.

NH. N.H. is ranked among most toxic states, Portsmouth Herald, 07/24/11. The Granite State is 19th on the "Toxic 20" list of states with the most toxic air pollution from power plants, according to a report by the Natural Resources Defense Council released this week. Topping the list were Ohio, Pennsylvania and Florida. The report analyzed publicly available data from the U.S. Environmental Protection Agency's Toxics Release Inventory. Facilities that release significant quantities of toxic chemicals must report them to TRI annually.

NH. PSNH sued over coal-fired plant, Concord Monitor, 07/22/11. The Conservation Law Foundation has sued Public Service of New Hampshire in federal court for allegedly violating clean air regulations at its coal-fired plants in Bow. The foundation, which is based in Boston but has an office in Concord, filed its lawsuit a day after the National Resources Defense Council listed New Hampshire as having the nation's 19th most toxic air pollution from power plants. Within the state, the council listed PSNH as having the three most polluting plants with the Bow coal-fired plants topping the list.

OH. Time for EPA to prove claims, Salem News, (editorial), 07/22/11. When Environmental Protection Agency head Lisa Jackson announced harsh, costly new limits on coal-fired power plants earlier this month, she insisted the purpose was to safeguard the health of Americans. She claimed the new standards were based on solid science. In typical liberal fashion, Jackson then proceeded, inadvertently, of course, to cast enormous doubt on the whole process. It will cost billions of dollars for utilities to comply with the new rules, the EPA admits.

OH. Chagrin Falls reader says Clean Air Act has benefited small-business owners and economy: Your Turn, Cleveland Plain Dealer, (op-ed), 07/22/11. Stefanie Penn Spear: The Clean Air Act has ushered in more than 40 years of technological innovation, job creation and expanded U.S. exports — things that benefit small business owners like myself and lay the foundation for long-term economic growth benefiting us all. But the authority of the Environmental Protection Agency, responsible for enforcing the Clean Air Act, is coming under threat from members of Congress who would limit its ability to do its job. Spear is a Chagrin Falls resident and owner of Expedite Renewable Energy.

PA. Environment as pinata: America the beautiful? House bills have other ideas, Pittsburgh Post-Gazette, (editorial), 07/22/11. This week brought the depressing news that Pennsylvania is second only to Ohio in having the worst toxic air pollution in the nation, according to a report by the Natural Resources Defense Council and Physicians for Social Responsibility. Read it and weep -- weep for your country.

IL. New air pollution report calls Illinois one of the 'Toxic 20', WBEZ/Chicago, 07/21/11. A new report jointly released from the National Resources Defense Council and Physicians for Social Responsibility puts Illinois in the so-called "Toxic 20" for state air pollution levels. The report named Illinois's 17th worst in the nation for toxic air pollution released from electricity-generating power plants...Almost half of all the air pollution reported from industrial sources in the U.S. comes from coal and oil power plants. The report utilized Environment Protection Agency

data for its findings.

MA. Clean air is a health issue, Daily News of Newburyport, (letter to the editor), 07/21/11. As an employee of the American Lung Association, which is actively working for clean and healthy air, I strongly agree with Beverly Brown's July 13 letter to the editor. The Environmental Protection Agency is the only agency in the country that has the power to regulate pollution that travels between states, much like the power plants described in her letter. In Massachusetts, we are affected by the pollution other states spew into the air that travels via the jet stream into our communities and our lungs.

NH. N.H. ranked in 'Toxic 20' for air pollution, New Hampshire Business Review, 07/21/11. Released jointly by the Natural Resources Defense Council and Physicians for Social Responsibility, and using data from the EPA's Toxics Release Inventory, the report found that nearly half of all toxic air pollution in the United States comes from coal- and oil-fired power plants. But in New Hampshire, that percentage is much higher. In 2009, the state's electricity generation sector emitted more than 2.5 million pounds of harmful chemicals, accounting for 96 percent of toxic air pollution in the state, according to the report.

OH. NRDC lists Ohio #1 in toxic emissions, Pomeroy Daily Sentinel, 07/21/11. Ohio is at the top of the list with West Virginia being eighth in a listing of states with the most toxic air pollution from coal and oil fired power plants, according to an analysis by the Natural Resources Defense Council (NRDC). According to an NRDC release this week, the study used publicly available data in the Environmental Protection Agency's Toxics release inventory. The analysis entitled "Toxic Power: How Power Plants Contaminate Our Air and States" was jointly released by the NRDC and Physicians for Social Responsibility (PSR.)

PA. Pa. ranks high again in power plant pollution, Pittsburgh Post Gazette, 07/21/11. But the continuing string of science detailing air pollution's effect on human health hasn't convinced House Republicans, who continue working to delay, and even block, the so-called Mercury Rule that the U.S. Environmental Protection Agency says will reduce toxic power plant emissions and save 17,000 lives a year. On Wednesday, the Natural Resources Defense Council and Physicians for Social Responsibility tried to counter Republican efforts by releasing their report, "Toxic Power: How Power Plants Contaminate Our Air And States," listing the top 20 states with the worst toxic air. Ohio and Pennsylvania top the list, followed by Florida. Nearby West Virginia and Maryland also made the top 10.

MI. Michigan Ranks 7th As Toxic Polluter, Environmental Studies News/Michigan State University, 07/20/11. Residents of Ohio, Pennsylvania and Florida live in states with the most toxic air pollution from coal- and oil-fired power plants, but Michigan was not far behind, according to an analysis by the Natural Resources Defense Council...Despite the health benefits of reducing toxic pollution from power plants, some polluters and members of Congress are seeking to block EPA's efforts to update public health protections. Last week, two House Committees voted for amendments by Ed Whitfield (R-KY)/Mike Ross (D-AR) and Cynthia Lummis (R-WY) to block for at least a year the EPA's Mercury and Air Toxics standard. These amendments could move to the House floor as early as this week.

MI. Michigan Among Worst In 'Emissions From Power Plants', WDIV/Detroit, 07/20/11. Michigan was named the seventh worst state for toxic air pollution for power plants in a list recently released by the National Resources Defense Council. The list, topped by Ohio, Pennsylvania and Florida, respectively, was compiled using data from the Environmental Protection Agency's Toxic Release Inventory and lists the top 20 states with the most toxic air pollution, resulting from coal and oil-fired power plants.

NH. New Hampshire Ranks 19th Among States with Most Air Polluting Power Plants, New Hampshire Public Radio, 07/20/11. New Hampshire is among the top 20 states that have the most toxic air pollution from power plants. The Natural Resources Defense Council analyzed

publicly available data from the Environmental Protection Agency. It found that New Hampshire's electric sector ranked 19th in the nation in toxic air pollution, emitting more than 2.5 million pounds of harmful chemicals. Public Service of New Hampshire owns the three most polluting power plants in the state.

OH. Ohio ranked tops in nation for toxic air pollution, Columbus Business Journal/Columbus Morning Call, 07/20/11. A new analysis by the Natural Resources Defense Council and Physicians for Social Responsibility says Ohioans are subject to the most industrial air pollution of any state, the *Dayton Business Journal* reports. Ohio's toxic air pollution levels are 36 percent higher than any other state in the country, according to the report. Nearly half of all toxic air pollution reported from industrial sources in the United States comes from coal- and oil-fired power plants.

OH. Ohio leads nation in toxic air pollution, Dayton Business Journal, 07/20/11. Ohio's toxic air pollution levels are 36 percent higher than any other state in the country, according to an analysis of Environmental Protection Agency's Toxics Release Inventory by the Natural Resources Defense Council and the Physicians for Social Responsibility. Nearly half of all toxic air pollution reported from industrial sources in the United States comes from coal- and oil-fired power plants. Power plants are the largest industrial source of toxic air pollution in 28 states and the District of Columbia.

OH. Ohio has poor ranking in stopping toxic air pollution, Youngstown Vindicator, 07/20/11. "Power plants are the biggest industrial toxic air polluters in our country, putting children and families at risk by dumping deadly and dangerous poisons into the air we breathe," said Dan Lashof, climate center director at NRDC, in a release. "Tougher standards are long overdue." The Environmental Protection Agency is seeking to update public health protections, which would help curb the air pollution problem.

PA. Pennsylvania's Air Ranked Second Most Toxic In The Nation, CBS/Philadelphia, 07/20/11. Out of the "Toxic 20," Pennsylvania is #2 in air pollution from coal- and oil-fired plants. Ohio ranked as the state with the most toxic air, and Florida came in behind Pennsylvania at #3. The study, which was released by the NRDC and Physicians for Social Responsibility, used data from the Environmental Protection Agency's Toxics Release Inventory, or TRI.

PA. Study knocks pollution from state's coal- and oil-fired power plants, Pittsburgh Tribune-Review, 07/20/11. The National Resources Defense Council says that residents of Ohio, Pennsylvania and Florida live in states with the most toxic air pollution from coal- and oil-fired power plants. The council released a study today that ranked Ohio as the worst; Pennsylvania the second-worst, with Florida third-worst...The council used data from the Environmental Protection Agency's Toxics Release Inventory. The analysis was jointly released today by NRDC and Physicians for Social Responsibility.

PA. Pennsylvania Has Second Most Polluted Air, Philadelphia Magazine/The Philly Post, 07/20/11. The NRDC and Physicians for Social Responsibility used data from the Environmental Protection Agency to compile a list of the states with the highest levels of air pollution. Not surprisingly—with all of the coal and oil plants—Pennsylvania earned itself a high spot—number two—on the list. The Scoop now regrets not asking for that hyperbaric chamber he had his eye on last Christmas.

