

Oppose Dirty Air Riders: Gutting the Clean Air Act to Allow Industrial Boilers to Spew More Toxic Air Pollution Means More Deaths, More Asthma Attacks

Senator Collins has introduced a rider to the Senate transportation bill (SA 1660 to S. 1813) eliminating EPA toxic air pollution standards for industrial boilers and incinerators. This rider also would significantly delay and weaken clean-up of toxic air pollution from these sources, which function as industrial power plants. These units mainly burn coal and are the nation's second largest industrial source of mercury. Mercury is a dangerous neurotoxin that harms children's developing brains. These clean air safeguards are a critical step in protecting our children's health.

Not a Delay: Gutting Clean Air Safeguards

This rider does *not* simply delay standards, as some have been falsely reporting. Instead, the proposed legislation fundamentally weakens the Clean Air Act *and* delays compliance deadlines for industry *by a minimum of 3.5 years*, resulting in:

- **Up to 28,350 more premature deaths;**
- Over 17,000 heart attacks; and
- More than 180,000 cases of asthma attacks.

The rider would overturn longstanding Clean Air Act safeguards and mandate that EPA set meaningless standards based on the emissions of the dirtiest sources, rather than the cleanest (as required by today's law) – meaning *even more* toxic air pollution from facilities that burn coal, oil and materials such as plastics, scrap tire, and coal ash.

EPA re-proposed toxic air pollution standards for industrial boilers and incinerators in December 2011, and expects to finalize them in the spring of 2012. EPA listened to industry concerns about the standards and as a result, the reproposal provides **more health benefits, more flexibility, and lower industry implementation costs.**

The agency has *never said* that it needs new legislation to provide more time to finish these standards and both EPA and the President oppose the delays and weakening changes found in previous near-identical versions that prompted a veto threat.

More Riders, Increased Uncertainty

The proposed rider would create uncertainty, rather than eliminate it, and the American Boiler Manufacturers Association (ABMA) agrees. The President and CEO of the ABMA noted that “needless, arbitrary delay in resolution of these rules does not serve the best interests of either those who are being regulated or those who provide goods and services to those regulated. Delay means only additional uncertainty in the market place. Progress is being made through the regular order; we would urge you to let the rulemaking process go forward without Congressional intrusion.”

Further, the recent court decision reinstating EPA's previously finalized 2011 standards does not change the situation one bit. EPA has announced that it will re-set compliance deadlines when it finalizes new standards in the spring so that facilities have the maximum amount of time under the law to comply.

EPA has also said that it will not enforce 2011 standards while it works to finalize the re-proposed standards, and that the agency is “on track to take final action on the reconsideration by spring of this year.”

We Urge You to Oppose Dirty Air Riders to S. 1813