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Senate

EPA ANALYSIS OF CLEAN AIR LEGISLATION

Mr. President, I will take some time this morning to talk about why we need new clean air legislation. It has been some 15 years since Congress passed the last revisions to the Clean Air Act. No one disputes the fact that we have made significant environmental progress since that time, but our work is not over. Powerplants continue to blow pollution that causes smog and other air problems in our cities and our communities. Unless we require powerplants everywhere to reduce the amount of pollution they emit, we will continue to be faced with poor air quality and its dangerous side effects.

The idea of reducing pollution from powerplants is not new. We have been discussing it for years. In fact, when President Bush first ran for the White House, he promised, in 2000, to make new clean air legislation one of his top environmental priorities. Since I came to the Senate in 2001, we have seen a number of proposals on how to proceed. Senator *Jeffords* offered his Clean Power Act. The President offered his Clear Skies Act. I, along with Senators **CHAFEE, GREGG**, and **ALEXANDER**, offered a proposal that we call the Clean Air Planning Act.

I have always believed that our proposal, the third proposal, is the right one. While I agree with the principles laid out in the bill by Senator *Jeffords*, I fear it will be too costly and its goals technologically unachievable. By contrast, the President's plan is too weak and would do nothing to reduce our emissions of carbon dioxide, which we believe contributes to global warming.

What we crafted in response to these two proposals was a middle-ground approach, one that achieved the objectives of the Jeffords bill without relying on the command and control philosophies of the past. It is an approach that reduces pollution further and faster than the President has visualized, while giving utilities the flexibilities they need and the incentives they need to get the job done right.

Since we first introduced that bill some 3 years ago, I have tried to get the EPA to conduct an objective scientific analysis of it and how it compares with other proposals. We were repeatedly

denied. Earlier this year, the Senate Environment and Public Works Committee tried to push through the President's Clear Skies bill. I again asked for an analysis of our proposal and the other proposals, and we were denied. The administration told me I had all the information I needed and there was no reason to further debate it. I told them without that information we could not negotiate. On March 8, Clear Skies was voted on in our committee and it failed on a 9-to-9 vote.

Soon after the failure to pass out Clear Skies, President Bush nominated Stephen Johnson to be the new head of EPA. Stephen Johnson had impeccable credentials stemming from his long, distinguished career within the agency. In essence, Mr. *Johnson* represented the best person for the job. But when he came before our committee to have his nomination approved, I voted against him. I think I was the only one. Then I placed a hold on his nomination, something I have never done in my 5 years in the Senate. I don't have a problem with Stephen Johnson; I had a problem with the way the administration was politicizing EPA and keeping the agency from doing its job in providing the information that I and others were requesting.

I believe we need this information in order to enable us to craft the best possible clean air bill. I didn't think it was too much to ask that we have a detailed, up-to-date modeling on how our bills would affect the economy, the health of our public, and our environment. My hold was eventually overridden, I think by two votes. But to my surprise, my pleasant surprise, once Stephen Johnson became administrator, he offered to model the economic, the health, and the environmental impact of the various clean air proposals.

I say right now on the floor that I very much appreciate Stephen Johnson's willingness to grant my request. It says a lot about what kind of man he is, and that he is willing to break through the logjam in trying to meet our years-long request.

Last month, on October 27, Stephen Johnson and some of his senior leadership from EPA delivered the analysis they have done. It is my hope their analysis from EPA will take the debate that has been going on for a number of years to the next level.

After reviewing the details of the analysis, it clearly shows, perhaps ironically, that we can do better than the President's Clear Skies plan. In fact, it shows we can get much better environmental and health benefits than Clear Skies at only a slightly higher cost.

On the issue of climate change, the analysis shows we can regulate carbon dioxide cheaply and without worrying that we will hurt coal production or drive up natural gas prices. Let me explain, using a few charts from the EPA analysis.

The first chart, ``Projected Emissions From Electric Generating Units"--there are four of them. The first we

will look at is sulfur dioxide emissions from electric generators. We have three proposals we can actually see. This yellow-golden line is a proposal called the Clean Power Act offered by Senator *Jeffords*. This line here is actually

several lines that overlap, but it is Clear Skies and current law, the President's proposal. The green line here is the Clean Air Planning Act that Senators **CHAFEE, ALEXANDER, GREGG**, and I had offered. This is 2005. This is where we are right now.

If the legislation were adopted, you see a spike in sulfur dioxide emission from the Jeffords proposal. Then it drops down lower than the others.

What you see here with sulfur dioxide emissions--the President's proposal is the same as current law.

What you see here for the bipartisan proposal the other three Republicans and I offered is something that gets us deeper cuts in sulfur dioxide emissions, far deeper than the proposal of the administration, and far deeper than that of current law, and eventually somewhere in between where the Jeffords bill is and where the President's proposal is.

Coming over here, looking at emissions of mercury from electric generators, we find the greatest cuts, the deepest cuts, come in 2010. They come from the Jeffords proposal, not surprisingly. The administration's proposals are right here--not much different from current law. The proposal that the three Republican Senators--**CHAFEE, ALEXANDER, GREGG**--and myself offered is somewhere in between. Actually our cuts are a little deeper than in the Jeffords proposal between now and 2010, and his mercury cuts are a bit further than ours in the subsequent years.