New Political Pressure Follows EPA Decision to Delay Air Quality Rules, CQ Today, (see below), 07/27/11. The EPA is facing renewed pressure from both ends of the political spectrum after again delaying an update to federal air quality standards for ground-level ozone. The beleaguered agency Tuesday scratched plans for a July 29 release of the national ambient air quality standards, or NAAQS, for ozone, marking the fourth postponement... "This untenable delay means more will get sick and more will die," said Charles Connor, president and CEO of the

American Lung Association, in a statement that threatened legal action against the EPA. "There is no possible acceptable excuse for this decision."

Democrats Look for GOP Help to Strike Uranium Mining Language From Spending Bill, CQ Today, (see below), 07/27/11. House Democrats and environmental groups have joined forces in an effort to stop a controversial rider included in a House spending measure that would open up the lands around the Grand Canyon to new uranium mining. The rider, which is part of the fiscal 2012 EPA-Interior Appropriations spending bill (HR 2584), would stop the Obama administration from studying whether to bar mining in the region for 20 years...Noting that radioactive waste from past uranium mining has leaked into four streams in the park, Anna Aurilio, Washington director for Environment America, said that new accidents could harm the Colorado River, which flows through the canyon and provides drinking water for 25 million people in the Southwest.

Carper: Cut Obama slack on ozone rule, Politico Pro, (see below), 07/26/11. The Senate's top Democrat on clean air issues on Tuesday said he wasn't fretting the Obama administration's decision to delay its ozone standards, saying it was smart to "hit the pause button" amid the debt ceiling debate. "I'll give them some slack," clean air subcommittee Chairman Tom Carper of Delaware told reporters... "This untenable delay means more will get sick and more will die. There is no possible acceptable excuse for this decision," American Lung Association President and CEO Charles Connor said in a statement.

Public health, green groups blast ozone rule delay, The Hill/E2 Wire, 07/26/11. Public health and green groups blasted the Environmental Protection Agency Tuesday for delaying regulations aimed at strengthening Bush-era ozone standards, arguing that the move could result in more air-pollution-related deaths. "This untenable delay means more will get sick and more will die," American Lung Association President Charles Connor said in a statement. "There is no possible acceptable excuse for this decision."

New Smog Rules Delayed Again, Wall Street Journal, 07/26/11. Breathing ozone can cause respiratory problems and worsen lung conditions such as asthma. American Lung Association President Charles D. Connor said Tuesday the group was "gravely disappointed" by the delay. "There is no possible acceptable excuse for this decision," he said in a statement.

EPA Delays Ozone Standards, Postpones Public Health Protections, Huffington Post, 07/26/11. A separate study published last week found that healthy young adults experienced breathing troubles even at 60 parts per billion of ozone. "These are the toughest among us," said Janice Nolen, assistant vice president of national policy and advocacy at the American Lung Association. Nolen was one of a handful of public health officials who presented recommendations at the White House on Monday. "What does this suggest for children with asthma, or older adults?"

Make the promise: Protect clean air for our kids, The Hill/Congress Blog, (op-ed), 07/26/11. Alexandra Allred: This week Congress is likely to take up a spending bill that would limit the EPA's ability to enforce clean air standards that protect us from air pollution. At the same time, I'll be joining the League of Women Voters in launching the Clean Air Promise campaign – an effort to bring the coordinated assault on the clean air act to the attention to parents, families, communities and our leaders and ask them to promise to protect clean air. Alexandra Allred is a mother of three from Midlothian, Texas and a clean air supporter.

Sen. Manchin Maintains Lucrative Ties to Family-Owned Coal Company, New York Times/Greenwire, 07/26/11. Manchin's support for coal-industry priorities encompasses an array of hot-button political issues, from his pushback at U.S. EPA plans for the regulation of coal ash as a hazardous waste to the agency's policy on mountaintop-removal mining. The freshman senator's first bill this year aimed to stop EPA from retroactively vetoing mountaintop-removal permits, a key step in a broader bid by coal companies to roll back the Obama administration's more stringent oversight of mining projects... Jim Sconyers, chairman of West Virginia's Sierra

Club chapter, had sharper words about Manchin: "He's been nothing but a mouthpiece for the coal industry his whole public life."

Dicks Looks to GOP for Help on Halting Environmental Riders, CQ Today, (see below), 07/26/11. Conservative Republicans have long viewed some environmental regulations as needlessly burdensome and costly, so the GOP majority on the Appropriations Committee is once again trying to use the Interior- Environment spending bill (HR 2584) to address such concerns. The bill would provide \$7.1 billion for the EPA, an 18 percent cut from this year's level... Dicks noted that Senate Democratic support led to a provision that stayed in the fiscal 2011 spending package declaring the gray wolf a recovered species in Montana and Idaho. Sen. Jon Tester, D-Mont., claimed credit for the language, which was denounced by environmental groups, including the Sierra Club. It has cleared the way for hunting of the once-endangered species that ranchers view as a threat to their cattle.

SPENDING FIGHT PREVIEWES ELEVENTH-HOUR BATTLE, National Journal/Need to Know Memo, (see below), 07/26/11. Opponents of the GOP EPA/Interior spending bill are focused on parts of the measure that could ultimately make their way into the budget deal that congressional leaders and President Obama must strike before October 1, when the current measure funding the government runs out...**GOP FIGHT AGAINST EPA CONTINUES ON MULTIPLE FLANKS**. While the House floor takes a break Tuesday from debating the EPA spending bill, House Government Oversight continues the fight against the agency with a subcommittee hearing unsubtly titled "Lights Out: How EPA Regulations Threaten Affordable Power and Job Creation". Enviro push back some more, again, with a 1:30 League of Women Voters presser fighting to protect EPA regulations, with Alexandra Allred, the mother of an asthmatic child, telling her story in an effort to shore up support for the regulations among mothers.

Under siege, Toledo Blade, (editorial), 07/26/11. Ohio has the most toxic air pollution in the nation from coal- and oil-fired power plants, says a new report by the Natural Resources Defense Council and Physicians for Social Responsibility. Republican initiatives in Congress would make that dismal record even worse. House GOP lawmakers are doing everything in their power to delay or stop the "mercury rule" the Environmental Protection Agency needs to clean the nation's air. More broadly, the EPA and the environment are in the political cross hairs to an extent not seen in years.

Gas and diesel prices rising again; big oil earnings expected, Los Angeles Times/Money & Company, 07/25/11. But another group had quite a different message: Don't depend on the oil industry; the only real path to price relief at the gas pump and reduced dependence on foreign oil will come from ramping up the federal standard for gasoline mileage. That was the message Monday from Go60mpg, an umbrella group representing Environment America, the National Wildlife Federation, the Natural Resources Defense Council, the Safe Climate Campaign, the Sierra Club and the Union of Concerned Scientists.

Go60MPG Launches Radio Advertising Aimed At Law Makers, Auto Channel, 07/25/11. The U.S. Department of Transportation (DOT) and Environmental Protection Agency (EPA), which are working with the California Air Resources Board, have been directed by President Obama to establish joint fuel efficiency and pollution standards for new cars and trucks. Specifically, the agencies will establish new Corporate Average Fuel Economy and global warming pollution standards, respectively, for light-duty vehicles, a category that includes cars, SUVs, minivans, and most pickup trucks, for model years 2017 to 2025. Go60MPG is a joint effort of Environment America, the National Wildlife Federation, Natural Resources Defense Council, the Safe Climate Campaign, the Sierra Club, and the Union of Concerned Scientists.

NRDC Reveals the 20 States that Face the Most Air Pollution from Power Plants, EHS Today, 07/25/11. A new analysis of EPA data, "Toxic Power: How Power Plants Contaminate Our Air and States" was released July 20 by the Natural Resources Defense Council (NRDC) and Physicians for Social Responsibility (PSR). The study used publicly available data in the EPA's

Toxics Release Inventory (TRI), a national database of toxic emissions self-reported by industrial sources.

HEAVY IS THE HEAD THAT WEARS THE CROWN, Politico/Morning Energy, 07/25/11. The EPA is preparing to release its revision of the Bush administration's ozone standard, but as it does, a collision of science and electoral politics has left the White House with a painful decision. The problem is this: The EPA's science advisers say the national health-based standard for ozone should be between 60 and 70 parts per billion when averaged over an eight-hour period. But if the EPA sets the standard anywhere in that range, areas in swing states like Florida, Michigan, Missouri, Nevada, North Carolina, Ohio and Pennsylvania will likely find themselves in violation of the new regulations. The rule is tentatively due by week's end, but there is speculation the administration will punt until next month... **HEALTH GROUPS HEAD TO OMB** — Public health groups are scheduled to meet today with the White House Office of Management and Budget to make their case for setting an ozone standard at 60 parts per billion (the lowest end of the standard proposed by the EPA last year). The groups scheduled to meet with OMB: the American Lung Association, the American Public Health Association, the American Academy of Pediatrics, the American Thoracic Society, Physicians for Social Responsibility, Trust for America's Health and the Asthma and Allergy Foundation of America.

W.H. faces political fallout with EPA's ozone rule, Politico Pro, (see below), 07/25/11. Even if the administration adopts the higher end of its proposed range at 70 ppb, 515 counties of the 675 monitored by the agency could be in violation, according to 2010 EPA estimates. That would add nearly 200 more counties to the list of more than 300 that still exceed the Bush-era standard of 75 ppb. Industry complains about cost every time the EPA attempts to revise air quality rules, said Janice Nolen, assistant vice president of national policy and advocacy at the American Lung Association. But the Clean Air Act requires the agency to focus only on the health effects when setting the standards. And Nolen and other clean air advocates note that industry has historically been able to meet EPA standards at much lower costs than anticipated.

