



# *Press Release* from **U. S. Representative Tom Allen**



For Immediate Release

April 2, 2001

## **Rep. Tom Allen Introduces the Clean Power Plant Act of 2001**

*“My legislation would reduce CO<sub>2</sub> emissions and close the ‘grandfather’ loophole in the Clean Air Act which allows utilities, primarily in the Midwest, to continue to pollute our air”*

Portland--- “When I return to Washington tomorrow, I will introduce The Clean Power Plant Act,” U. S. Representative Tom Allen said at a press conference today at the Westbrook Energy Center to announce the introduction of The Clean Power Plant Act of 2001. “Much has changed since I first introduced this legislation two years ago. Old polluting plants are polluting more; the evidence of climate change is more clear; and we now have a President whose energy policy jeopardizes our future for the short term interests of the oil and coal industries.”

Also speaking at the press conference were Edward Miller, Executive Director of the American Lung Association of Maine; Sue Jones, Air Projects Director, Natural Resources Council of Maine; and Dr. Peter Wilk, representing Maine Physicians for Social Responsibility. Others attending the press conference included representatives of Maine environmental and public health advocacy organizations and individuals and families from Maine who suffer from the health impacts of airborne pollutants.

“My legislation closes the so-called ‘grandfather’ loophole which allows utilities, primarily in the midwest and Texas, to continue polluting our air nearly 30 years after enactment of the Clean Air Act,” Representative Allen said. “It establishes stringent yet attainable standards for mercury, sulfur dioxide, nitrogen oxides and, yes, President Bush, for carbon dioxide. And, except for CO<sub>2</sub>, my bill does not let power plants “trade” pollution credits.”

- more -

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Representative Tom Allen

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“Exemption from emission controls has become a license to pollute,” Representative Allen said. “But the profit utilities reap from this “cheap power” comes at a high price for everybody else. It is more than offset in health care costs, lost worker productivity and damage to natural and agricultural resources. New England consumers pay the price in more ways than one. We are downwind from most of the polluting plants, in the Midwest. While we get the dirty air, Midwesterners get cheaper electricity.”

*(A copy of Representative Allen’s statement, a summary of the bill, a list of the bill’s cosponsors, and a one-page fact sheet on the bill accompany this release.)*

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**Statement by**  
**U. S. Representative Tom Allen**  
**at a Press Conference to Announce**  
**The Clean Power Plant Act of 2001**  
**April 2, 2001**

GOOD MORNING AND THANK YOU ALL FOR COMING.

BEFORE I START, I WANT TO THANK JOHN FLUMERFELT AND ALL OF FOLKS HERE AT THE WESTBROOK ENERGY CENTER FOR THEIR HOSPITALITY AND COOPERATION IN HOSTING THIS EVENT. IF EVERY FOSSIL-FUEL FIRED POWER PLANT IN THE UNITED STATES WERE AS CLEAN AND EFFICIENT AS THIS NEW, STATE OF THE ART FACILITY, THERE WOULD BE NO NEED FOR THE LEGISLATION I WILL INTRODUCE THIS WEEK IN CONGRESS.

I'D ALSO LIKE TO INTRODUCE SOME OF THE PEOPLE WHO HAVE JOINED ME HERE THIS MORNING.

ED MILLER IS THE EXECUTIVE DIRECTOR OF AMERICAN LUNG ASSOCIATION OF MAINE. FOR NEARLY A CENTURY, THE AMERICAN LUNG ASSOCIATION OF MAINE HAS BEEN LEADING THE FIGHT AGAINST LUNG DISEASE THROUGH LEGISLATION, EDUCATION, COMMUNITY SERVICE AND RESEARCH.

SUE JONES IS AIR PROJECTS DIRECTOR FOR THE NATURAL RESOURCES COUNCIL OF MAINE. NRCM HAS BEEN IN THE VANGUARD OF THE FIGHT FOR CLEAN AIR IN MAINE AND THE NATION FOR OVER 30 YEARS.

