

As Prepared for Delivery
Comments of Laura Kate Bender
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On
The U.S. Environmental Protection Agency
National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility
Steam Generating Units Review of the Residual Risk and Technology Review
Docket ID# EPA-HQ-OAR-2018-0794
May 9, 2023

Good morning, my name is Laura Kate Bender and I'm the national assistant vice president for healthy air at the American Lung Association. Our mission is to save lives by improving lung health and preventing lung disease. Thank you for organizing today's hearing and for your continued work to protect people's health from toxic emissions from coal- and oil-fired power plants. The Lung Association strongly supports EPA finalizing more stringent standards.

The Mercury and Air Toxics Standards are a success story. Our families breathe easier and our kids are healthier thanks to this rule. The Lung Association and other leading national health organizations strongly supported EPA's restoration of the finding that the standards are appropriate and necessary. But we've also highlighted that despite the great progress made under the current standards, there's still work to do.

In our comments last year we noted that EPA's 2021 data on power plant emissions showed increases from the previous year, including a 13% increase in mercury emissions nationwide. We were glad to see that mercury emissions in 2022 decreased 3%, but that's still a big overall uptick compared to 2020. Multiple individual plants also had enormous increases in mercury emissions in 2022 compared to 2021. Here are a few of the most egregious:

- Gavin Power Plant in Ohio: 122% increase
- Flint Creek Power Plant in Arkansas: 152% increase
- North Valmy Generating Station in Nevada: 263% increase

And for all three plants, that increase was in spite of the fact that they measured less heat input in 2022 than in 2021.

Mercury, air toxics and other emissions from power plants can harm anyone's health, but many people face special risk, including infants, children and teenagers; older adults; individuals who are pregnant, have asthma and other lung diseases, cardiovascular disease or diabetes; people of color; people with low incomes; and people who work or exercise outdoors.

And of course, children face increased risk that begins even before birth. Fetuses, infants, and children face impaired neurological development and cognitive abilities, memory, and language skills from methylmercury exposure. Dioxins and furans threaten their developing nervous systems and may increase cancer risk.

That's why we applaud EPA for this proposal to further reduce dangerous emissions from coal- and oil-fired power plants, and urge the agency to quickly finalize the most stringent standards possible.

With regard to the specifics of the rule, we support tightening the standards for mercury for lignite coal plants to bring them in line with other types of coal. We also strongly support the requirement for continuous emissions monitoring. People living in communities near dirty power plants need real-time information about these emissions.

We support strengthening the filterable particulate matter standards, and urge EPA to finalize the most stringent option possible. EPA should finalize a standard of no higher than .006 pounds per million BTU. EPA's own Regulatory Impact Analysis shows that the health benefits would be dramatically higher with this more stringent option compared to what the agency proposed, including more than 6 times more avoided premature respiratory mortalities from particulate matter exposure in 2035.

We also appreciate EPA's proposal to remove one category of exemption for start-up. The Lung Association urges you to reduce or eliminate exemptions for start-ups, shut-downs and malfunctions whenever possible. People's lungs don't care whether the pollution they're breathing is from a power plant running normally or starting up or shutting down.

Finally, this rule is one among many that are needed to help the Biden administration meet their commitments to improving environmental justice. Multiple studies show that people who have low incomes or are members of racial or ethnic minorities bear a disproportionate burden of the health effects of air pollution from power plants. We urge you to protect kids' health and finalize stringent new limits on mercury and air toxics without delay. Thank you.