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**Statement of Charles D. Connor, President and Chief Executive Officer, American Lung Association
On the Kerry-Lieberman Bill, The American Power Act**

Washington, DC. May 12, 2010. We at the American Lung Association were shocked to read language included in the draft American Power Act introduced today by Senators John Kerry and Joseph Lieberman that would unleash a dangerous process to attack life-saving rules on coal-fired power plants and threaten to permit much more air pollution around the nation. The outrageous proposal creates an open door through which millions of tons of life-threatening pollution could be allowed to flow. We oppose these provisions. The American Lung Association cannot support legislation that includes changes to the Clean Air Act that undermine the protection of public health. We urge the Senate to strip such unnecessary and objectionable language from any bill.

Burning coal creates particle pollution and key components of ozone. Both pollutants can kill. Pollution from these power plants is considered to cause nearly 24,000 early deaths each year through their toxic impact on the lungs and other parts of the body. Both pollutants cause wheezing, coughing, asthma attacks; both send children to the emergency room and people with lung disease to the hospital. Particle pollution causes heart attacks and strokes and may lead to lung cancer. These are lethal substances, recognized as such by repeated scientific review.

Particle pollution and ozone aren't the only pollutants targeted under the bill as proposed—just the most widespread. The draft bill invites attack on safeguards applying to a horde of other noxious emissions, known under the Clean Air Act as hazardous air pollutants, which include mercury, arsenic, lead and other toxics.

Cleaning up the air pollution from coal-fired power plants has long been a priority for the American Lung Association—and for the U.S. Congress. In 1990 in the Clean Air Act, Congress gave the U.S. Environmental Protection Agency and the states clear mandates to require the cleanup of emissions from major sources like these power plants because of the enormous harm those emissions do to public health. In response, the electric utility industry has spent decades fighting those protections in court and in the regulatory process. We have urged EPA to clean up these plants and the agency has now begun to do so.

Provisions in this draft bill create an irresponsible process to roll back tools every community needs to protect its most vulnerable residents – children, seniors and those with chronic diseases – against dangerous air pollution. Specifically we are concerned about provisions that:

- Create a “study” group that would authorize the “review” and re-writing of rules currently in place that communities need to protect the lives and health of their citizens.
- Give the electric power industry a new venue to seek weakening of cleanup rules indefinitely based on claims of reliability and job loss, while conveniently ignoring the deaths and other health effects caused by their spewing smokestacks.

The American Lung Association will undertake a careful review of the draft legislation and we will communicate any additional concerns to the Senate.

We urge the Senate to reject any legislation that weakens the health protections of the Clean Air Act.