

Before the United States Environmental Protection Agency Hearing for the Proposed Revised Supplemental Finding for the Mercury and Air Toxics Standards (MATS) and Results of the Residual Risk and Technology Review

Testimony of Bakeyah S. Nelson, Ph.D.
Executive Director
Air Alliance Houston
March 18, 2019

Thank you for the opportunity to testify here today about the implications of the proposal to undermine the Mercury and Air Toxics Rule (MATS). My name is Bakeyah Nelson. I am the Executive Director of Air Alliance Houston, a local nonprofit organization that works to improve air quality and public health through research, education and advocacy. Our primary focus is in Harris County, where consistently clean air remains out of reach for more than 4 million people living there, particularly for people of color and low wealth.

Air Alliance Houston believes everyone has the right to breathe clean air, every day. Where you live, work, learn and play should not determine your health. I am here today to ask that EPA **abandon its proposal** to undermine the Mercury and Air Toxics Rule (MATS). By limiting the toxic emissions from coal fired power plants, it is currently saving thousands of lives every year. Please let that sink in.

To be clear, EPA is proposing to undo its own finding that controlling the enormous quantities of hazardous air pollution that coal-fired power plants emit every year is “appropriate and necessary.” If the agency’s attempt is successful, the number of people dying prematurely from air pollution will increase in the future. This is not an academic exercise about how best to count the costs and benefits of environmental regulation. No matter how EPA chooses to count or weigh them, the reality of the health benefits from the MATS rule is undisputed. This rule is saving thousands of lives every year. Children with asthma. Grandparents with weak hearts or lungs.

Of all industrial categories in America, power plants are by far the worst emitters of hazardous air pollutants. Before the MATS rule went into effect, they accounted for more than half of all mercury emissions, more than 60% of all arsenic emissions, and more than 80% of all hydrogen chloride emissions. These are highly toxic pollutants and the MATS rule has substantially cut back these emissions.

Houston is one of the most heavily polluted areas in the U.S., and NRG’s WA Parish coal-fired power plant is the number one polluter among Houston’s 474 plants.^{1,2} Tons of sulfur dioxide are dumped into the air supply each year and the MATS rule at least helps to reduce these emissions in the absence of direct sulfur dioxide pollution controls. NRG’s WA Parish coal plant is unique in Houston because no

¹ The Houston area or 8-county region refers to the EPA designated 8-County Ozone Nonattainment region of Harris, Galveston, Brazoria, Chambers, Fort Bend, Montgomery, Liberty, and Waller Counties.

² Texas Commission on Environmental Quality’s online emissions inventory for 2016 lists 474 plants in the Houston 8-County area at: Point Source Emissions Inventory, <http://www.tceq.state.tx.us/airquality/point-source-ei/psei.html>

other facility emits so much air pollution. According to a recent Rice University study,³ every year that the WA Parish coal plant near Houston continues to operate as it has been, an estimated 180 people in Texas and surrounding states die prematurely. The plant pumped 37,649 tons of sulfur dioxide into the air in 2017, one of the highest levels of sulfur dioxide emissions among power plants in the United States. In addition to the benefits of reducing exposure to air toxics, meeting the MATS standards reduce sulfur dioxide and fine particle emissions. In 2017, WA Parish emitted 6.5 times more criteria air pollution than the number 2 ranked ExxonMobil's Baytown refinery, and WA Parish emitted ~1.8 times more pollution than all nine oil refineries in the Houston area **combined**.

By taking steps to undo the MATS rule now, EPA would be deliberately and unnecessarily inflicting harm on environmental justice communities. This action is a direct affront to these communities. Harm from power plants' pollution did not and does not fall evenly on all people. Exposure and risk is greatest for people who live near power plants, and it is undisputed that the populations in these nearby communities is made up disproportionately of people of color and/or low wealth. Moreover, these communities often have the least access to health care and health insurance to manage the health impacts from disproportionate exposure. The MATS rule did not, of course, eliminate the health harms from power plant pollution or the environmental injustice that this pollution causes. It does, however, reduce the harm.

Children, families, and communities are relying on the EPA to maintain the integrity of its mission and implement and enforce the policies needed to protect public health.

Thank you for the opportunity to speak today.

Sincerely,

Bakeyah S. Nelson

³ [Strasert, B., Teh, S.C., Cohan, D.S.](#) (2019). Air quality and health benefits from potential coal power plant closures in Texas. [J Air Waste Manag Assoc.](#) 69(3):333-350. doi: 10.1080/10962247.2018.1537984. Epub 2019 Jan 24.