DR. PETER WILK REPRESENTS MAINE PHYSICIANS FOR SOCIAL RESPONSIBILITY WHICH IS COMMITTED TO THE PROMOTION OF GLOBAL HEALTH AND TO THE PRESERVATION OF A SUSTAINABLE ENVIRONMENT.

SUSAN SARGENT IS MAINE'S REPRESENTATIVE TO THE NATIONAL ENVIRONMENTAL TRUST.

I WOULD LIKE TO THANK ALL OF THEM FOR JOINING ME HERE TODAY.

ALSO JOINING US HERE THIS MORNING ARE A NUMBER OF MAINE CITIZENS FOR WHOM CLEAN AIR IS A MATTER OF LIFE OR DEATH.

EACH DAY, THEY AWAKE WONDERING WHETHER IT WILL BE SAFE FOR THEM TO GO OUTSIDE.

WILL TODAY'S OZONE LEVEL FORCE A YOUNG WOMAN SUFFERING FROM CHRONIC LUNG DISEASE TO MISS A DAY OF WORK OR RISK A LIFE-THREATENING EPISODE?

WILL PARTICULATE MATTER IN TODAY'S AIR TRIGGER A CHILD'S ASTHMA ATTACK?

WILL TODAY'S NO<sub>x</sub> LEVEL MEAN THAT A SENIOR'S TRIP TO THE GROCERY STORE ENDS IN A TRIP TO THE EMERGENCY ROOM?

THESE PEOPLE ARE NOT ALONE.

ATMOSPHERIC MERCURY DEPOSITION HAS MADE THE FISH FROM MAINE'S RIVERS AND LAKES POISONOUS TO PREGNANT WOMEN, THEIR BABIES AND THEIR YOUNG CHILDREN.

IN THIS CENTURY, GLOBAL CLIMATE CHANGE WILL THREATEN OUR COASTLINE AND WAY OF LIFE.

SMOG MIGRATING FROM THE WEST AND SOUTH NOW SHROUDS CADILLAC MOUNTAIN ON MANY SUMMER DAYS AND MAKES THE AIR WE BREATHE IN MAINE MORE POLLUTED ON SOME DAYS THAN PHILADELPHIA.

IT'S TIME FOR US TO ADDRESS THESE ISSUES.

WHEN I RETURN TO WASHINGTON TOMORROW, I WILL INTRODUCE THE CLEAN POWER PLANT ACT.

MUCH HAS CHANGED SINCE I FIRST INTRODUCED THIS LEGISLATION TWO YEARS AGO.

OLD POLLUTING PLANTS ARE POLLUTING MORE; . . .

. . . THE EVIDENCE OF CLIMATE CHANGE IS MORE CLEAR; . . .

. . . AND WE NOW HAVE A PRESIDENT WHOSE ENERGY POLICY JEOPARDIZES OUR FUTURE FOR THE SHORT TERM INTERESTS OF THE OIL AND COAL INDUSTRIES.

MY LEGISLATION CLOSES THE SO-CALLED 'GRANDFATHER' LOOPHOLE WHICH ALLOWS UTILITIES, PRIMARILY IN THE MIDWEST AND TEXAS, TO CONTINUE POLLUTING OUR AIR NEARLY 30 YEARS AFTER ENACTMENT OF THE CLEAN AIR ACT.

IT ESTABLISHES STRINGENT YET ATTAINABLE STANDARDS FOR MERCURY, SULFUR

DIOXIDE, NITROGEN OXIDES AND, YES, PRESIDENT BUSH, FOR CARBON DIOXIDE.

AND, EXCEPT FOR CO<sub>2</sub>, MY BILL DOES NOT LET POWER PLANTS “TRADE” POLLUTION CREDITS.

OTHER BILLS, IN BOTH THE HOUSE AND SENATE, ALLOW TRADING OF SULFUR DIOXIDE AND NITROGEN OXIDES.

MINE DOESN'T.

I BELIEVE WE NEED TO CONTROL THE HARMFUL LOCAL EFFECTS OF POLLUTING PLANTS.

