

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

Opening Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
Hearing on “The American Energy Initiative: What EPA’s Utility MACT Rule
Will Cost U.S. Consumers”
Subcommittee on Energy and Power
February 8, 2012

In the first 20 years after the Clean Air Act was enacted in 1970, visible air pollution decreased substantially. But we made very little progress on reducing toxic air pollution – the invisible heavy metals and other chemicals that cause cancer, brain damage, birth defects, and other devastating health problems.

In the Clean Air Act Amendments of 1990, adopted by an overwhelming bipartisan majority of this Committee, we addressed this issue: the new law directed EPA to set standards requiring industrial sources to use available pollution control technology to reduce their emissions of mercury, arsenic, and other toxic air pollution.

Since 1990, EPA has adopted standards for almost every major industrial source of toxic air pollution. Every source, that is, except power plants, which emit more mercury than any other source.

Owners of the dirtiest power plants have used political and legal tactics to block standards requiring them to clean up their pollution. When forced to act, the Bush Administration issued weak standards for power plants that were scientifically and legally indefensible. The courts ultimately threw them out, forcing EPA back to the drawing board.

Finally, in December, after more than 20 years of study, litigation, and delay, EPA issued strong but achievable standards to cut toxic air pollution from America’s dirtiest power plants.

These new standards will cut emissions of toxic mercury by 90%. This is a major step forward. Exposure to mercury can damage the nervous system of infants and children, which can impair their ability to think and learn.

We should be cheering this good news. But instead, we are holding this hearing to criticize EPA for protecting the health of children. Last year, this Committee and House Republicans even voted to block EPA from acting.

This Committee has its priorities exactly backwards. We should be standing up for the health of infants and children, not the powerful coal and utility industries.

These new standards will have tremendous health benefits. By cutting emissions of pollution that triggers asthma attacks and damages babies' brains, we could see up to \$90 billion in health benefits every year. These benefits far outweigh the costs of implementing these long-overdue pollution controls.

We'll hear from members today that these health benefits aren't real. As you evaluate these claims, remember that these same members voted to deny that climate change is real.

We need to be guided by science. EPA's findings are supported by reams of peer-reviewed science on the health impacts of mercury and fine particles, including work by the independent EPA Science Advisory Board and the National Academy of Sciences.

I am concerned about what's happening in this Committee. Science denial should have no place in Congress. It is reckless and dangerous.

If members have questions about our scientific understanding of air pollution and its health effects, bring in the researchers, bring in the experts, and examine the peer-reviewed scientific literature.

The last 40 years prove we can have both economic growth and a cleaner environment. We do not have to choose between jobs and toxic mercury pollution that endangers our children's brains. In fact, requiring power plants to invest capital and install modern pollution controls will create jobs. Fabricators and factory workers build the pollution controls, construction workers install them on site, and skilled employees operate them. EPA says its rule will create 46,000 short-term construction jobs and 8,000 long-term utility jobs.

The EPA rule will save American lives, protect our children from brain damage, clean up old polluting power plants, and even create jobs.

I congratulate President Obama, Administrator Jackson, Assistant Administrator McCarthy, and the hardworking staff at EPA for finally getting the job done.