Mercury rules coming, Boston Globe/Green Blog, 07/25/11. Activists delivered more than 630,000 comments to the Environmental Protection Agency's Boston office last week to support draft rules to curb mercury pollution from coal-fired power plants... Organizations that organized the letter campaign include the Alliance for Climate Protection, Democracia Inc., Environment America, Environmental Defense Fund, Greenpeace, Health Care Without Harm, Interfaith Power and Light, League of Women Voters, League of Conservation Voters, National Wildlife Federation, Physicians for Social Responsibility, Sierra Club, and US Climate Action Network.

Mercury Pollution Hurts Everywhere, Santa Barbara Independent, (op-ed), 07/24/11. Rep. Lois Capps: During the past few months, the Sierra Club, America's largest grassroots environmental organization, has been holding mercury-testing events around the country that enable people to find out for themselves how coal pollution is threatening their health. The events, held in more than 30 cities across the U.S., found a substantial number of people with levels of mercury in their bodies that the EPA considers unsafe. Lois Capps represents California's 23rd Congressional District in the United States Congress.

Toxic 20: States with deadliest air, CBS News, 07/23/11. America's energy consumption is ever-growing, and a new report from a leading watchdog group gives stark evidence that the price we pay for power goes beyond what shows up on our utility bills. Each year, almost 800 million pounds of toxic pollution goes into our air - and nearly half of that comes from oil- and coal-fired power plants, says the Natural Resources Defense Council.

Top 'Toxic 20': States With Most Air Pollution From Power Plants, Christian Post, 07/23/11. A study by the Natural Resources Defense Council determined that coal- and oil-fired power plants produce almost half the toxic air pollution in the United States. The facilities that generate our electricity are also our biggest sources of air pollution, including both smog and acid rain, and also mercury, which rains down and contaminates us through the fish we eat.

Bloomberg gift boosts Sierra Club fight against coal-fired power plants, Louisville Courier-Journal, 07/22/11. New York City Mayor Michael Bloomberg's philanthropic organization has pledged \$50 million to a Sierra Club campaign that's working to cut coal production by a third and phase out older coal-fired power plants, replacing them with cleaner energy sources. Sierra Club officials on Thursday said the money will help the California-based environmental group expand its Beyond Coal campaign to fight climate change and coal pollution to 45 states over four years — up from the current 15, which already includes Kentucky.

As Air Quality Worsens on the East Coast, Report Identifies "Toxic 20" States with Most Toxic Air Pollution from Power Plants, OMB Watch/Fine Print, 07/22/11. As the air quality in both Washington, DC and Maryland has hit code red (pollution levels are harmful to all) this week, a recent report, issued by the Natural Resources Defense Council and Physicians for Social Responsibility, reminds us of the danger of air pollution, in particular the risk to environmental and human health by dumping toxic poisons into our air. The report used publicly-available and searchable data from the U.S. Environmental Protection Agency (EPA) Toxics Releases Inventory (TRI) to identify the top twenty states with the biggest polluters and the worst air quality

The 20 States with the Most Toxic Air, Daily Green, 07/22/11. Coal- and oil-fired power plants produce almost half the toxic air pollution in the U.S., according to a new report by the Natural Resources Defense Council and Physicians for Social Responsibility, which identifies the 20 states with the biggest polluters and the worst air quality. For those who follow these issues, the results are not at all shocking. Some states have big, old power plants that have been around since before the Clean Air Act was passed.

Why Bad Heat = Bad Air, Time/Ecocentric, 07/22/11. The Environmental Protection Agency's (EPA) air quality rankings range from 0 to 500—500 being the worst—and the air quality index (AQI) for New York City, where I live, is 110, which means that people with respiratory problems and the very young and very old should limit their time outdoors... But the extreme heat adds an additional factor, intensifying what's known as "ground-level ozone." In a blog post, Rich Kassel of the Natural Resources Defense Council explains why ozone gets worse as the temperature rises: Ground-level ozone (or "smog") is formed when hydrocarbon and nitrogen oxide pollution from vehicles, power plants and other combustion combines in sunlight and heat.

The 'Toxic 20' States Suffering Air Pollution From Power Plants, Huffington Post, 07/22/11. New analysis from the Natural Resources Defense Council has made a list of the top 20 states with the most toxic air pollution from coal- and oil-fired power plants. The study looked at toxic emissions data from 2009, released last month by the U.S. Environmental Protection Agency. Among the findings is that almost half of all the toxic air pollution from industrial sources reported in the U.S. comes for coal and oil-fired power plants.

Toxic 20': Michigan Ranks Seventh in Worst Air Pollution States, ABC News Radio, 07/21/11. Michigan residents breathe in some of the most polluted power plant air in the country, according to a new report from the Natural Resources Defense Council. The report, which was based on data from the Environmental Protection Agency's Toxics Release Inventory, ranked the 20 worst states -- the so-called "Toxic 20" -- based on air pollution from power plants. Michigan ranked seventh among the most toxic states.

'Toxic 20': Ohio, Pennsylvania Top List of States With Worst Power Plant Air Pollution, ABC/Good Morning America, 07/21/11. The people of Ohio, Pennsylvania and Florida breathe the air most polluted by power plants, according to a new report from the Natural Resources Defense Council. The report, which was based on data from the Environmental Protection Agency's Toxics Release Inventory, ranked the 20 worst states -- the so-called "Toxic 20" -- based on air pollution from power plants.

And the Top 20 States With the "Most Toxic" Air Are ..., Treehugger, 07/21/11. So the more power plants you've got in or around your state, the more toxic it's likely to be. Well, the NRDC

has determined which 20 states suffer the most toxic air pollution...The list was prepared in response to the industry-led onslaught against the EPA's proposed new public health protections: The EPA is moving to curb the amount of mercury and toxic emissions power plants can let fly into the air we breathe, and big business is throwing a fit.

Ohio Toxic Air Highest In U.S., Third Age, 07/21/11. The Natural Resources Defense Council and Physicians for Social Responsibility led the report that was released on Wednesday. They noted electricity generation and chemical processing as the top reasons for dangerous emission, which leads to or worsens ailments like asthma and cancer, according to Reuters.

EPA holds ground on mountaintop removal, Politico Pro, (see below), 07/21/11. The EPA has finalized its guidelines for Appalachian coal companies seeking the agency's blessing for mountaintop removal mines, but the mining industry and regional politicians are vowing the battle is far from over... "The document essentially reaffirms a scientific basis for [EPA's] guidance and basically recommends that field staff stay the course," Jon Devine, a Natural Resources Defense Council lawyer, told POLITICO on Thursday.

Bloomberg Targets Coal with \$50 Million Donation to Sierra Club, National Journal, (see below), 07/21/11. While Bloomberg on Thursday touted Beyond Coal's successes in "stopping more than 150 new coal-fired power plants over the past few years," the decline in coal production has also been attributed to the abundance of natural gas, and pending environmental standards from the Environmental Protection Agency aimed at reducing coal-related carbon emissions in the United States.

Bloomberg gives \$50M to anti-coal effort, The Hill/E2 Wire, 07/21/11. The Environmental Protection Agency is in the process of issuing and implementing a series of rules aimed at reducing harmful air pollution from coal-fired power plants. The regulations have come under fire from Republicans and some Democrats in Congress, who argue that they will impose massive costs on industry that will be passed on to the public. Brune said Bloomberg's donation will help the Sierra Club take action without having to wait for policymakers to move forward with new laws and regulations.

Bloomberg and Sierra Club Join Forces to Slow Coal, New York Times/Green, 07/21/11. The recipient of the mayor's latest largess, the Sierra Club's Beyond Coal Campaign, claims to have stopped more than 150 new coal-fired power plants in recent years through litigation and local action. Mr. Bloomberg's \$50 million represents a third of the campaign's projected \$150 million four-year budget, the Sierra Club said.

'Coal Kills Every Day': Michael Bloomberg Pledges \$50 Million to Fight the Coal Industry, Time, 07/21/11. The Sierra Club's campaign is coming at the same time that the power industry is also being squeezed from above by Washington, where the Environmental Protection Agency (EPA) has begun to roll out a series of long-delayed air pollution regulations that could hit coal particularly hard. Earlier this month the EPA issued final rules on air pollution that crosses state borders, forcing power plants to reduce emissions of sulfur dioxide and nitrogen dioxide — two pollutants linked to smog and respiratory problems — over the next few years.

Jackson, Lawmakers Grapple Over Myriad EPA Rules, National Journal, (see below), 07/21/11. The fight between EPA Administrator Lisa Jackson and Congress is about to get uglier. Lawmakers in both parties and both chambers are readying legislation to try to force Jackson to delay environmental and public-health regulations that the EPA is set to announce in the coming months. "There has been a certain amount of EPA overreach in this administration that has troubled even those of us who have strong environmental records and support reasonable regulations," Sen. Susan Collins, R-Maine, said on Wednesday... "We have expressed our thanks to the senator for standing up for clean air," said Peter Iwanowicz, assistant vice president at the American Lung Association. "We are extremely disappointed with her effort

to delay clean-air protections. She is standing up for big corporate polluters and ignoring the health consequences that a delay will mean.”

New Measure Would Stretch Timeline for EPA to Write Boiler Pollution Rules, CQ Today, (see below), 07/21/11. The EPA would have more time to write rules on hazardous air pollution from industrial facilities — and refineries, chemical plants and other polluters would have longer to comply with new standards — under bipartisan Senate legislation introduced Wednesday. The draft bill, introduced by Maine Republican Susan Collins and five other senators, would put an end to a lengthy legal battle over EPA efforts to regulate mercury, soot and other pollution emitted by industrial boilers and furnaces under the 1990 Clean Air Act (PL 101-549)...“The biggest problem is that the bill would delay important Clean Air Act health protections for a very, very long time,” said John Coequyt, a lobbyist at the Sierra Club.

