The Honorable Andrew Wheeler  
Administrator  
U. S. Environmental Protection Agency  
1200 Pennsylvania Ave, NW  
Washington, DC 20460  

Dear Administrator Wheeler,

We strongly oppose any action that could undermine or weaken the Mercury and Air Toxics Standards (MATS). We write to urge you to withdraw the Environmental Protection Agency’s (EPA) December 27, 2018, proposed finding that it is not “appropriate and necessary” to regulate mercury and hazardous air pollutant (HAP) emissions from coal and oil fired power plants because of the costs of doing so. Due to the stark public health risks posed by mercury, it is imperative that MATS remain in place to protect the American people and future generations.

Mercury pollution is a potent neurotoxin that affects the nervous system, cardiovascular system, and immune function. Fetuses and young children are especially vulnerable and even low levels of exposure can have life-long impacts. MATS has been highly effective in reducing levels of mercury in the atmosphere. EPA’s own proposal admits that as a result of MATS, power plants are emitting 86 percent less mercury than a decade ago and we are already seeing the public health benefits.

When the rule was finalized in 2012, the EPA recognized these significant public health benefits and estimated that MATS would prevent up to 11,000 premature deaths, 100,000 asthma and heart attacks, and 5,700 emergency room visits by reducing emissions of mercury and other pollutants. EPA estimated MATS would yield up to $90 billion in benefits each year. Now, EPA proposes to ignore these significant public health benefits because they include the “co-benefits” of reducing HAP emissions in addition to mercury. Instead, EPA’s proposal would consider only the “direct benefits” of regulating mercury pollution from power plants, which would yield up to $6 million each year. Like other flawed environmental rules from this Administration, this MATS proposal is another example of EPA trying to suppress and artificially devalue the public health benefits of reducing air pollution in this country.
Furthermore, EPA’s proposal uses the outdated estimated costs of complying with MATS when we already know the actual costs, which were an order of magnitude lower than expected. This is thus arbitrarily concluding that the costs of complying with MATS outweigh its direct benefits. This proposed change makes it easier for EPA to weaken or eliminate the standards, which will undermine years of progress reducing the public’s exposure to dangerous mercury and hazardous air pollution.

Additionally, utility companies have already spent rate-payer dollars to fully comply with MATS. Keeping the “appropriate and necessary” finding and the protective standards in place provides much-needed regulatory certainty for the electric power industry and consumers. The last compliance deadline for MATS passed more than two years ago and the utility industry has repeatedly stated that they support the rule and that no changes are necessary. EPA’s proposal threatens to create regulatory uncertainty for utilities and jeopardize their investments in their pollution control equipment, which could lead to utilities turning off that equipment, thus exposing Americans to more air pollution.

It is critical to protect our children and families from dangerous mercury pollution. Americans are breathing cleaner air and enjoy better health as a result of the safeguards in MATS. We therefore urge EPA to withdraw its proposal to revoke the “appropriate and necessary” finding and commit to adequately protecting the public from dangerous mercury and hazardous air pollution that threatens their health and welfare.

Sincerely,

Kathy Castor  
Member of Congress

Jan Schakowsky  
Member of Congress

Kim Schrier, M.D.  
Member of Congress

José E. Serrano  
Member of Congress

Joe Neguse  
Member of Congress

Bonnie Watson Coleman  
Member of Congress

Darren Soto  
Member of Congress

Tony Cárdenas  
Member of Congress

Debbie Dingell  
Member of Congress
Mike Doyle  
Member of Congress

Grace Meng  
Member of Congress

Raul M. Grijalva  
Member of Congress

Nydia M. Velázquez  
Member of Congress

Debbie Wasserman Schultz  
Member of Congress

Julia Brownley  
Member of Congress

Jerry McNerney  
Member of Congress

Francis Rooney  
Member of Congress

Nanette Diaz Barragan  
Member of Congress

Eleanor Holmes Norton  
Member of Congress

Donna Shalala  
Member of Congress

Jared Huffman  
Member of Congress

Donald M. Payne Jr.  
Member of Congress

Ro Khanna  
Member of Congress

Diana DeGette  
Member of Congress

Mary Gay Scanlon  
Member of Congress

Gwen Moore  
Member of Congress

Jeff Van Drew  
Member of Congress

TJ Cox  
Member of Congress

Bill Foster  
Member of Congress

A. Donald McEachin  
Member of Congress
Suzanne Bonamici  
Member of Congress

Mike Levin  
Member of Congress

Alcee L. Hastings  
Member of Congress

Deb Haaland  
Member of Congress

Steve Cohen  
Member of Congress

Conor Lamb  
Member of Congress

Betty McCollum  
Member of Congress