

April 17, 2019

Administrator Andrew Wheeler  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20004

*Comments on National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units-Reconsideration of Supplemental Finding and Residual Risk and Technology Review, EPA-HQ-OAR-2018-0794*

Dear Administrator Wheeler:

As organizations and individuals across the United States that support public health and environmental justice, we strongly oppose EPA's proposal EPA-HQ-OAR-2018-0794, which would enable weaker coal-and oil-fired power plant regulation, thereby increasing mercury's devastating developmental impacts and disproportionately harming communities of color, tribal and subsistence fishers and others. We oppose EPA's reversal of an essential finding that it is "appropriate and necessary" to regulate this pollution. To protect the public's health, the proposed rule must be withdrawn.

The current mercury and air toxics standard reduced hazardous air pollution by 96%, according to EPA. When originally established, EPA did not fully quantify the value of preventing mercury's neurologic and cardiovascular damage or the cancers and other health damage from power plant emissions of air toxics. Now, rather than consider these, EPA argues that the regulation isn't necessary, based on ignoring these pollutants' substantial damage to the public's health. The regulatory rollback enabled by their proposed change would disproportionately harm many communities of color, impoverished communities, and highly susceptible individuals including children, prenatally and postnatally, and the elderly.

Lifetime impacts of brain damage, heart disease, and other effects of mercury can be severe. Subsistence fishers, many tribal communities, Asian Americans and others are documented to have far higher exposures to mercury due to cultural practices and/or poverty. Developing fetuses are particularly vulnerable to mercury's neurotoxic effects. Those with heart and respiratory diseases such as asthma and COPD are particularly susceptible to increases in particulate emissions, disproportionately harming communities of color and those in poverty. Reduced protections from power plant pollution can cause short and long term health damage across socioeconomic spectrum and the span of our country.

Strong EPA regulation based on a full accounting of harm to the public is essential to reduce health risks to all and greater burdens on communities already subjected to environmental injustices. EPA's proposed rule would further increase existing health disparities.

EPA's failure to sufficiently consider the health benefits of the mercury power plant rule violates the Agency's mandate to protect the public and ignores its ethical obligation to protect all people equally, with recognition of, and justice for all. To accomplish this you must withdraw EPA-HQ-OAR-2018-0794.

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