Right here, the third box here, let's look at nitrogen oxide emissions. Again, the deepest cuts are from the Jeffords proposal. The President's Clear Skies proposal--they are all sort of lumped together, and our bipartisan proposal does a little bit better with nitrogen oxide emissions. I think it is kind of interesting, for the nitrogen oxide emissions we are not that far apart. There is a considerable difference between us and the administration on sulfur dioxide and mercury, but we are pretty close together on nitrogen oxide.

Here are CO**2 emissions. The yellow line, the Jeffords proposals: some reductions between now and 2010, pretty level in the outyears. My proposal doesn't go as far, but it holds the CO2 emissions pretty level until the end of the next decade. Under the President's proposal, under Clear Skies and current law, CO2 levels continue to rise and emissions continue to rise.**

The next chart we are going to look at actually lets us see what the price is of reducing CO**2 emissions. This for me was maybe the biggest surprise of all.**

In order to reduce emissions of CO**2 by a ton starting in 2010, under the Jeffords proposal it is $16 a ton--pretty expensive. By 2020, to get a ton of CO2 reduction out of the Jeffords Clean Power Act--$27 a ton. But look at this. The proposal that Senators CHAFEE, ALEXANDER, GREGG, and I offered, our proposal--one ton of CO2 reduction in 2010 costs $1. It is $1 per ton in 2015. It is $2 per ton in 2020.**

Given that low cost, my question to my colleagues and the administration is, What are we waiting for? Let's get started.

We have a third proposal, a third chart here. The third chart actually looks at what we could get for our money, for our efforts on reducing areas of nonattainment for particulates, the microscopic stuff that gets in our lungs and causes all kinds of breathing disorders. Now we are looking at nondesignated areas that exist. There are about 40 of them around the country that are nonattainment for small particulate matter. Under the Carper proposal and under the Jeffords proposal, we reduce that almost by three-fourths, down to about 10 in each of those. The administration goes down about half. We continue to show considerably fewer nonattainment areas for particulate matter by 2020 under the Jeffords proposal, which is the lowest, and our proposal, which is next to the lowest.

The second chart shows nonattainment areas for ozone. There are a lot of nonattainment areas right now--about 126. If you come up to 2010, there is a dramatic reduction. We go down to about 20. Frankly, the achievements are across the board. Each of the proposals is about the same with respect to reducing ozone.

This chart lets us look at annual monetary health benefits of reducing fine particles and ozone. We find in 2010 that my proposal has quantifiable--according to the EPA--health benefits of about anywhere from $110 billion per year to almost $130 billion. That is almost twice what we get under the Clear Skies proposal and under current law; not quite as much as is achieved under the Jeffords proposal. We find in each of the outyears--2015 and 2020--we also have considerably better health benefits that we can demonstrate, in the view of the EPA, between 2010 and 2020.

Let me wrap it up by saying that we can do better for our environment, we can do better for our health, and, frankly, I think we can do at least as well for our economy by taking this middle-ground approach that Senators *Alexander, Gregg, Chafee,* and I have outlined.

In terms of health consequences alone, under our proposal, 10,000 fewer people will suffer from chronic bronchitis in 2010. Think about that--10,000 fewer people throughout this country in 1 year will suffer from chronic bronchitis. In 2010, we will see some 14,000 fewer hospital admissions and emergency room visits. In 2010, there will be about 160,000 people who will no longer have asthma attacks in this country. And in 2010, companies will have over 1 million fewer lost workdays. These benefits are real. They will have a dramatic impact on the quality of people's lives, and they will have a dramatic impact on worker productivity as well.

Since 2001, both Republicans and Democrats have been arguing over multipollutant legislation. Now with an apple-to-apple comparison of various proposals from EPA, I think we can have a process with not just meaningful legislation but that which will get us off the dime and get us to work on improving the quality of our health and doing it in a way that doesn't break the

bank for consumers or the utility companies.

Over the coming months, I will continue to work with my colleagues, the administration, the utility industry, and environmental groups to develop legislation that has strong bipartisan support.

Early next year, we will reintroduce a new and I think improved Clean Air Planning Act, and soon after that I hope to sit down with my friend, Senator *Voinovich*, and others to develop a bipartisan compromise we can take through the committee and bring to the floor, hopefully, for action.

There are five principles we should stick to if we want to get a clean air bill.

Climate change must be addressed. As we have seen from EPA, it can be addressed for $1 a ton in reduction of CO_2.

We should start to improve the environment of people's health as quickly as possible. We can do that.

We should provide industry with the regulatory certainty they need and which they have been asking for--and some flexibility, too.

We should protect our economy.

We should pass stronger protections than those which we already have on the books.

I want to get legislation done. I came here to get things done, and I know my colleagues did, as well. I believe that together we can develop a proposal that will help us achieve just that. Again, we can do better. We shouldn't let politics get in the way of doing the right thing.

I yield my time.