BACK IN 1970, PASSAGE OF CLEAN AIR ACT REQUIRED A COMPROMISE TO EXEMPT EXISTING VEHICLES AND POWER PLANTS FROM COMPLIANCE.

CONGRESS ASSUMED THAT NEW VEHICLES AND NEW POWER PLANTS SUBJECT TO THE LAW'S STRICT POLLUTION STANDARDS WOULD SOON REPLACE THEM.

AND THAT HAS BEEN THE CASE FOR CARS AND TRUCKS.

BUT NOT FOR POWER PLANTS.

UTILITIES DISCOVERED THAT DIRTY POWER IS PROFITABLE POWER.

EXEMPTION FROM EMISSION CONTROLS HAS BECOME A LICENSE TO POLLUTE.

BUT THE PROFIT UTILITIES REAP FROM THIS “CHEAP POWER” COMES AT A HIGH PRICE FOR EVERYBODY ELSE.

IT IS MORE THAN OFFSET IN HEALTH CARE COSTS, LOST WORKER PRODUCTIVITY AND DAMAGE TO NATURAL AND AGRICULTURAL RESOURCES.

NEW ENGLAND CONSUMERS PAY THE PRICE IN MORE WAYS THAN ONE.

WE ARE DOWNWIND FROM MOST OF THE POLLUTING PLANTS, IN THE MIDWEST.

WHILE WE GET THE DIRTY AIR, MIDWESTERNERS GET CHEAPER ELECTRICITY.

IT'S TIME TO END THIS ECONOMIC AND ENVIRONMENTAL DISCRIMINATION.

IT IS ALSO TIME TO REGULATE THE CARBON DIOXIDE THAT IS SLOWLY BUT

UNDENIABLY ALTERING THE TEMPERATURE OF OUR PLANET.

DURING HIS CAMPAIGN, PRESIDENT BUSH VOWED TO REDUCE CARBON DIOXIDE.

NOW HE HAS BROKEN THIS PROMISE.

HE HAS GONE EVEN FURTHER

LAST WEEK HE DECLARED THE KYOTO ACCORD ON GLOBAL WARMING "DEAD."

THE U.S. HAS NOT PULLED OUT OF A MULTINATIONAL AGREEMENT OF SUCH IMPORTANCE LIKE THIS SINCE WE WITHDREW FROM THE TREATY OF VERSAILLES FOLLOWING WORLD WAR I.

IN PULLING OUT OF KYOTO AND IN BACKING AWAY FROM HIS PLEDGE THE PRESIDENT HAS TURNED AMERICA'S BACK ON THE REST OF THE WORLD.

SCIENTISTS FROM AROUND THE WORLD, HAVE AGREED THAT CLIMATE CHANGE IS REAL AND IS BEING DRIVEN BY EMISSIONS PRODUCED BY MAN.

THEY ARE PROJECTING THAT IN THE NEXT 100 YEARS WE WILL SEE TEMPERATURES RISE FROM 2.7 AND 11 DEGREES.

TEMPERATURE CHANGES WILL CAUSE A BROAD RANGE OF IMPACTS. SEA LEVELS WILL RISE, FLOODING COASTAL AREAS.

GLACIERS AND POLAR ICE PACKS WILL MELT.

DROUGHTS AND WILDFIRES WILL OCCUR MORE OFTEN.

AND AS HABITAT CHANGES, SPECIES WILL BE PUSHED TO EXTINCTION.

WE MUST IN SPITE OF THE PRESIDENT'S RESISTANCE.

MY LEGISLATION WILL GO A LONG WAY TOWARD REDUCING THESE DANGERS OF MERCURY POISONING, ACID RAIN, OZONE, AND GLOBAL WARMING.

IT WILL LEVEL THE PLAYING FIELD, REMOVING THE ECONOMIC ADVANTAGE OF OLD, POLLUTING, INEFFICIENT PLANTS.

IT WILL PROVIDE GRANTS FOR COMMUNITIES AND WORKERS ADVERSELY AFFECTED BY REDUCED USE OF COAL AND OIL.

