

New York Times
July 8, 2011

E.P.A. Issues Tougher Rules for Power Plants

By JOHN M. BRODER

WASHINGTON — The Environmental Protection Agency on Thursday issued new standards for power plants in 28 states that would sharply cut emissions of chemicals that have polluted forests, farms, lakes and streams across the Eastern United States for decades.

The agency said the regulations, which will take effect in 2012, would reduce emissions of compounds that cause soot, smog and acid rain from hundreds of power plants by millions of tons at an additional cost to utilities of less than \$1 billion a year. The E.P.A. said the cleaner air would prevent as many as 34,000 premature deaths, 15,000 nonfatal heart attacks and hundreds of thousands of cases of asthma and other respiratory ailments every year.

Lisa P. Jackson, the E.P.A. administrator, said the new rule would improve air quality for 240 million Americans living in states where the pollution is produced or where it travels downwind.

“No community should have to bear the burden of another community’s polluters, or be powerless to prevent air pollution that leads to asthma, heart attacks and other harmful illnesses,” Ms. Jackson said. “This is a long-overdue step to protect the air we breathe.”

The rule, which governs emissions of sulfur dioxide and nitrogen oxide from fossil-fuel-burning power plants, does not explicitly aim at carbon dioxide and other greenhouse gases that contribute to global warming. Those are covered by other, far more controversial, proposed regulations. But most actions to cut emissions of conventional pollutants also have the indirect effect of reducing global warming gases.

The new regulation, known as the Cross-State Air Pollution Rule, is essentially a rewrite of one issued by the George W. Bush administration in 2005 but invalidated by a federal judge in 2008. The regulation, known popularly as the transport rule because it is directed at emissions that are carried eastward by prevailing winds, is a significant toughening of the acid rain program that was part of amendments to the Clean Air Act in 1990.

The new rule applies to all the states east of the Rockies except the Dakotas, Delaware and the six New England states.

The agency said that utilities could meet the new standards at modest cost by using readily available technology like catalytic converters and smokestack scrubbers. Under some E.P.A. projections, the new rule will create thousands of jobs in pollution-control businesses and significantly increase labor productivity by reducing workdays lost to respiratory and other illnesses.

The utility industry and many Republicans in Congress contend that the new rule, along with other pending E.P.A. air quality regulations, will require the premature closing of dozens of aging coal plants and impose heavy financial burdens on power companies and their customers. They had asked for a more gradual phase-in of the new rules.

“The E.P.A. is ignoring the cumulative economic damage new regulations will cause,” said Steve Miller, president of the American Coalition for Clean Coal Electricity, a group of coal-burning utilities. “America’s coal-fueled electric industry has been doing its part for the environment and the economy, but our industry needs adequate time to install clean coal technologies to comply with new regulations. Unfortunately, E.P.A. doesn’t seem to care.”

An industry-financed study found that new air pollution rules would cost tens of thousands of jobs and cause electricity rates to rise by more than 20 percent in some parts of the country.

Michael J. Bradley, executive director of the Clean Energy Group, a coalition of power companies, said that most utilities had already installed the equipment needed to meet the new standards and that the small number of plants that would be closed were among the oldest and dirtiest in the nation.

Mr. Bradley said that electricity markets had already factored in the price of compliance and that recent auctions had shown there would be adequate supplies of electricity in 2015 at reasonable prices. “The bottom line is, the industry is well positioned to comply with this, has been anticipating this for three to four years now,” he said.

Supporters of the new rule said any costs would be more than offset by health and other benefits. The E.P.A. estimates the annual benefits of the Cross-State Pollution Rule at \$120 billion to \$280 billion a year by 2014.

John F. Sheehan of the Adirondack Council, a nonprofit advocacy group, said the new air quality rule would help the Adirondack Park in upstate New York, the nation’s largest outside of Alaska, to recover from decades of pollution produced far from its borders.

“This is the biggest leap forward in our long history of dealing with this problem,” Mr. Sheehan said. “This is a very deep cut on a very aggressive schedule and essentially enough to end chronic acidification of lakes and ponds in the Adirondacks.”

He said it would allow the regeneration of spruce and fir forests in the six-million-acre park while improving the habitat of dozens of species, from the Bicknell’s thrush at high elevations to brook trout in streams.