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Citizen Comment

Dear Mr. Eisenberg: I have never cut and pasted from our Insider magazine so I hope it all comes through. I pasted the blurb and the press release -- it would not let me delete all the white spaces, so you will need to scroll down to receive all the text. Hope this helps. Best, Anne Doyle

Way to go, NC air champs!

Here's a bit of evidence that we don't need Clear Skies legislation in order to cut pollution: EPA filed a settlement with us and the state of North Carolina last week that lays out a timetable for plans to cut emissions from coal-fired power plants in 13 Eastern states. When EPA missed their deadline last November to respond to North Carolina's petition to cut upwind pollution, we threatened legal action and then negotiated the settlement. The settlement will require EPA to respond to our petition by August. Michael Shore says the agreement puts EPA on a binding path to clean up power plants regionally. It also puts pressure on EPA to move ahead with the Clean Air Interstate Rule, which would go along to way cleaning up power plants in 29 eastern states. Vickie Patton adds that the settlement shows that "Clear Skies is a smokescreen. Congress does not need to mess with the Clean Air Act. We can clean up the air simply by enforcing current laws." See press release.

→ NEWS RELEASE ←

02/17/2005

Landmark EPA Settlement Shows Clean Air Act Works to Clean Up Power Plants

Clear Skies Is A Smokescreen To Weaken Clean Air Safeguards

The U.S. Environmental Protection Agency today announced a landmark settlement with Environmental Defense, represented by the Southern Environmental Law Center (SELC), and the state of North Carolina that compels EPA to take action on a request by North Carolina to address upwind

3/2/05

power plant pollution that contributes to North Carolina's unhealthy air quality. The settlement, combined with the power plant clean up standards under the near-final Clean Air Interstate Rule, shows that EPA can clean up harmful power plant pollution now under the existing Clean Air Act. Not only is the misguided "Clear Skies" legislation unnecessary, but it would severely curtail the rights of states such as North Carolina to protect citizens from upwind smokestack pollution.

"The Clean Air Act is the foundation for this landmark settlement that charts a course to clean up high-polluting power plant smokestacks across the Southeast and Midwest," said Michael Shore, Environmental Defense senior air policy analyst. "This settlement and the near-final Clean Air Interstate Rule put the nation on the right road to clean up unhealthy power plant pollution, while the Clear Skies legislation is simply the wrong road to follow."

"North Carolina has worked long and hard to improve the air quality in its own backyard, and the leadership of Attorney General Roy Cooper and Gov. Mike Easley deserves applause. EPA should follow North Carolina's lead and finalize federal rules to clean up dirty power plants. EPA's promised and long overdue Clean Air Interstate Rule can be strengthened and finalized with the stroke of a pen," said Shore.

Section 126 of the federal Clean Air Act grants states the right to petition the EPA Administrator to control pollution from upwind power plants that contribute significantly to unhealthy air in the receiving states. The settlement announced today is the result of a "good neighbor" petition filed by North Carolina in March 2004 asking EPA to cut sulfur dioxide and oxides of nitrogen power plant pollution in 13 upwind states. EPA failed to act on North Carolina's petition by the Clean Air Act deadline, and SELC on behalf of Environmental Defense, and the state North Carolina took separate legal actions under the Clean Air Act to compel EPA action.

"Right now, the air in nearly one-third of North Carolina's counties fails to meet the basic standards for human health," said Marily Nixon, SELC air quality attorney. "This settlement will allow us to protect the health of North Carolina's 8 million citizens by cleaning up pollution coming from power plants in 13 neighboring states."

The settlement was filed as a consent decree in federal district court in North Carolina and must undergo a 30-day public comment period before it can be given final approval by the court.

Environmental Defense, a leading national nonprofit organization, represents more than 400,000 members. Since 1967, Environmental Defense has linked science, economics, law and innovative private-sector partnerships to create breakthrough solutions to the most serious environmental problems. www.environmentaldefense.org

Founded in 1986, SELC is the only non-profit regional organization dedicated to protecting the native forests, wetlands, air and water quality, wildlife habitat and rural landscapes in Alabama, Georgia, North Carolina, South Carolina, Tennessee and Virginia. SELC works in partnership with more than 100 diverse groups on legal advocacy, policy reform and public education to achieve lasting environmental protections. www.SouthernEnvironment.org

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