



PRESS RELEASE

Attorney General Frosh Joins Coalition of 26 States, Counties, and Cities in Fight Against EPA's

Proposed Replacement for Clean Power Plan

EPA's Own Analysis Predicts that, Compared to the Clean Power Plan, the So-Called "Affordable Clean Energy" Rule Could Result in Over 60 Million Tons More Climate Change Pollution and Over 1,600 More Premature Deaths Per Year By 2030

BALTIMORE, MD (November 1, 2018) – Maryland Attorney General Brian E. Frosh, part of a coalition of 26 states, counties, and cities, called on the Environmental Protection Agency (EPA) to abandon its proposed replacement to the Clean Power Plan, the first nationwide limits on climate change pollution from existing fossil-fueled power plants – one of its largest sources. In extensive [comments](#) filed with EPA, the coalition explains that the proposed replacement rule is replete with factual inaccuracies, analytical errors, and legal flaws and, accordingly, concludes that the rule – if adopted – would be unlawful.

“EPA’s proposed rule will pollute our air and endanger the health of Marylanders,” said Attorney general Frosh. “It does nothing to advance clean energy options and utterly fails to move our country away from its reliance on fossil fuels. With watered-down proposals, the EPA has walked away from its duty to reduce pollution and the greenhouse gas emissions that are responsible for climate change.”

According to EPA’s own analysis, the replacement proposal could actually increase emissions of climate change pollution and other harmful pollutants from power plants. EPA estimates that up to 61 million more tons of carbon dioxide would be emitted from the power sector under the proposed rule in 2030, as compared to the Clean Power Plan. EPA further acknowledges that the proposed replacement rule, as compared to the Clean Power Plan, would cause power plants to emit up to 39,000 more tons of nitrogen oxides and 53,000 more tons of sulfur dioxide in 2030.

The additional air pollution EPA predicts will occur under its proposed replacement rule will mean that hundreds of thousands more people will die prematurely, suffer asthma attacks, and miss school and work. According to EPA’s own analysis, the replacement rule would result in up to an additional 1,630 premature deaths, 120,000 asthma attacks, 140,000 missed school days, and 48,000 lost work days in 2030, compared to under the Clean Power Plan. The increases in deaths and illnesses that EPA itself predicts will occur as a result of its replacement rule will fall

disproportionately on low-income communities and communities of color already overburdened by pollution.

As the comments also discuss, EPA has completely turned its back on the successful experience of many states, such as Maryland, in significantly reducing carbon pollution from power plants while growing their economies and maintaining reliability of the electrical grid.

The Clean Power Plan was the culmination of a decade-long effort by partnering states and cities to require mandatory cuts in the emissions of climate change pollution from fossil fuel-burning power plants under the Clean Air Act. The Clean Power Plan, along with the companion rule applicable to new, modified, and reconstructed power plants, would control these emissions by setting limits on the amount of climate change pollution that power plants can emit. The Clean Power Plan would eliminate as much climate change pollution as is emitted by more than 160 million cars a year – or 70 percent of the nation’s passenger cars.

In addition to Maryland, the coalition of states, counties, and cities defending the Clean Power Plan includes the Attorneys General of California, Connecticut, Delaware, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota (by and through its Minnesota Pollution Control Agency), New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia, and the cities of Boulder (CO), Chicago, Los Angeles, New York, Philadelphia, and South Miami (FL), and Broward County (FL).