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United States Senate
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510–6175

August 24, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20004

Dear Acting Administrator Wheeler:

We write to express our support for the Mercury and Air Toxics Standards (MATS) rule. This rule is already in effect, and we urge you not to propose changes to it. Keeping the current rule in place will provide much-needed certainty for the electric power industry and help protect the health of all Americans.

In 1990, Congress listed mercury – along with one hundred and eighty-eight other air toxics such as lead and arsenic – as hazardous air pollutants in the Clean Air Act. We believe the Environmental Protection Agency (EPA) correctly implemented Congress' original intent when the agency issued the MATS rule in 2012. Modeling MATS on state actions that were already underway to address these pollutants, EPA issued standards that were achievable for industry and beneficial for public health and the environment. EPA also provided enough time for industry to comply with the new standards. Thus, EPA struck the right balance between protecting the environment, public health and our economy. For these reasons and more, we strongly supported the MATS rule when it was finalized and still support the rule today.

Today, MATS is overachieving expectations. We are seeing public health benefits faster than predicted. On July 10, 2018, every major electrical utility trade organization representing coal-fired generation and other utilities joined with labor organizations on a letter to EPA that confirmed our power plants have "reduced mercury emissions by nearly 90 percent over the past decade."[1] These reductions are in large part due to the investments that were made to comply with MATS. The letter goes on to say that industry compliance with the rule has been easier than first estimated, stating that today "all covered plants have implemented the regulation [MATS] and that pollution controls—where needed—are installed and operating." [2]

MATS has been a success, and changing the MATS rule just doesn't make sense. Industry agrees: in the July letter to EPA, industry and labor organizations urged EPA not to change the

[1] https://www.eenews.net/assets/2018/07/11/document_gw_04.pdf
[2] https://www.eenews.net/assets/2018/07/11/document_gw_04.pdf

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rule given all the investments that have already been made to comply with the MATS rule, saying "leave the underlying MATS rule in place and effective."[3] We hope you agree.

We thank you for your consideration of our request, and if you or your staff have questions about this letter please contact us directly or Laura Gillam of Senator Carper's Environment and Public Works Committee staff at [redacted] or Lindsay Garcia of Senator Alexander's office at [redacted]

With best personal regards, we are,

Yours Sincerely,

Tom Carper
United States Senator

Lamar Alexander
United States Senator

[3] https://www.eenews.net/assets/2018/07/11/document_gw_04.pdf