AND FINALLY, IT WILL EXTEND PROPERTY TAX RELIEF TO TOWNS THAT RELIED ON OLDER UTILITIES AS A SIGNIFICANT PORTION OF THEIR TAX BASE.

WITH SUPPORT OF THE PEOPLE HERE TODAY AND CONCERNED CITIZENS ACROSS THE NATION WE CAN MOVE THIS LEGISLATION FORWARD.

WE CAN MAKE SURE THAT THE VIEW FROM CADILLAC MOUNTAIN IS AS SPECTACULAR IN AUGUST AS IT IS IN MAY.

WE CAN CONTROL THE EPIDEMIC OF ASTHMA THAT PLAGUES OUR CHILDREN.

WE CAN MAKE IT SAFE FOR OUR SENIORS TO LEAVE THEIR HOMES IN SUMMER WITHOUT FEAR OF RESPIRATORY DISTRESS.

WE CAN ADDRESS GLOBAL WARMING BEFORE IT'S TOO LATE.

IF WE DO, OUR CHILDREN AND THEIR CHILDREN WILL INHERIT A SAFE, LIVEABLE WORLD.

THANK YOU.

# Section by Section Summary of The Clean Power Plant Act of 2001

(To be introduced by U.S. Rep. Tom Allen, D-ME, 4/2/01)

**Section 1:** Short Title; Table of Contents

**Section 2:** Findings and Purposes

**Section 3:** Definitions

**Section 4:** Air Emissions Standards for Fossil Fuel-Fired Generating Units

- By 2007, all fossil fuel-fired electric generating units operating in the U.S., regardless of the date they began operating, shall meet the following minimum emissions standards:
  - < **Mercury:** 90 percent reduction in emissions.
  - < **Sulfur Dioxide:**
    - Rate* – Emissions shall not exceed 3 pounds per megawatt hour at any time.
    - Cap* – Annual emissions shall not exceed a total cap, equal to 3 pounds per megawatt hour multiplied by the average annual megawatt hours produced by the unit from 1998-2000.
  - < **Nitrogen Oxides:**
    - Rate* – Emissions shall not exceed 1.5 pounds per megawatt hour at any time.
    - Cap* – An annual emissions shall not exceed a total cap, equal to 1.5 pounds per megawatt hour multiplied by the average annual megawatt hours produced by the unit from 1998-2000.
- All units must submit pollutant-specific reports on emissions. These reports will be made available to the public.

**Section 5:** Tonnage Cap for Carbon Dioxide

- Beginning in 2007, EPA will determine an annual Generation Performance Standard (GPS) based on a total annual emissions cap of 1.914 billion tons of CO<sub>2</sub> from fossil fuel-fired utilities.
- EPA will allocate CO<sub>2</sub> emissions allowances to each unit based on the GPS.
- Any extra emissions allowances may either be used by the same unit in a subsequent year or transferred to another generating unit for use above and beyond its own CO<sub>2</sub> emissions allowance.

**Section 6:** Disposal of Mercury Captured through Emissions Controls

- Ensures that all mercury removed from emissions will be disposed of in an environmentally safe manner, so that it is not simply transferred from one harmful

medium to another.

**Section 7: Credit for Emission Reductions**

- Expresses the sense of Congress that, under any future treaty or program enacted to reduce climate change, utilities should receive credit for reductions in carbon emissions that occur because of the retirement of old generating units.

**Section 8: Reports to Congress**

- Requires reports to Congress and recommendations by the Department of Energy on the implementation of this Act.

**Section 9: Assistance for Workers Adversely Affected by Reduced Consumption of Coal and Oil**

- Authorizes \$75 million over 15 years to provide assistance to workers affected by reduced use of oil and coal in the electric generating industry.

**Section 10: Assistance for Communities Affected by Reduced Consumption of Coal and Oil**

- Authorizes \$75 million over 15 years to help communities that are affected by reduced use of oil and coal in the electric generating industry.

