

United States Senate

WASHINGTON, DC 20510

June 6, 2023

Hon. Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Dear Administrator Regan:

We write in strong support of the Environmental Protection Agency's (EPA) efforts to reduce toxic pollution released by coal-fired power plants into lakes, streams, and other waters. This work is critical to address a long-running environmental crisis and ensure that our nation's vital water resources can continue to support clean water for households, agriculture, industry, recreation activities, and businesses.

We support the EPA's 2023 Proposed Supplemental Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category. This regulatory action under the EPA's Clean Water Act authority would establish more stringent standards for wastewater generated by coal-fired power plants, requiring plants to thoroughly remove toxic metals such as arsenic, mercury, and lead from their wastewater before releasing it into nearby rivers, streams, and lakes. Implementation of these standards would reduce pollutants released by coal plants by approximately 584 million pounds per year.¹

Research shows that exposure to the toxic pollutants generated by coal-fired power plants can lead to cancer, heart damage, stroke, reproductive problems, and neurological disorders, including lasting brain damage in children. Additionally, these pollutants harm fish and wildlife and can remain present in the environment for years. These impacts are disproportionately experienced by communities of color and low-income communities, many of which have lived with contaminated water for decades. The EPA's commitment to addressing this crisis fights against the unequal distribution of environmental impacts in our society, and will reduce the impact of pollution on vulnerable communities.

As we work to accelerate our nation's transition to clean energy, this regulatory action incorporates an early retirement provision for coal-fired plants that choose to stop burning coal by 2028 rather than invest in technology to prevent water pollution. By ensuring that the cost of burning coal includes the responsible management of toxic wastewater, these regulations represent an investment in both clean water and in our clean energy future.

Everyone deserves to live in a safe environment with access to clean water. These standards for wastewater released by coal-fired power plants will substantially reduce water and groundwater pollution, providing essential protection for communities and their water resources. We strongly

¹ https://www.epa.gov/system/files/documents/2023-03/steam-electric-proposed-rule-factsheet_march-2023.pdf

support this regulatory action and look forward to working with the EPA to protect clean water and defend communities against pollution.

Sincerely,



Martin Heinrich
United States Senator



Sheldon Whitehouse
United States Senator