

[via email]

August 21, 2018

Acting Administrator Andrew Wheeler
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Dear Acting Administrator Wheeler,

We are environmental and energy agency leaders from 14 states that include 123 million people and comprise over 43 percent of the U.S. economy.¹ As leaders of these agencies, we play important roles in protecting our citizens' health and the environment in collaboration with the federal government. We strongly oppose the Administration's proposal to replace the Clean Power Plan with a framework that would fail to require critically important reductions in carbon pollution from power plants—one of the largest sources of carbon pollution in our country.

The Administration's proposal abandons its obligations under the Clean Air Act to ensure that state plans address dangerous air pollution from existing pollution sources and satisfy the fundamental statutory requirement—that they achieve emission reductions commensurate with those achievable using the best system of emission reduction available. This proposal will endanger the health and welfare of our residents.

The need to reduce carbon emissions to address climate change is clear. Our states are already experiencing the harms of climate change, including increased wildfires, more severe droughts and heatwaves, rising seas, and increased frequency and intensity of extreme and costly storms. These and other impacts are directly harming the health and welfare of residents in our states and causing significant economic damage.

In order to address the challenge of climate change, we need to significantly reduce carbon pollution and other greenhouse gas emissions, as informed by the best science and the best solutions available.

We continue to support EPA's approach in the Clean Power Plan to identify a Best System of Emission Reduction (BSER) that recognizes the strategies that power plants already implement to reduce emissions and that drive technological improvements in the electric sector. The experience of our states confirms that the best system for reducing carbon pollution necessarily includes reducing the utilization of higher emitting sources of power generation—and that this system can achieve significant, cost-effective emission reductions.

¹ See U.S. Census Bureau, Annual Estimates of the Resident Population for the United States, Regions, States, and Puerto Rico: April 1, 2010 to July 1, 2017, <https://www.census.gov/data/tables/2017/demo/popest/state-total.html>; U.S. Department of Commerce, Bureau of Economic Analysis, Interactive Tables: Gross Domestic Product (GDP), Annual Gross Domestic Product (GDP) By State, <https://apps.bea.gov/regional/index.htm>

The Clean Power Plan framework captured the benefits of technological improvements and industry trends, representing the best system to reduce carbon pollution from existing power plants when taking into consideration cost, impacts on energy, and other health and environmental impacts, as required by the Clean Air Act.

We, the undersigned, have joined other states in expressing these and other concerns through multi-state comment letters on the [proposed Clean Power Plan repeal](#) and the [Advance Notice of Proposed Rulemaking \(ANPRM\)](#) for a possible replacement.

In addition, numerous states have submitted comments urging the EPA to preserve the CPP as is, or to otherwise ensure meaningful reductions of carbon pollution from the electric power sector.

Below are links to many of those comments.

Comments on the proposed CPP Repeal were filed by the following states (or groups of states):

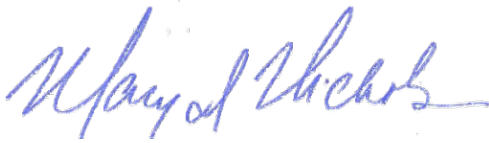
- [California Air Resources Board](#)
- [Delaware Department of Natural Resources and Environmental Control](#)
- [Maryland Attorney General](#)
- [Maryland Department of the Environment](#)
- [Minnesota Pollution Control Agency and Department of Commerce](#)
- [North Carolina Department of Environmental Quality](#)
- [New York State Public Service Commission, Department of Environmental Conservation, and Energy Research and Development Authority](#)
- [Oregon Department of Environmental Quality](#)
- [Pennsylvania Department of Environmental Protection](#)
- [Washington Department of Ecology and Department of Commerce](#)
- [State Attorneys General from New York, California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota \(through the MPCA\), New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington, and the District of Columbia](#)

Comments on the ANPRM were filed by the following states (or groups of states):

- [California Air Resources Board](#)
- [Colorado Department of Health and Environment](#)
- [Delaware Department of Natural Resources and Environmental Control](#)
- [Minnesota Pollution Control Agency and Department of Commerce](#)
- [North Carolina Department of Environmental Quality](#)
- [Pennsylvania Department of Environmental Protection](#)
- [Washington Department of Ecology](#)
- [State Attorneys General from New York, California, Connecticut, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota \[through the MPCA\], New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington, and the District of Columbia](#)

We urge the Administration to abandon this proposal to replace the Clean Power Plan. The Administration's own analysis shows this proposal would be wholly ineffective in addressing carbon pollution from power plants, and therefore harmful to our citizens, who are already suffering from the dangerous impacts of climate change.


Sincerely,



Mary D. Nichols,
Chair
California Air Resources Board



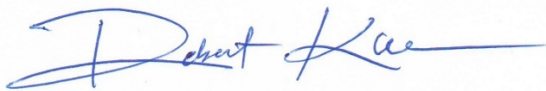
Ben Grumbles
Maryland Environment Secretary



Larry Wolk, MD, MSPH
Executive Director and Chief Medical Officer
Colorado Department of Public Health and
Environment



Martin Suuberg
Commissioner
Massachusetts Department of Environmental
Protection



Rob Klee
Commissioner
Connecticut Department of Energy and
Environmental Protection



Catherine R. McCabe
Commissioner
New Jersey Department of Environmental
Protection



Shawn M. Garvin
Secretary
Delaware Department of Natural Resources and
Environmental Control




Basil Seggos
Commissioner
New York Department of Environmental
Conservation



Michael S. Regan
Secretary
North Carolina Department of Environmental
Quality



Emily Boedecker
Commissioner
Vermont Department of Environmental
Conservation



Leah Feldon,
Deputy Director
Oregon Department of Environmental Quality



Matthew J. Strickler
Secretary of Natural Resources
Commonwealth of Virginia



Janet Coit
Director
Rhode Island Department of Environmental
Management



Maia D. Bellon,
Director
Washington Department of Ecology