Business Blasts Ozone Limits, Wall Street Journal, 07/21/11. Business groups are stepping up pressure on the Obama administration to stop the Environmental Protection Agency from enacting tougher limits on smog-forming ozone, saying a new rule pending White House approval would damp the fragile economic recovery. EPA administrator Lisa Jackson is pushing back, with encouragement from environmental and medical groups... The American Lung Association wrote in its own letter to Mr. Daley on Monday that “following the advice of the [Business] Roundtable will lead to unnecessary illness and death and is not in compliance with the law.”

CLEAN-AIR ADVOCATES RAMP UP PRESSURE, National Journal/Need to Know Memo, (see below), 07/21/11. The heads of seven major health and environmental groups spoke by phone with Jackson on Wednesday to voice their support for the agency as it rolls out contentious new clean-air rules, including anti-smog standards for ground-level ozone. Environment America Executive Director Margie Alt said the groups felt compelled to reach out to Jackson after reading reports that industry groups had recently met with her to urge a delay in implementing the rules. More than 250 environmental and public health groups from all 50 states are sending a letter to President Obama today urging him not to delay rolling out the new ozone rules, which are expected in the next several weeks despite industry groups seeking a two-year delay.

Coal-fired plants get some heat, Indianapolis Star, 07/21/11. Indiana coal plants emitted 26.8 million pounds of harmful chemicals into the air, accounting for 68 percent of the state's pollution, according to the report, issued by the Natural Resources Defense Council and Physicians for Social Responsibility... The two groups, which are highly critical of the coal industry's environmental record, said they based their information on publicly available data from the Environmental Protection Agency's Toxics Release Inventory.

Pa. ranks high again in power plant pollution, Pittsburgh Post Gazette, 07/21/11. But the continuing string of science detailing air pollution's effect on human health hasn't convinced House Republicans, who continue working to delay, and even block, the so-called Mercury Rule that the U.S. Environmental Protection Agency says will reduce toxic power plant emissions and save 17,000 lives a year. On Wednesday, the Natural Resources Defense Council and Physicians for Social Responsibility tried to counter Republican efforts by releasing their report, “Toxic Power: How Power Plants Contaminate Our Air And States,” listing the top 20 states with the worst toxic air. Ohio and Pennsylvania top the list, followed by Florida. Nearby West Virginia and Maryland also made the top 10.

Fla. rated 3rd worst in power plant air pollution, Associated Press/Tallahassee, 07/21/11. An environmental group says Florida ranks third worst nationally for toxic air pollution caused by coal- and oil-burning power plants. The Natural Resources Defense Council issued an analysis Wednesday that shows only Ohio and Pennsylvania are worse. The study by the Washington, D.C.-based organization was based on federal Environmental Protection Agency data.

Md. ranks fifth worst in power plant pollution, Associated Press/Baltimore, 07/20/11. A new study ranks Maryland fifth worst in the nation for pollution from coal- and oil-fired power plants.

However, a spokeswoman for the Department of the Environment says the results are misleading. The results were released Wednesday by the Natural Resources Defense Council and Physicians for Social Responsibility. Ohio ranked first, followed by Pennsylvania, Florida and Kentucky.

Lisa Jackson chats with greens, Politico Pro, (see below), 07/20/11. The heads of seven major environmental and public health groups held a conference call with EPA Administrator Lisa Jackson on Wednesday, where they urged her to stay tough on pending EPA rules to curb ozone and power plant pollution and stressed public support for clean air rules. The greens liked what they heard from Jackson, who took the roughly 20-minute call while traveling in Texas on Wednesday. "Our impression is that she's very, very committed to the public health issue. It's a very top priority issue for her," said Frances Beinecke, president of the Natural Resources Defense Council.

Greenpeace names names in EPA survey, UPI, 07/20/11. The environmental advocacy group Greenpeace said much of the coal industry in the United States hasn't installed technology available on the markets that could cut mercury pollution by 90 percent. Greenpeace, in a 20-page report, points to a study by the American Lung Association that said coal-fired power plants are the largest air polluters in the United States.

Disturbing Anti-Coal Plant Ads Take Over D.C. Metro Station, International Business Times (UK)/Green Economy, 07/20/11. According to the Sierra Club, the group aims to raise attention to the dangers of coal-fired power plants. The organization reports that these plants "emit air pollutants like smog and soot, which exacerbate asthma and other health problems. Washington metro area residents are demanding that the U.S. Environmental Protection Agency (EPA) protect their health by enacting strong standards to reduce toxic air pollution."

Mercury, toxic air and coal, Louisville Courier-Journal/Watchdog Earth, 07/20/11. It's the full court press from environmental groups on mercury and toxic chemicals from coal-fired power plants. EPA is doubling down on mercury and toxic chemicals, while some lawmakers in Congress are trying to curb the EPA. This week, the Natural Resources Defense Council identified a top 20 list of states with the most toxic air emissions from power plants, and Kentucky is fourth. Indiana is sixth.

Report: Indiana ranks No. 6 for most toxic coal, oil plants, Indianapolis Star, 07/20/11. The Hoosier state, which is home to numerous power plants and with more under construction, lagged behind Ohio, Pennsylvania, Florida, Kentucky and Maryland, according to a report issued by the Natural Resources Defense Council and Physicians for Social Responsibility. The two groups, which are highly critical of the coal industry's environmental record, said they based their information on publicly available data from the Environmental Protection Agency's Toxics Release Inventory.

Report: Florida is one of three states with most toxic air, Miami Herald/Naked Politics, 07/20/11. A new report out by the Natural Resources Defense Council lists Florida as the third worst states for toxic air pollution in the nation, making the list as one of the nation's Toxic 20...The federal Environmental Protection Agency is seeking new standards for air pollution but proposals pending before Congress seek to postpone or block those rules. Many utilities, including those in Florida, are seeking to delay and block the measures.

Ohio Tops List of Most Toxic States, Live Science, 07/20/11. Ohio, Pennsylvania and Florida are the states with the most toxic air pollution from coal and oil power plants, according to a new report by an environmental advocacy group. The Natural Resources Defense Council (NRDC) used Environmental Protection Agency data to rank the top 20 worst states for air pollution from power plants. According to the report, half of all air pollution from industrial sources in the United States comes from coal- and oil-fired power plants.

NRDC report details toxic emissions from coal plants, Charleston Gazette/Coal Tattoo, 07/20/11. A new report out this morning from the Natural Resources Defense Council concludes: Residents of Ohio, Pennsylvania and Florida live in states with the most toxic air pollution from coal- and oil-fired power plants, according to an analysis by the Natural Resources Defense Council. The study used publicly-available data in the Environmental Protection Agency's Toxics Release Inventory (TRI).

Georgia makes environmental group's 'Toxic 20' list, Atlanta Journal-Constitution, 07/20/11. The NRDC is a nonprofit advocacy group formed in 1970. The group used annual toxic emission data from the U.S. Environmental Protection Agency. That data is based on information supplied by industries and companies including Atlanta-based Southern Co., which owns Georgia Power. Georgia Power, asked for comment on the report, said it plans to close or convert some of the coal units and has added equipment to others to cut toxic emissions.

Study knocks pollution from state's coal- and oil-fired power plants, Pittsburgh Tribune-Review, 07/20/11. The National Resources Defense Council says that residents of Ohio, Pennsylvania and Florida live in states with the most toxic air pollution from coal- and oil-fired power plants. The council released a study today that ranked Ohio as the worst; Pennsylvania the second-worst, with Florida third-worst... The council used data from the Environmental Protection Agency's Toxics Release Inventory. The analysis was jointly released today by NRDC and Physicians for Social Responsibility.

Study ranks air pollution from coal and oil-fired power plants, Los Angeles Times/Greenspace, 07/20/11. The most toxic air pollution from coal- and oil-fired power plants can be found in Ohio, Pennsylvania and Florida, according to a new study released Wednesday by the nonprofit Natural Resources Defense Council and Physicians for Social Responsibility. The study, "Toxic Power: How Power Plants Contaminate Our Air and States," used public data from the U.S. Environmental Protection Agency's Toxics Release Inventory, a national database of toxic emissions reported by industrial sources.

Ohio leads list of top 20 states with toxic air, Reuters, 07/20/11. "Power plants are the biggest industrial toxic air polluters in our country, putting children and families at risk by dumping deadly and dangerous poisons into the air we breathe," said Dan Lashof, director of the climate center at the Natural Resources Defense Council. The study, an analysis of toxic emissions data from 2009 released last month by the U.S. Environmental Protection Agency, found that coal and oil-fired plants were responsible for nearly half of all toxic air pollution in America.

The Toxic 20: Which State Do You Live In? Think Progress, 07/20/11. In 2009, coal and oil-fired power plants emitted 49% of industrial air pollution in the U.S. — representing the dominant source of air toxics in 28 states around the U.S. The Natural Resources Defense Council issued a report today on the top 20 states with toxic emissions coming from the electricity sector. The top five states are: Ohio, Pennsylvania, Florida, Kentucky and Maryland... Meanwhile, House Republicans are doing everything they can to fight EPA standards on air pollution.

