1Sky * American Lung Association * American Nurses Association * American Public Health Association * Asthma and Allergy Foundation of America * Chesapeake Climate Action Network * Clean Air Task Force * Clean Air Watch * Clean Water Action * Climate Solutions * Conservation Law Foundation * Earth Day Network * Earthjustice * Environment America * Environmental Defense Fund * Environmental Law and Policy Center * Health Care Without Harm * League of Conservation Voters * National Association of Clean Air Agencies * National Audubon Society * National Parks Conservation Association * National Tribunal Environmental Council * National Wildlife Federation * Natural Resources Defense Council * Physicians for Social Responsibility * Republicans for Environmental Protection * Safe Climate Campaign * Sierra Club * Southern Alliance for Clean Energy * Southern Environmental Law Center * Union of Concerned Scientists

July 14, 2010

Dear Senator:

On behalf of our members and supporters, we write in defense of the Clean Air Act and in strong opposition to proposals that would preempt, delay or weaken Clean Air Act standards for pollutants such as ozone, particulate pollution, mercury, arsenic, lead and other toxics from power plants. Proposals that could delay the cleanup of these dangerous pollutants have been inserted into several recently-introduced energy and climate bills. Such provisions are simply unacceptable. We urge the Senate to reject these proposals and any other legislation that weakens health protections under the Clean Air Act.

Specifically, the American Power Act (Senators Kerry and Lieberman) creates a task force to examine utility industry demands for Clean Air Act exemptions and delays, and then creates a process by which those demands could be implemented. The Practical Energy and Climate Plan Act (Senator Lugar) goes further by repealing Clean Air Act air pollution cleanup requirements, as well as water pollution controls, for the oldest and dirtiest power plants that enter into certain agreements. Both bills' provisions could not only extend the life of the dirtiest and most inefficient plants in the country, but also contain loopholes that could permit the plants to escape cleaning up and avoid shutting down.

Delaying the cleanup of these plants threatens the health of millions of Americans. These proposals threaten existing law, creating the potential for more pollution from coal-fired power plants and unnecessary death and suffering. Air pollution from power plants has been estimated to kill up to 24,000 people in the U.S. each year. Power plants also emit lead, arsenic and mercury, a neurotoxin that can cause brain development defects in fetuses and impede intellectual development in children, and that has poisoned waterways and fish across the country. Smog pollution from coal-fired power plants leads to premature mortality and triggers asthma attacks that lead to thousands of missed school days and missed work days every year. Power plants are also the leading polluters of America's national parks, wilderness areas and wildlife refuges, causing ugly haze, poisoning plants and wildlife, and threatening visitors who come to seek healthy outdoor recreation.

In 1977, when Congress passed strengthening amendments to the Clean Air Act, existing coal plants were expected to install modern pollution control equipment or retire. Yet more than three decades later, many of these facilities continue to operate with extremely high emissions and no modern pollution controls.

We applaud the many Senators who have worked hard in recent weeks and months to craft a comprehensive energy and climate bill to cut global warming pollution through clean energy solutions. The Clean Air Act should serve as an example of how Congress can protect the public health and hold polluters accountable. But neither purpose will be achieved and many lives will be harmed if the Senate fails to uphold the Clean Air Act's ability to protect Americans from smog, soot and hazardous air pollutants. We urge the Senate to oppose any changes to the Clean Air Act that undermine protection of public health.