

**ADIRONDACK COUNCIL URGED EPA TO QUICKLY FINALIZE
NEW "TRANSPORT RULE" TO ADDRESS ACID RAIN**
Calls on Agency to Strengthen Nitrogen Provision to Help Protect Sensitive Areas

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PHILADELPHIA, PA - The Adirondack Council today called on the US Environmental Protection Agency (EPA) to finalize as quickly as possible its proposed "Transport Rule" to curb the acid rain and high-elevation smog that afflicts the largest park in the contiguous United States - Upstate New York's 9,300-square-mile Adirondack Park.

The Adirondack Council has been a national leader in the fight against acid rain since the mid-1970s. The newly proposed Clean Air Transport Rule would sharply reduce emissions of sulfur dioxide (SO₂) and nitrogen oxides (NO_x) from power plants, from the District of Columbia and all 31 states east of the Rocky Mountains. The cuts are due to occur between next spring, when the rule is expected to become final, and 2014, when the cuts would be complete.

"We in New York State have already acted to reduce our own emissions," said Scott M. Lorey, Legislative Director of the Adirondack Council. "Unfortunately, New York alone cannot protect the Adirondack Park and its thousands of lakes, ponds and rivers from acid rain. We can't stop the high-elevation smog that makes it unhealthy to climb our mountains on some summer days. These pollutants come from outside our state, are carried by prevailing winds and fall in the Adirondacks as acid deposition."

"We need at least the level of cuts proposed in this rule if the modest improvements we have seen are going to continue," Lorey said. "Cuts made under the Clean Air Act Amendments of 1990 helped slow the rate of destruction in the Adirondacks and allowed some lightly affected watersheds to recover their chemical balance. Many others will require deeper cuts before chemical and biological recovery can occur."

EPA's Transport Rule was necessitated by a federal court decision in 2008. The Court nullified a similar proposed rule known as the Clean Air Interstate Rule, sending it back to EPA to fix several flaws in that rule. EPA chose to start over.

"We believe that the Environmental Protection Agency is taking appropriate action to address shortcomings in CAIR that were outlined by the U.S. Circuit Court of Appeals for the District of Columbia in 2008," continued Lorey. "We appreciate the efforts of the EPA to quickly respond to the Court's ruling and move forward with the Transport Rule."

The Transport Rule would be phased in over the next four years. In 2012, EPA would mandate the first reductions in SO₂, as well as year-round and seasonal NO_x cuts. In 2014, a second round of reductions for sulfur dioxide would be put in place for 15 states whose pollution is bad enough to prevent downwind states from achieving healthy air quality standards.

The portion of the Transport Rule that has drawn the most criticism is the level of nitrogen oxides reductions proposed by the EPA. The Agency is using an outdate 1997 standard as the basis for the reductions. This standard was strengthened in 2008 and is slated to be even more stringent later this year.

"We urge EPA to use a stronger baseline for NO_x emissions than the 1997 National Ambient Air

Quality Standard (NAAQS)," continued Lorey. "At a minimum, EPA should use the more stringent 2008 standard, and then prepare to update the Transport Rule when a new standard is put in place later this year."

Other benefits of the new Transport Rule over the previous regulation include shorter timelines for emissions reductions; limits on interstate trading of allowances, meaning each state must clean up its own pollution and cannot simply buy other states' leftover credits; and with the new program, dirty power plants cannot use "banked" excess allowances from the current acid rain program to meet the requirements of the new Transport Rule.

Founded in 1975, the Adirondack Council is a privately funded, not-for-profit organization dedicated to ensuring the ecological integrity and wild character of the Adirondack Park. With members in all 50 United States, the Council carries out its mission through research, advocacy, public education and legal action