

**Testimony of David Shaw  
Co-President, National Association of Clean Air Agencies**

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**U.S. Environmental Protection Agency Hearing on Proposals for National Emission Standards for Hazardous Air Pollutants from Coal and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional and Small Industrial-Commercial-Institutional Steam Generating Units**

**Docket Nos. EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044  
May 24, 2011**

My name is Dave Shaw and I am the Director of the New York Division of Air Resources. I am speaking today on behalf of NACAA – the National Association of Clean Air Agencies, of which I am Co-President. NACAA is the association of air pollution control agencies in 51 states and territories and over 165 metropolitan areas across the country who have the primary responsibility under the Clean Air Act for implementing our nation’s clean air program. Thank you for this opportunity to testify on EPA’s proposed Maximum Achievable Control Technology standards and New Source Performance Standards for coal-, oil- and fossil-fuel-fired electric generating units (EGUs). EGUs are among the largest emitters of toxic and criteria pollutants in the country. They also are among the oldest sources of air pollution in the country, with many built before the Clean Air Act was adopted in 1970. Because of their age, many of these units lack modern controls. Accordingly, the benefits to public health and the environment that will result from the implementation of well-considered rules are substantial and NACAA strongly supports the adoption of effective limitations on mercury, toxic acid gas, toxic metal emissions and criteria pollutants from these large sources.

An evaluation of the proposed rule will require a detailed review of a substantial amount of new information and analysis provided by EPA. NACAA will submit detailed comments on these proposals by the deadline identified in the proposal. However, we appreciate this early opportunity to provide the agency with our preliminary thoughts. I will focus on three major points.

First, NACAA believes that the effective regulation of emissions from EGUs is long overdue and should not be delayed further. EGUs emit approximately one-half of the man-made emissions of mercury in the U.S., as well as 60 percent of the arsenic, 60 percent of the SO<sub>2</sub>, 13 percent of the NO<sub>2</sub>, 30 percent of the nickel, 20 percent of the chromium, and more than 50 percent of the acid gases in our nation’s emissions inventory. It is now well past time for EPA to complete these rules and, for the first time, limit emissions of HAPs from these very significant sources, as originally contemplated by Congress.

Second, we believe the control of emissions from EGUs is of critical importance from public health and environmental perspectives. EGUs release mercury, arsenic, other metals, acid gases, and particulates that all harm human health. Uncontrolled releases of mercury from power plants damage children's developing brains, reducing their IQ and their ability to learn. Mercury and many of the other toxic pollutants also pollute our nation's lakes, streams, and fish. Every state in our nation has a fish advisory because of mercury contamination. Metals such as arsenic, Chrome (VI), and nickel can cause cancer, while acid gases cause lung damage and contribute to asthma, bronchitis and other chronic respiratory disease, especially in children and the elderly. Particulate emissions contribute to premature death and a wide range of lung and heart diseases. Clearly, these emissions are posing unacceptable health threats to the public and must be addressed.

Third, NACAA believes that effective regulation of emissions from EGUs is technically feasible and affordable. In recent years, there have been significant improvements and advances in technologies for reducing emissions of mercury and particulate metals from EGUs. Indeed, many states already have adopted programs that call for substantial emission reductions from sources in their jurisdictions and these facilities need to be included in the MACT floor determination. While there are always new technologies being developed and existing technologies are constantly being improved, the proposed emission levels do not seem to reflect such improvements. We recommend that EPA consider strengthening the provisions in the rule, including using the beyond-the-MACT-floor provisions when warranted.

Besides being technically feasible, we believe that the proposed reductions are likely to be cost effective, especially considering the fact that the controls used to limit toxic emissions will provide an additional benefit by reducing emissions of fine particulate matter associated with heart disease, stroke, asthma and other ailments. Greater information is available concerning the economic and public health benefits of reducing PM emissions and this information demonstrates that the proposed rules will provide a very significant positive public health and economic benefit beyond what is associated with reductions in the HAPs themselves.

EPA's estimate is that the co-benefits from reducing PM emissions will result in 6,800 – 17,000 fewer premature deaths, to say nothing of reductions in illnesses. The economic benefit associated with the reduction in fatalities and health care costs and improved productivity is estimated at \$59 billion to \$140 billion per year, at a cost of \$10.9 billion per year. Thus, the rate of return to the public is \$6 to \$14 for each dollar spent. This is clearly a wise investment for our country.

NACAA looks forward to further review and analysis of the proposals and will submit more specific comments on the details of the proposal by the deadline. Thank you for this opportunity to testify.