Ohio, Pennsylvania and Florida Lead List of "Toxic 20" States with Most Toxic Air Pollution from Power Plants, Electric Energy, 07/20/11. "Power plants are the biggest industrial toxic air polluters in our country, putting children and families at risk by dumping deadly and dangerous poisons into the air we breathe," said Dan Lashof, Climate Center Director at NRDC. "Tougher standards are long overdue. Members of Congress who consider blocking toxic pollution safeguards should understand that this literally will cost American children and families their health and lives." Despite the health benefits of reducing toxic pollution from power plants, some polluters and members of Congress are seeking to block EPA's efforts to update public health protections.

The Economics of Clean Air, Huffington Post, (op-ed), 07/19/11. John Arensmeyer: On Monday, participants started the conference -- put on by Small Business Majority and nine other

organizations including Consumers Union and the American Lung Association -- with a Clean Air Act history lesson, delivered by experts in various fields. Then Environmental Protection Agency Assistant Administrator Gina McCarthy educated them about what the EPA is currently doing to reduce pollution. Armed with that knowledge and their personal reasons for supporting the Clean Air Act, they visited their representatives on Capitol Hill on Tuesday, making sure lawmakers heard loud and clear that their constituents support the landmark law. John is the Founder and CEO, Small Business Majority.

The Economics of Clean Air, Small Business Majority/SBM Blog, (op-ed), 07/19/11. John Arensmeyer: On Monday, participants started the conference—put on by Small Business Majority and nine other organizations including Consumers Union and the American Lung Association—with a Clean Air Act history lesson, delivered by experts in various fields. Then Environmental Protection Agency Assistant Administrator Gina McCarthy educated them about what the EPA is currently doing to reduce pollution. Armed with that knowledge and their personal reasons for supporting the Clean Air Act, they visited their representatives on Capitol Hill on Tuesday, making sure lawmakers heard loud and clear that their constituents support the landmark law. John is the Founder and CEO, Small Business Majority.

CQ TODAY

Democrats Look for GOP Help to Strike Uranium Mining Language From Spending Bill

A version of this article appeared in the [July 27, 2011 print issue of CQ Today](#)

By Margaret Kriz Hobson, CQ Staff

House Democrats and environmental groups have joined forces in an effort to stop a controversial rider included in a House spending measure that would open up the lands around the Grand Canyon to new uranium mining.

The rider, which is part of the fiscal 2012 EPA-Interior Appropriations spending bill (HR 2584), would stop the Obama administration from studying whether to bar mining in the region for 20 years.

Environmental advocates said at a news conference Tuesday that they are rallying grass-roots support for efforts by Arizona Democrats Ed Pastor and Raúl M. Grijalva to strip the drilling rider from the bill.

Noting that radioactive waste from past uranium mining has leaked into four streams in the park, Anna Aurilio, Washington director for Environment America, said that new accidents could harm the Colorado River, which flows through the canyon and provides drinking water for 25 million people in the Southwest.

The drilling provision, authored by Arizona Republican Jeff Flake, was added to the spending bill in subcommittee. When the measure came to the full committee, Pastor unsuccessfully sought to remove the drilling language, but gained the support of three committee Republicans — Steven C. LaTourette of Ohio, Frank R. Wolf of Virginia and C.W. Bill Young of Florida.

Since then, during a House Rules Committee meeting, Rep. Rob Woodall, R-Ga., voiced concern about Flake's efforts to open the door to uranium mining.

Now Pastor and Grijalva say they are talking with other Republicans in hopes of winning more bipartisan support for their amendment. "The Grand Canyon, being the crown jewel of our national park system, deserves much more than a little rider snuck in the back door on an appropriations bill," Grijalva said. "I think we can get more colleagues to back this amendment." Pastor said his amendment to strike Flake's language is expected to go to the House floor this weekend.

Congressional Republicans and the administration have been at odds over mining in the Grand Canyon region since 2009, when the Interior Department imposed a two-year moratorium on uranium extraction on the million acres of land surrounding the canyon.

In June, Interior Secretary Ken Salazar announced a six-month extension of the moratorium, which he said was needed to complete scientific studies on whether to declare the area off-limits to mining for 20 years. Salazar is expected to release a final decision in December.

Republicans say that new uranium mining would provide hundreds of jobs, boost the regional economy and help fuel the nuclear power industry's efforts to expand in the United States. The

mining industry has staked more than 1,000 claims to mine within five miles of Grand Canyon National Park.

But Pastor said that the economic benefits pale compared with the impact that a mining accident could have on tourism in northern Arizona.

"For six years of mining, for a few hundred jobs, we are now endangering the 5 million people who come to the Grand Canyon every year," Pastor said.

Grijalva suggested that the uranium mining issue could come back to haunt Flake during his campaign for the Senate seat now held by Jon Kyl, who is retiring.

"I don't know why Flake did this," Grijalva said. "The people of Arizona overwhelmingly want to protect that canyon. Of all the places to pick a fight around uranium mining, to pick it around the Grand Canyon is not very smart."

CQ TODAY

New Political Pressure Follows EPA Decision to Delay Air Quality Rules

A version of this article appeared in the July 27, 2011 print issue of CQ Today

By Geof Koss, CQ Staff

The EPA is facing renewed pressure from both ends of the political spectrum after again delaying an update to federal air quality standards for ground-level ozone.

The beleaguered agency Tuesday scratched plans for a July 29 release of the national ambient air quality standards, or NAAQS, for ozone, marking the fourth postponement. The final rule will be released "shortly" after the completion of an interagency review led by the White House Office of Management and Budget, an EPA spokesman said in an e-mail.

Industry groups and some critics in Congress have been making an intense effort to force the EPA to abandon its attempts to tighten the ozone standards, contending that the rule would be excessively costly and possibly unlawful. Environmentalists and public health groups say the cost would be more than offset by the lives saved and disease avoided.

Rep. John Sullivan, R-Okla., said Tuesday that opponents are considering offering an amendment to block the ozone proposal to EPA's fiscal 2012 spending bill (HR 2584), which the House is debating intermittently this week.

"We're looking at that," he said. "We need to solve this instead of punting it."

Senators Oppose Standards

In the Senate, Democrat Mary L. Landrieu of Louisiana — who earlier this week spearheaded a letter to EPA Administrator Lisa P. Jackson in which one-third of senators opposed the new standards — said policy riders blocking the rules were possible during the appropriations process. Landrieu acknowledged that she had not discussed that option with other senators. "I'm hoping that we can minimize the riders in these spending bills, but because we've not had a lot of time to legislate, you may see a push to try to do some of this through the appropriations process," she said.

Landrieu and other senators urged Jackson to dump the plans to tighten the ozone standard, which critics say would force many counties into non-compliance, prompting long and costly pollution-reduction efforts.

"The economic impact of EPA's proposal . . . are highly concerning, particularly in light of the billions of dollars in new costs that EPA has acknowledged would be imposed on America's manufacturing, energy, industrial and transportation sectors," wrote the group, led by Landrieu and Alabama Republican Jeff Sessions.

Other signatories included Minority Leader Mitch McConnell, R-Ky.; Mississippi's Thad Cochran, the top Republican on the Senate Appropriations Committee; and Lisa Murkowski of Alaska, the ranking Republican on the Appropriations Subcommittee that writes the EPA's annual spending bill. Joe Manchin III of West Virginia was the only Democrat besides Landrieu to sign the letter. In response, Thomas R. Carper, D-Del., who chairs the Senate Environment and Public Works Subcommittee on Clean Air and Nuclear Safety, urged Jackson to quickly finalize the standards to avoid litigation that could impair EPA's flexibility in implementing the standards.

Carper had earlier told reporters that he was not troubled by a short-term delay. "This administration has enough on their plates right this moment with the debt ceiling, with a couple of wars going on, that they can afford to set that one aside for a couple of weeks," he said.

The EPA is in the process of preparing new standards for ground-level ozone, a key component of smog, which is produced by the reaction of nitrogen oxides and volatile organic compounds with sunlight at ground level. Ground-level ozone causes serious respiratory problems for young children, the elderly and adults who spend a lot of time outdoors in areas with high levels of the pollutant.

'Legally Indefensible'

The Bush administration in 2008 set the standard at 0.075 parts per million — a level that exceeded the range recommended by outside science advisers. The Obama administration in 2010 announced that it would reconsider the Bush standards, which Jackson earlier this month called legally indefensible. The final level remains unknown, but the EPA has proposed setting it between 0.060 ppm and 0.070 ppm, as recommended by the science advisers in 2008. The agency says the recommended level will be based on the best possible science.

Environmentalists and public health groups slammed the delay, noting that the range being considered would prevent an estimated 1,500 to 12,000 premature deaths.

"This untenable delay means more will get sick and more will die," said Charles Connor, president and CEO of the American Lung Association, in a statement that threatened legal action against the EPA. "There is no possible acceptable excuse for this decision."

Industry groups have also threatened legal action. Noting that the Clean Air Act (PL 101-549) requires the agency to review NAAQS standards every five years, critics accuse the Obama administration of undertaking an unnecessary review two years ahead of schedule.

The U.S. Chamber of Commerce said it was "very pleased" with the delay.

"The rule would lead to another slew of regulations that would force cities to take highly expensive steps to comply, killing jobs and economic growth," Bill Kovacs, the group's senior vice president of environment, technology and regulatory affairs, said in a statement.

Politico Pro

Carper: Cut Obama slack on ozone rule

By DARREN GOODE AND ROBIN BRAVENDER | 7/26/11 5:06 PM EDT

The Senate's top Democrat on clean air issues on Tuesday said he wasn't fretting the Obama administration's decision to delay its ozone standards, saying it was smart to "hit the pause button" amid the debt ceiling debate.

