



750 1<sup>st</sup> St, NE  
Suite 1100  
Washington, DC 20002  
202.682.6294 Main  
202.682.3050 Fax  
[www.cleanskies.org](http://www.cleanskies.org)

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Contact: [jdeutsch@cleanskies.com](mailto:jdeutsch@cleanskies.com)

## **ACSF Calls on EPA to Follow the Clean Air Act and Reduce Toxic Air Pollution by Recognizing Highly Cost-Effective Fuel Switching**

In comments docketed with the Environmental Protection Agency (EPA), the American Clean Skies Foundation (ACSF) urged the agency to follow its statutory mandates and recognize that fuel switching to natural gas is a lawful compliance option under revised rules for reducing mercury and other toxic pollution from new power plants, known as the Mercury and Air Toxics Standards (MATS).

ACSF's comments respond to a revised proposal by EPA for establishing MATS and reflect the fact that the EPA is currently being sued in federal court for its prior failure to recognize fuel switching to natural gas as a key compliance measure.

Greg Staple, the CEO of the American Clean Skies Foundation, noted that "Thus far, the EPA's efforts to rein in toxic pollution from new power plants has fallen short of the Clean Air Act by failing to expressly allow fuel switching to natural gas. Our comments are designed to close that gap and provide industry with an alternative compliance option for delivering the public health benefits the EPA seeks."

ACSF's comments point out that EPA must require the consideration of fuel switching from coal and oil to natural gas at new units as a "beyond-the-floor" option—i.e., an alternative control measure that lowers emissions based on the use of cleaner fuel.

Under the Clean Air Act, the MATS for new power plants must be based on emission control equipment used by the best-controlled similar source. This is known as the regulatory "floor." However, EPA must go "beyond the floor"—and set emission limits based on alternative compliance options such as fuel switching—where greater emission reductions are achievable. Notably, natural gas is abundant and affordable, and building a new gas-fired plant is generally significantly *less expensive* than building a new coal plant.

ACSF's comments explain that reasonable, highly practical options exist—consistent with Clean Air Act mandates—for setting a gas-based, beyond-the-floor emission standard for new power plants. First, emission limits consistent with the use of natural gas could automatically set the beyond-the-floor limits for new fossil plants, unless a permit applicant can demonstrate that

natural gas is unavailable. Notably, the Obama administration has recognized that natural gas is in fact *available* for power plants in most locations in the United States.

Alternatively, one could determine on a case-by-case basis, whether fuel switching to natural gas (including the costs of pipeline interconnection) is cost effective.

ACSF's proposed approaches would not prohibit new coal plants. If natural gas is available and cost effective in a particular location, then a new power plant sited must meet the emission standard achieved by a modern natural gas-fired power plant. If natural gas is unavailable or not cost effective in a particular location, then the emission standard for that power plant could be based on the standards otherwise set for coal- and oil-fired power plants.

EPA's MATS are critical for advancing public health because the new standards address toxic air pollutants from the most hazardous electric power plants—those fueled by coal and oil. The standards do not regulate natural-gas fueled power plants, because the EPA found the toxic emissions from these power plants are "negligible."

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Established in 2007, the American Clean Skies Foundation is a 501(c)(3) not-for profit organization that seeks to advance the country's energy security and a cleaner, low-carbon environment through expanded use of natural gas, renewables and efficiency.