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May 18, 2011

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator Jackson:

The cleanup of toxic air pollution from oil and coal-fired power plants is long overdue. When final, the U.S. Environmental Protection Agency (EPA) Mercury and Air Toxics Rule—required by the Clean Air Act—will protect Americans against life-threatening air pollution such as mercury, arsenic and other toxics linked to cancer, heart disease, neurological damage, birth defects, asthma attacks and even premature death.

The American Lung Association urges you to reject calls to extend the public comment period and delay the final rule. Since this is literally a matter of life and death, it is imperative that you meet the November 16, 2011 deadline. According to the agency's analysis, the implementation of and compliance with this rule will result in the annual prevention of approximately 17,000 premature deaths; 11,000 heart attacks; 120,000 cases of childhood asthma symptoms; 12,000 hospitalizations and emergency room visits; and 11,000 fewer cases of acute bronchitis among children. There are no delays or exemptions for those experiencing these health impacts or at-risk of premature death.

As you know, the proposed Mercury and Air Toxics Rule was signed and published on the EPA website on March 16, 2011. When the public comment period closes on July 5, 2011, the public will have 111 days to review and analyze the proposal and provide comments to the agency. This is more than adequate time for all interested stakeholders including public health advocates, physicians and nurses, parents and people who live in communities adjacent to or downwind from the nation's power plants to provide complete comments and meaningful input. The lengthy comment period coupled with the public hearings being held later this month in Chicago, Philadelphia and Atlanta, provide the electric power industry's lawyers and lobbyists more than enough time to assess the proposal and provide comments.

Congress first required EPA to clean up toxic air pollution from industries in the Clean Air Act Amendments of 1990. Ever since, coal-using electric utilities have successfully deployed a range of tactics to delay the regulations. The timeline for final action was established when the U.S. District Court for the District of Columbia approved a consent decree on October 22, 2009. That decree required that the EPA proposal be signed by March 16, 2011 and the final rule be completed by November 16, 2011.

More than 400 coal-fired power plants located in 46 states across the country release in excess of 386,000 tons of hazardous air pollutants into our air each year. The wide range of uncontrolled pollutants from these plants includes: arsenic; lead and other metals; mercury; dioxins; chemicals known or thought to cause cancer, including formaldehyde and benzene; and acid gases such as hydrogen chloride.

Those at risk of health effects from breathing these hazardous air pollutants include: infants, children and teenagers; older adults; pregnant women; people with asthma and other lung diseases; people with cardiovascular disease; diabetics; people with low incomes; and healthy adults who work or exercise outdoors. They are counting on and expecting EPA to do the job that Congress required it to do.

The American Lung Association reiterates our request that you reject further delays. Two decades is far too long to wait for this cleanup and certainly 111 days is plenty of time to prepare comments.

Thank you for your consideration of our request not to delay these lifesaving standards.

Sincerely

A handwritten signature in blue ink, appearing to read "CD Connor", is positioned above the typed name.

Charles D. Connor
President & CEO

cc. Gina McCarthy, Assistant Administrator, Air and Radiation, U.S. EPA