"I'll give them some slack," clean air subcommittee Chairman Tom Carper of Delaware told reporters when asked about the EPA's announcement that it wouldn't meet its July 29 deadline to revise the George W. Bush administration's ozone standard.

"This administration has enough on their plates right this moment with the deficit, with the debt ceiling, with a couple of wars going on. They can afford to set that aside for a couple of weeks," Carper said.

The EPA didn't set a new timeline for issuing the rule, but Deputy Administrator Bob Perciasepe told a House panel today that the agency is going to finalize its smog standard "as soon as possible, but it's still going to take some time."

Carper signaled more urgency in a statement his office issued later Tuesday afternoon, saying, "I do not believe that we can continue to delay on this matter." He urged the agency to move quickly to finalize the rule.

"EPA Administrator Lisa Jackson has told me and others that the pending lawsuit brought by 14 states and other environmental groups was too strong for her agency to fight," Carper said.

"Failure to finalize this standard would likely result in the EPA being quickly and successfully sued, which would take away the agency's ability to work with states to give them the flexibility they need to meet these requirements," he added. "The lawsuit will also likely require tighter timetables for implementation."

A group of 34 senators led by Mary Landrieu (D-La.) and Jeff Sessions (R-Ala.) sent a letter to Jackson on Monday urging her not to finalize the agency's reconsideration of the standard, citing concerns about high costs that would be imposed on businesses. Only two Democrats — Landrieu and Joe Manchin of West Virginia, signed the letter.

Greens and public health groups on Tuesday blasted the EPA's announcement, which marks the fourth time the standard has been delayed in a year.

"This untenable delay means more will get sick and more will die. There is no possible acceptable excuse for this decision," American Lung Association President and CEO Charles Connor said in a statement.

Earthjustice attorney David Baron called the delay "deplorable" and urged President Barack Obama to "stop stalling and start protecting people's lungs as the law requires."

CQ TODAY

Dicks Looks to GOP for Help on Halting Environmental Riders

A version of this article appeared in the July 26, 2011 print issue of CQ Today

By Kerry Young, CQ Staff

Some congressional battles over environmental regulation are fought more along regional divides than on partisan terms.

That's why Norm Dicks of Washington, the top Democratic House appropriator, warned the environmental community on Monday not to assume that the Democratic majority in the Senate will block all of the Republican efforts to use the fiscal 2012 Interior- Environment spending bill to weaken the development or enforcement of pollution controls or wildlife protections.

And it also explains why Dicks expects some Republicans to support Democratic efforts this week to remove from the spending bill some provisions opposed by environmentalists.

Conservative Republicans have long viewed some environmental regulations as needlessly burdensome and costly, so the GOP majority on the Appropriations Committee is once again trying to use the Interior- Environment spending bill (HR 2584) to address such concerns.

The bill would provide \$7.1 billion for the EPA, an 18 percent cut from this year's level. The measure also includes more than three dozen provisions addressing matters such as coal mining and grazing of bighorn and cattle. And Dicks said the bill "could get worse on the floor" as House members offer other restrictive proposals.

Environmental "policy riders" were some of the sticking points in negotiations that produced this year's catchall appropriations package (PL 112-10) enacted in April. In the end, nearly all the policy provisions were dropped.

But Dicks said that the Democratic majority in the Senate does not guarantee a similar outcome this year. "All of these provisions come from certain states, and there might be some support over there," he said.

Dicks noted that Senate Democratic support led to a provision that stayed in the fiscal 2011 spending package declaring the gray wolf a recovered species in Montana and Idaho. Sen. Jon Tester, D-Mont., claimed credit for the language, which was denounced by environmental groups, including the Sierra Club. It has cleared the way for hunting of the once-endangered species that ranchers view as a threat to their cattle.

"This wolf fix isn't about one party's agenda," Tester said in a statement in April. "It's about what's right for Montana and the West."

The spending bill also includes provisions involving coal mining and coal-burning power plants, which also are issues that divide lawmakers along regional lines. Sen. Joe Manchin III, a West Virginia Democrat who is seeking re-election in 2012, has often fought the EPA over coal regulations, calling the agency "callous" toward West Virginia's efforts to preserve its coal-mining jobs.

Republican Michael G. Fitzpatrick, who represents affluent suburbs of Philadelphia, agrees that it would be a mistake to assume that environmental issues always break along partisan lines.

Fitzpatrick and some other Republicans are expected to support Dicks' amendment, which would allow the U.S. Fish and Wildlife Service to again list new species and habitats as threatened.

"It's not a partisan issue," Fitzgerald said. "It's an issue of where you stand on the Endangered Species Act."

National Journal

N2K Energy: Spending Fight Previews 11th-Hour Battle; Keystone Bill to Sail Through House

Tuesday, July 26, 2011 | 6:01 a.m.

1. **SPENDING FIGHT PREVIEWS ELEVENTH-HOUR BATTLE.** Opponents of the GOP EPA/Interior spending bill are focused on parts of the measure that could ultimately make their way into the budget deal that congressional leaders and President Obama must strike before October 1, when the current measure funding the government runs out. Proponents are worried that -- as in April's government shutdown debate -- second-tier issues of public lands (such as uranium mining around the Grand Canyon) could take a backseat to EPA climate and other clean-air rules when the real negotiating happens in September.
2. **KEYSTONE BILL TO SAIL THROUGH HOUSE.** The House is set to vote today on a measure that would force the White House to announce by November whether it will permit extension of the Keystone XL pipeline to bring plentiful but environmentally controversial oil from the Canadian oil sands to Texas. The measure is expected to pass the House and stall in the Senate, but TransCanada, the company that is proposing the project, is keeping its eye on the ball. "We're focused more on the timeline Department of State has lined up," TransCanada spokesman James Millar told *National Journal Daily* on Monday, adding that the company is confident that a decision will come by the end of the year. Meanwhile, the White House issued a statement Monday calling the November deadline in the House measure "unnecessary."
3. **GOP FIGHT AGAINST EPA CONTINUES ON MULTIPLE FLANKS.** While the House floor takes a break Tuesday from debating the EPA spending bill, House Government Oversight continues the fight against the agency with a subcommittee hearing unsubtly titled "Lights Out: How EPA Regulations Threaten Affordable Power and Job Creation". Enviro push back some more, again, with a 1:30 League of Women Voters presser fighting to protect EPA regulations, with Alexandra Allred, the mother of an asthmatic child, telling her story in an effort to shore up support for the regulations among mothers.
4. **EPA MUM ON OZONE STANDARD DEADLINE.** EPA spokeswoman Enesta Jones did not stick to a statement she made last week that the agency has promised a court it will issue its controversial ozone standard by Friday. She said only to check in with the agency today. The Office of Management and Budget received the standard on July 11, and OMB says the average processing time for a rule there is about two months. Rumors are swirling that EPA would not make that specific deadline but will still issue the rules this summer, despite industry and GOP pressure to delay for two years. Expect talk of the ozone rule to surface at a House oversight subcommittee hearing on the issue this afternoon.
5. **MODERATE REPUBLICANS HAVE HEARTBURN OVER TEA PARTY-DRIVEN SPENDING BILL.** A number of moderate Republicans are deeply uncomfortable with the explosively partisan House Interior-EPA spending bill, which would gut the decades-old Land and Water Conservation Fund and attempt to jam through a number of policy riders ending environmental protections (and state funding) that many GOPers have long supported. **Rodney Frelinghuysen** of New Jersey, the top Republican on the House Energy spending committee, is among the key members of his caucus likely to break with his party on the battleground bill. "The [policy] riders are causing a lot of discomfort," Frelinghuysen told *National Journal*. He said he is likely to join with Democrats in voting against a GOP rider allowing uranium mining around the Grand Canyon, and will do what he can to restore spending on the Land and Water Conservation Fund, which funnels money to his home state.

Politico Pro

W.H. faces political fallout with EPA's ozone rule

By ROBIN BRAVENDER | 7/25/11 5:36 AM EDT

The White House has some political calculus to do as it prepares to revise the George W. Bush administration's smog standard.

The problem is this: The EPA's science advisers say the national health-based standard for ozone should be between 60 and 70 parts per billion when averaged over an eight-hour period.

But if the EPA sets the standard anywhere in that range, areas in swing states such as Florida, Michigan, Missouri, Nevada, North Carolina, Ohio and Pennsylvania will likely find themselves in violation of the new regulations.

The administration has the leeway to set the standard within the broad range advocated by agency science advisers.

"There's still political discretion," said a former Democratic White House official. Within that range, "they're probably assessing what the tradeoffs are," that person said. There are meaningful public health benefits to setting a lower limit, "but this stuff doesn't come cheap."

Industry officials put it in starker terms. "It's pretty simple, it's purely discretionary and it sits on the president's desk," said American Petroleum Institute President Jack Gerard. "He now has the choice: jobs or no jobs, it's up to him."

States are required to clamp down on emissions in areas that violate the EPA's ozone limits, which can result in higher costs to businesses. The estimated cost of the EPA's proposal ranges from \$19 billion to \$90 billion, and industry says it has the potential to be the most expensive environmental rule in U.S. history. Meanwhile, the EPA says a standard between 60 and 70 ppb would yield between \$13 billion and \$100 billion in health benefits by reducing premature deaths, respiratory illnesses and emergency room visits.

In 2008, the Bush administration tightened the ozone limits from 84 ppb to 75 ppb, despite scientific advisers' recommendations to issue a standard between 60 ppb and 70 ppb. EPA's stance now is that the Bush-era rule isn't sufficient to protect public health and won't stand up against court challenges.

The White House says politics won't play into the final standard, and insists it can set a science-based standard while keeping costs low.

