



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

June 18, 2012  
(Senate)

## STATEMENT OF ADMINISTRATION POLICY

### S.J. Res. 37 – Disapproving EPA's Mercury and Air Toxics Standards

(Sen. Inhofe, R-OK)

The Administration strongly opposes S.J. Res. 37, which would overturn long-overdue national clean air standards limiting power plant emissions of toxic air pollution, including mercury. As a result, this resolution would cause substantial harm to public health and undermine our Nation's longstanding commitment to clean up pollution from power plants.

Since it was enacted in 1970 and amended in 1977 and 1990, each time with strong bipartisan support, the Clean Air Act (CAA) has improved the Nation's air quality and protected public health. Since 1970, the economy has grown over 200 percent while emissions of key pollutants have decreased more than 60 percent. More than forty years of clean air regulation has shown that a strong economy and strong environmental and public health protection go hand-in-hand.

S.J. Res. 37 would undermine more than forty years of CAA progress by blocking the Mercury and Air Toxics Standards, the first national standards to protect American families from harmful power plant emissions of mercury and other toxic air pollution like arsenic, acid gases, nickel, and chromium. By addressing the largest remaining source of mercury emissions in the United States, these standards will reduce our children's exposure to this neurotoxicant which can impair their ability to think and learn. Because technology to control toxics also reduces fine particle pollution, the standards will help America's children grow up healthier, preventing 130,000 cases of childhood asthma symptoms and over 6,000 cases of acute bronchitis among children each year. EPA further estimates that emissions reductions resulting from meeting these standards will prevent as many as 11,000 avoidable premature deaths and 4,700 heart attacks, annually. The annual value of these health benefits alone is estimated to be as much as \$90 billion. In addition, the standards will reduce the risk of numerous other non-monetized yet devastating health effects, including illnesses of the central nervous system, damage to kidneys, and cancer.

The Mercury and Air Toxics Standards will ensure that the Nation's power plants install modern, widely available technologies to limit harmful pollution – leveling the playing field for power plants that already have such controls in place. The standards are achievable; pollution control equipment that can help meet them already is installed at more than half of the Nation's coal-fired power plants. Numerous studies, including analysis by the Department of Energy, have projected that the standards can be met without adversely affecting the adequacy of electric generation resources in any region of the country.

Finally, if a rule is disapproved under the Congressional Review Act, an agency may not issue a rule that is “substantially the same.” In this case, because EPA has adhered closely to its narrowly

circumscribed authority under the CAA in promulgating these standards, the enactment of S.J. Res. 37 could effectively prevent EPA from ever limiting mercury and air toxics pollution from power plants.

If the President were presented with S.J. Res. 37, his senior advisors would recommend that he veto the resolution.

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