**Section 11: Carbon Sequestration**

- Authorizes \$45 million over ten years to carry out carbon sequestration activities (tree planting, wetland protection, soil restoration, etc.) and to conduct research to identify ways to offset all growth in U.S. carbon emissions after 2010.

**Section 12: Property Tax Relief**

- Provides grants to municipalities that received 10% or more of their property taxes from a utility that ceased operation as a result of this act. Grants can be given for no more than three years after the plant closes, and may not exceed 50 percent of the total annual property taxes paid by the utility in the final year before closure.

**Section 13: Hazardous Air Pollutants from Electric Utility Steam Generating Units**

- Within a year of enactment, all utilities will be subject the Hazardous Air Pollutant regulations set forth in section 112 of the Clean Air Act. Currently, utilities are exempt.

**The Clean Power Plant Act of 2001**  
**(Cosponsors as of April 2, 2001)**

Tom Allen (D-ME)

John Baldacci (D-ME)  
Tammy Baldwin (D-WI)  
Carolyn Maloney (D-NY)  
Earl Blumenauer (D-OR)  
Bill Delahunt (D-MA)  
Dennis Kucinich (D-OH)  
Richard Neal (D-MA)  
John Olver (D-MA)  
Lynn Woolsey (D-CA)  
Diana DeGette (D-CO)  
Rosa DeLauro (D-CT)  
Bennie Thompson (D-MS)  
Dennis Kucinich (D-OH)  
Bernard Sanders (I-VT)  
Stephanie Tubbs Jones (D-OH)  
John Tierney (D-MA)

# **Key Features of the “Clean Power Plant Act of 2001”**

## ***Closes the “Grandfather Loophole” by Setting Uniform Air Emissions Standards for All Power Plants, Regardless of When They Began Operation***

- < By 2007, all fossil fuel-fired utilities in the U.S. must meet a set of stringent but achievable emissions requirements. These new standards will create a level playing field for utilities, removing the economic advantage of old, polluting, inefficient plants.

## ***Sets Emissions Rates on Nitrogen Oxides and Sulfur Dioxide***

- < The bill sets emissions rates of 1.5 pounds per megawatt hour for nitrogen oxides and 3 pounds per megawatt hour for sulfur dioxide.
- < Plants will **not** be allowed to buy pollution credits from other utilities to meet these requirements. Instead, all plants must meet the same requirements.

## ***Sets Per Unit Emissions Caps on Nitrogen Oxides and Sulfur Dioxides***

- < The bill sets a cap on emissions for each individual generating unit. The cap will be determined by multiplying the maximum emissions rate (1.5 lbs/MWH for nitrogen oxides and 3 lbs/MWH for sulfur dioxide) by the unit’s average annual megawatt hour production during the years 1998-2000.
- < This provision ensures that, if energy demand increases, older plants won’t simply run longer at a lower emissions rate, resulting in no net reduction in pollution. Instead, new energy demands will be met with new, cleaner, more efficient energy sources that are subject to all new source emissions standards.

## ***Sets a Total Cap on Carbon Dioxide Emissions***

- < The bill caps CO<sub>2</sub> emissions, one of the most prominent greenhouse gases, at 1.914 billion tons from the utility industry. This level is consistent with the Rio Treaty on global climate change, which was agreed to by the Bush Administration and ratified by the Senate.
- < The bill distributes emissions allowances to utilities based on a Generation Performance Standard (GPS). Because the effects of CO<sub>2</sub> are global rather than local in nature, the bill allows the trading of extra allowances between utilities.

## ***Requires a 90 Percent Reduction in Mercury Emissions***

- < Removing 90 percent of Mercury from utility emissions would prevent 37 tons of mercury per year from polluting bodies of fresh water and contaminating wildlife.

## ***Establishes Grants for Communities and Workers Affected by Changes in Fuel Consumption***

- < The bill provides grants to workers and communities that are affected by reduced use of coal and oil, and provides property tax relief to towns that relied on older utilities as a significant portion of their tax base.