"This administration will continue to put in place smart standards that protect the health of our families and are based on science and the law, not politics," a White House official told POLITICO.

"At the same time the president is committed to using the full flexibility in the law to ensure that the implementation of a new standard does not impede our economic recovery," the official said.

"He believes it is essential that considerations of cost and impacts on local communities and businesses are a fundamental part of how any standard would be implemented."

But industry groups and some lawmakers aren't convinced. Earlier this month, a phalanx of officials representing top U.S. business groups met with EPA Administrator Lisa Jackson to make their case.

House Energy and Commerce Committee Republicans are planning to write a letter to the administration this week expressing concerns with the standard, and Sens. Mary Landrieu (D-La.) and Jeff Sessions (R-Ala.) are circulating a letter in the Senate that asks the EPA to implement the 2008 standard of 75 ppb.

Four counties in Utah Democratic Rep. Jim Matheson's district would be in violation of EPA's tighter standards, according to agency data. Two of Matheson's counties already exceed the Bush-era standard.

Matheson was one of nearly 100 House lawmakers — including seven Democrats — who sent a [letter](#) to Jackson last month asking the agency to abandon its current review of the ozone standard and focus its efforts on the next ozone rule due in 2014.

Matheson said his constituents are concerned about tougher standards, particularly about how they would affect oil and gas regions in eastern Utah. "I think we ought to take a hard look at the concerns before it gets implemented," he said.

For their part, environmental and public health groups are urging the administration to set the standard at 60 ppb, but that's seen as unlikely, given the estimated costs and the broad impacts that standard could have. As many as 650 counties could violate a 60 ppb standard, according to EPA estimates.

"I think the American people support standards that protect public health," said House Energy and Commerce Committee ranking member Henry Waxman (D-Calif.). "They're not going to be happy with a president who backs away from something like that, so I think it's a plus to go forward, as well as required by the law."

Even if the administration adopts the higher end of its proposed range at 70 ppb, 515 counties of the 675 monitored by the agency could be in violation, according to [2010 EPA estimates](#). That

would add nearly 200 more counties to the list of more than 300 that still exceed the Bush-era standard of 75 ppb.

Industry complains about cost every time the EPA attempts to revise air quality rules, said Janice Nolen, assistant vice president of national policy and advocacy at the American Lung Association. But the Clean Air Act requires the agency to focus only on the health effects when setting the standards. And Nolen and other clean air advocates note that industry has historically been able to meet EPA standards at much lower costs than anticipated.

"The bottom line is, somebody is already paying that cost," Nolen said, including kids with asthma, workers who stay home to take care of their sick children and the poorest and the most vulnerable members of society.

Politico Pro

EPA holds ground on mountaintop removal

By [PATRICK REIS](#) | 7/21/11 6:00 PM EDT

The EPA has finalized its guidelines for Appalachian coal companies seeking the agency's blessing for mountaintop removal mines, but the mining industry and regional politicians are vowing the battle is far from over.

The final guidance — released Thursday — largely codifies a set of recommendations the EPA put in place in April 2010, which raised water quality standards to the point where agency Administrator Lisa Jackson said it would largely preclude mining operations from filling streams with excess rock waste.

Environmental and public health groups lauded the guidance, but the mining industry and coal-state politicians from both parties have battled the standards via a string of House-passed bills and amendments that would prevent the EPA from enforcing them.

Those measures have fallen silently in the Senate, but the industry and states appear to be making more headway in court.

The state of West Virginia and industry groups, such as the National Mining Association, are jointly suing EPA in federal court, arguing that the agency's use of a guidance for Clean Water Act permits was an illegal end-round to a full rulemaking process, which can take years to complete. The argument survived a first test in January when a federal judge denied EPA's request that the case be dismissed.

The EPA takes pains to address that argument in the 61-page document released Thursday, repeatedly saying that the guidance is not intended to be definitive, but rather a set of signposts for agency officials to use while evaluating permits on a case-by-case basis.

Thursday's document also includes new scientific support for the guidance and notes opportunities to collaboration with states. But that has done nothing to placate the agency's mining industry critics, who argue that the standards have in practice served as hard-and-fast rules.

"It is a de facto water quality standard," said Jason Bostic, vice president of the West Virginia Coal Association.

The agency's policies continue to enjoy strong standing among environmental groups, which on Thursday saluted the agency for reaffirming what they say is a sound policy based on a growing body of evidence that chemicals from mountaintop removal mining degrade water quality to the point of threatening Appalachian health.

"The document essentially reaffirms a scientific basis for [EPA's] guidance and basically recommends that field staff stay the course," Jon Devine, a Natural Resources Defense Council lawyer, told POLITICO on Thursday.

National Journal

Bloomberg Targets Coal with \$50 Million Donation to Sierra Club

By [Olga Belogolova](#)

July 21, 2011 | 1:50 p.m.

New York City Mayor Michael Bloomberg on Thursday announced a \$50 million donation toward a Sierra Club campaign to cut coal production by a third and significantly reduce coal emissions in the United States by 2020.

The donation comes from Bloomberg Philanthropies and will support Sierra Club's Beyond Coal Campaign.

"Ending coal power production is the right thing to do, because, while it may seem to be an inexpensive energy source, the impact on our environment and the impact on public health is significant," Bloomberg said in a statement, announcing the partnership outside a coal-fired power plant in Alexandria, Va.

"Coal is a self-inflicted public health risk, polluting the air we breathe, adding mercury to our water, and the leading cause of climate disruption," he added.

Bloomberg decided to make the donation in part out of frustration with climate policy inaction in Washington, Rohit Aggarwala, head of environmental donations at Bloomberg Philanthropies, told NPR's Elizabeth Shogren.

Industry groups criticized Bloomberg.

"The 'Beyond Coal' campaign actually would move America beyond jobs," said Evan Tracey, spokesman for the American Coalition for Clean Coal Electricity, in a statement. "Mayor Bloomberg's millions will be spent on a plan that would result in higher electricity rates for millions of Americans, fewer jobs, and less competitive American businesses."

National Mining Association President and CEO Hal Quinn said in a statement that "almost half of the nation's electricity is generated by coal and more than a half-million Americans owe their jobs to coal." He recommended that Bloomberg "make a philanthropic contribution that is truly good for all Americans" by donating to "technologies that make coal cleaner to use."

Coal production has the highest levels of greenhouse gas emissions and toxic air pollutants of all energy sources. Just last week, one of the nation's biggest coal companies, American Electric Power, announced that it is putting its plans to develop "clean coal" technology on hold.

While Bloomberg on Thursday touted Beyond Coal's successes in "stopping more than 150 new coal-fired power plants over the past few years," the decline in coal production has also been attributed to the abundance of natural gas, and pending environmental standards from the Environmental Protection Agency aimed at reducing coal-related carbon emissions in the United States.

N2K Energy: Sparks Will Fly at Spill-Bill Markup; 'Gang of Six' Would Slash \$6B in Energy Spending

Thursday, July 21, 2011 | 6:13 a.m.

1. **SPARKS WILL FLY AT SENATE SPILL BILL MARKUP.** Fire up [the webcast](#) to watch the fireworks today at Senate Energy's long-awaited markup of an offshore drilling reform bill -- aka Landrieu vs. Bingaman, round 5. While there is broad bipartisan agreement on the Bingaman-Murkowski bill to overhaul drilling safety in the wake of the Gulf spill, a fight is expected to erupt over an amendment by Sen. **Mary Landrieu**, D-La., to divert some drilling revenues from federal to coastal state coffers -- a blowup that will reverberate in the broader debate over reining in the federal deficit.
2. **GANG PLAN WOULD SLASH \$6 BILLION IN ENERGY SPENDING; OPEN DOOR TO OIL TAX REFORM.** The Senate "Gang of Six" deficit plan [would slice federal spending on energy programs by \\$6 billion over 10 years](#), and also appears to open the door to a tax reform package that would roll back billions of dollars in annual subsidies long enjoyed by the oil industry. It offers no specifics about where the cuts would come from or which tax breaks would be targeted, and it's unlikely that either specific energy spending cuts or an increase in oil tax revenues will make it into a package that would cut federal spending and raise the debt ceiling by August 2. But that deal could include the Gang of Six's "kick the can" proposal, which would charge key Senate committees to produce bills within six months that would reduce the deficit by specific amounts over the next decade. That could include an assignment for a bill to offer \$6 billion in cuts from the Senate Energy Committee, and \$1 trillion in tax reform from Senate Finance -- which oil companies assume puts their tax breaks on the table. Meanwhile, the prospects for attaching an ethanol deal onto the debt-ceiling package are [looking less likely by the day](#).

3. **JACKSON, LAWMAKERS GRAPPLE OVER EPA RULES.** The fight between EPA Administrator Lisa Jackson and Congress is about to get uglier. Lawmakers in both parties and both chambers are readying legislation to try to force Jackson to delay environmental and public health regulations that the EPA is set to announce in the coming months. "There has been a certain amount of EPA overreach in this administration that has troubled even those of us who have strong environmental records and support reasonable regulations," Sen. **Susan Collins**, R-Maine, said on Wednesday. Collins' leadership on bipartisan legislation she introduced Wednesday delaying EPA's boiler standards is symbolically important. Her comments expressing concern about EPA writ large should resonate. She is one of the most moderate Senate Republicans, and has traditionally received praise from public health and environmental groups.
4. **CLEAN-AIR ADVOCATES RAMP UP PRESSURE.** The heads of seven major health and environmental groups spoke by phone with Jackson on Wednesday to voice their support for the agency as it rolls out contentious new clean-air rules, including anti-smog standards for ground-level ozone. Environment America Executive Director Margie Alt said the groups felt compelled to reach out to Jackson after reading reports that industry groups had recently met with her to urge a delay in implementing the rules. More than 250 environmental and public health groups from all 50 states are sending a letter to President Obama today urging him not to delay rolling out the new ozone rules, which are expected in the next several weeks despite industry groups seeking a two-year delay.
5. **HOUSE RULES TO LOOK AT CONTROVERSIAL 2012 SPENDING BILL.** Some of the victims? The EPA and the Interior Department. The bill, passed by the House Appropriations Committee last week, contains riders that have been criticized by Democrats as well as the environmental community. Under the bill, the EPA would take a \$1.5 billion hit, while the Interior Department would face \$715 million in cuts. After the measure goes through the House Rules Committee today, it will then face a battle on the House floor - a preview for the bigger fight over spending coming to Capitol Hill this fall, as *NJ's* Coral Davenport reported in this week's magazine.

National Journal

Jackson, Lawmakers Grapple Over Myriad EPA Rules

By Amy Harder

This article appeared in the Thursday, July 21, 2011 edition of National Journal Daily.

The fight between EPA Administrator Lisa Jackson and Congress is about to get uglier. Lawmakers in both parties and both chambers are readying legislation to try to force Jackson to delay environmental and public-health regulations that the EPA is set to announce in the coming months.

"There has been a certain amount of EPA overreach in this administration that has troubled even those of us who have strong environmental records and support reasonable regulations," Sen. **Susan Collins**, R-Maine, said on Wednesday.

Collins and five other senators introduced a bipartisan bill on Wednesday that would delay for 15 months final EPA standards to slash mercury levels from industrial boilers. The legislation resembles an equally bipartisan bill introduced last month in the House.

Reluctantly complying with a court-ordered deadline, EPA announced final boiler standards in February, then immediately said it would "reconsider" them. The agency rules will require companies to install technology that cuts toxic pollution emitted from boilers.

"I've talked to Lisa Jackson about this a number of times," said Sen. **Ron Wyden**, D-Ore., a cosponsor of Collins's bill. "She's been very forthright, to her credit. Her agency is in a tough spot. They're trying to reach out and listen to folks, and at the same time they face the real challenge in doing that because of the courts."

In a congressional rarity, concern over EPA's boiler standards has drawn bipartisan, bicameral support. But the rules are far from the most politically contentious that the agency is crafting. The boiler standards are also comparatively minor in terms of public-health and environmental benefits and economic impact.

Other rules that will have a bigger effect are new anti-smog regulations that EPA is set to announce by July 29 and mercury standards for power plants that the agency plans to finalize in November. The most well-known and politically volatile standards are EPA's rules to control greenhouse-gas emissions linked to climate change. The agency will propose those regulations in draft form for power plants in September and for oil refineries in December.

For the next several weeks, at least, Congress will likely be most focused on the antismog rules, which would set tougher ground-level ozone standards. Congressional and industry opponents say that forcing state regulatory agencies to draft plans to cut ozone levels will require costly compliance from businesses. Sens. **Mary Landrieu**, D-La., and **Jeff Sessions**, R-Ala., are circulating a draft letter, obtained by National Journal, that urges EPA to delay issuing the standards until the normal review cycle in 2013.

Jackson said that if she agrees to wait until 2013, environmentalists would likely succeed in suing the agency to issue rules even more abruptly. That position is strongly supported by Sen. **Thomas Carper**, D-Del., chairman of the Environment and Public Works Subcommittee on Clean Air and Nuclear Safety, and public health and environmental groups, who see the tougher standards as overdue.

Collins's leadership on legislation delaying EPA's boiler standards is symbolically important, and her comments expressing concern about the agency writ large should resonate. She is one of the most moderate Senate Republicans and has traditionally received praise from public-health and environmental groups.

"We have expressed our thanks to the senator for standing up for clean air," said Peter Iwanowicz, assistant vice president at the American Lung Association. "We are extremely disappointed with her effort to delay clean-air protections. She is standing up for big corporate polluters and ignoring the health consequences that a delay will mean."

CQ TODAY

New Measure Would Stretch Timeline for EPA to Write Boiler Pollution Rules

A version of this article appeared in the July 21, 2011 print issue of CQ Today

By Margaret Kriz Hobson, CQ Staff

The EPA would have more time to write rules on hazardous air pollution from industrial facilities — and refineries, chemical plants and other polluters would have longer to comply with new standards — under bipartisan Senate legislation introduced Wednesday.

The draft bill, introduced by Maine Republican Susan Collins and five other senators, would put an end to a lengthy legal battle over EPA efforts to regulate mercury, soot and other pollution emitted by industrial boilers and furnaces under the 1990 Clean Air Act (PL 101-549).

The Collins bill would provide the EPA with 15 months to re-propose and finalize its boiler regulations and give companies at least five years to comply with the new EPA mandates — much like a bill (HR 2250) introduced in June by Virginia Republican Rep. Morgan Griffith and seven other Energy and Commerce Committee members.

But the Senate measure goes further by allowing timber companies to continue to burn wood waste and other biofuels in their furnaces and boilers. The biofuels provisions helped Collins win the support of timber state Sen. Ron Wyden, D-Ore.

Also cosponsoring the bill are Republicans Lamar Alexander of Tennessee and Patrick J. Toomey of Pennsylvania and Democrats Mary L. Landrieu of Louisiana and Mark Pryor of Arkansas.

In introducing the bill, Collins called for Congress to prevent the EPA from hurting the economy. "The stakes are too high for the EPA to be forced to rush a complex, multi-step process that could cost thousands of American jobs," she said. Collins released a letter from 28 industry trade groups that support her bill. The coalition predicted that the agency's air pollution rules would cost \$14 billion in capital costs and billions more in annual operating costs.

Environmental lobbyists condemned the bill's extended deadlines, arguing that tougher pollution mandates are needed to prevent thousands of premature deaths, heart attacks and breathing illnesses.

"The biggest problem is that the bill would delay important Clean Air Act health protections for a very, very long time," said John Coequyt, a lobbyist at the Sierra Club.

The environmental groups also oppose the timber industry provisions. Franz Matzner, climate and air legislation director at the Natural Resources Defense Council, said they amount to "the industry players trying to carve out exceptions for themselves. Burning wood or burning coal — they both produce pollution that has ill effects on public health."

The regulation at the center of the debate would set standards for more than 200,000 boilers and incinerators nationwide that are a major source of pollution. Finalized by EPA in February to comply with a court-ordered deadline, the rules were subsequently put on hold after industry and lawmakers criticized them as overly prescriptive and costly.

Although EPA has acknowledged the regulations need to be revised, agency officials say they are working closely with industry to streamline the regulations and argued that no legislation is necessary.

"This input has already resulted in dramatic cuts in the cost of implementation, while maintaining public health benefits — including the prevention of 2,600 to 6,600 premature deaths, 4,100 heart attacks and 42,000 asthma attacks per year," said EPA spokesman Brendan Gilfillan.

Gilfillan said the agency is on target to meet an October deadline for releasing a proposed version of the rule and to finalize the measure in April 2012.

Politico Pro

Lisa Jackson chats with greens

By [ROBIN BRAVENDER](#) | 7/20/11 6:18 PM EDT

The heads of seven major environmental and public health groups held a conference call with EPA Administrator Lisa Jackson on Wednesday, where they urged her to stay tough on pending EPA rules to curb ozone and power plant pollution and stressed public support for clean air rules. The greens liked what they heard from Jackson, who took the roughly 20-minute call while traveling in Texas on Wednesday.

"Our impression is that she's very, very committed to the public health issue. It's a very top priority issue for her," said Frances Beinecke, president of the Natural Resources Defense Council.

Environmentalists on the call in addition to Beinecke: Margie Alt of Environment America, Fred Krupp of the Environmental Defense Fund, Gene Karpinski of the League of Conservation Voters, Larry Schweiger of the National Wildlife Federation, Trip Van Notten of Earthjustice and Chuck Conner of the American Lung Association.

The green pep talk comes at a critical time for the EPA, with the agency coming under attack from industry and GOP lawmakers who are looking to overturn agency air rules on several fronts. The House is expected to soon vote on an annual spending bill loaded with riders that take aim at a host of controversial EPA air rules, and industry is urging EPA and the White House to abandon plans to tighten the national air quality standard for ozone.

Beinecke said the call was inspired in part by an industry meeting with Jackson last week, where the heads of several major industry groups urged Jackson to drop her plans to revise the ozone standard and to keep the George W. Bush administration's smog limits in place.

"We certainly noticed that they were meeting," Beinecke said, adding that it provided a good opportunity for environmentalists to talk to Jackson about public support for rules aimed at safeguarding public health.

Beinecke said Jackson didn't divulge where the EPA will set the ozone standard due out later this month, or offer details about when the rule will be issued.

The EPA proposed last year to tighten the national ozone standard within a range of 60 to 70 parts per billion, and environmentalists and public health advocates have called for a limit closer to 60 ppb. The Bush EPA tightened the ozone limits from 84 parts per billion to 75 ppb in 2008 after science advisers recommended a standard between 60 ppb and 70 ppb.

EPA spokesman Brendan Gilfillan offered a brief readout of the call: "This afternoon, EPA Administrator Jackson and senior agency officials held a call with environmental groups to listen to their concerns about updating EPA smog standards that are designed to protect public health

and the environment. EPA has made it a priority to be open to communications with all stakeholders and the American public about its work, and will continue to ensure that as standards are implemented they maximize flexibility and minimize cost."

Darren Samuelsohn contributed to this report.