August 7, 2025

Lee Zeldin, Administrator
U.S. Environmental Protection Agency
William J. Clinton Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Comments on EPA's proposed rule to "Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units" (Docket ID: EPA-HQ-OAR-2025-0124)[1]

Administrator Zeldin:

Below are our comments on EPA's proposed repeal of the 2024 carbon pollution standards for power plants[2] that set greenhouse gas emissions standards for existing coal-fired and new natural gas-fired power plants. If finalized, this proposed repeal would disregard science, misinterpret the law and jeopardize public health, in direct contradiction to the agency's mission and to its statutory obligations under the Clean Air Act. We urge EPA to withdraw this proposal and expedite the full implementation of the 2024 standards, which are based on scientific consensus, lawfully promulgated under the Clean Air Act, and very strongly supported by the public.

1) **EPA Mission**
2) **GHGs, Climate Change, Co-pollutants, Public Health**
3) **Endangerment Finding and Cause or Contribute Finding on Greenhouse Gases**
4) **Significant Contribution of Power Plants to GHGs**
5) **Responsibility of US in Climate Change Mitigation**
6) **Regulating Fossil-Fueled Power Generation as a Single Source Category of GHG Emissions**
7) **Human Health Costs of the Repeal**
8) **Technology Consideration**
9) **Conclusion**

[1] US EPA. (06/17/2025). Federal Register :: Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units

[2] US EPA. (05/09/2024). Final Rule on New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule

1. **EPA Mission**: EPA is a science-based agency that exists to protect human health and the environment – that is its stated mission.[3] As its very name indicates, EPA's one and only business is environmental protection. The agency is mandated by the Clean Air Act to regulate and reduce air pollutants to protect human health and welfare. EPA's Fact Sheet on this repeal explicitly stated that this proposed action is to save regulatory compliance costs to businesses, to advance U.S. energy dominance, and to make the U.S. the artificial intelligence capital of the world.[4,5] This abandonment of EPA's mission is entirely unacceptable. Any regulatory action that EPA undertakes must have its mission as its guiding principle, and advancing fossil fuel use does the exact opposite.
2. **GHGs, Climate Change, Co-pollutants, and Public Health**: Science has unambiguously established that combustion of fossil fuels from human activities is the primary source of increasing greenhouse gas (GHG) emissions into the atmosphere.[6] GHGs trap heat and cause global warming.[7] These long-lived gases are the primary driver of accelerating climate change, which endangers public health and welfare. Climate change is a health emergency that impacts physical, mental, emotional and psychological wellbeing.[8]

   In proposing this repeal, EPA states that the "Administration's priority is to promote the public health or welfare through energy dominance and independence secured by using fossil fuels to generate power." The first part of that statement ("promote the public health or welfare") and the second part ("by using fossil fuels to generate power") directly contradict each other and the scientific consensus on the harmful impacts of fossil fuels on human health. This summary from the science journal *The Lancet*'s 2024 "Countdown on Health and Climate Change" puts EPA's contradictory statement in sharp relief: "Climate change has created a health crisis that will continue to worsen unless the U.S. takes decisive action to end its fossil fuel dependence, reduce greenhouse gas (GHG) emissions, and invest in strong health systems and climate resilience. An equitable fossil fuel phase-out requires proactive attention to the health and well-being of both the historically marginalized communities impacted by fossil fuel pollution and the communities and fossil fuel

[3] Our Mission and What We Do | US EPA

[4] EPA's original Fact Sheet on the proposed repeal of the Power Plant 2.0 which it released concomitantly with the proposal stated that "this action (r)esponds to Pillar 2: Restoring American Energy Dominance" and to "Pillar 4: Make the United States the Artificial Intelligence Capital of the World" with no mention of its Pillar 1: Clean Air, Land, and Water for Every American, the one pillar of the five which actually aligns with its mission. The agency has since removed the references to AI but has retained the language on providing regulatory relief to industry on economic grounds and on advancing energy dominance through fossil fuel usage https://www.epa.gov/system/files/documents/2025-06/6.11.25-fact-sheet-ghg-standards-proposed-repeal-final.pdf

[5] EPA Administrator Lee Zeldin Announces EPA's "Powering the Great American Comeback" Initiative | US EPA

[6] "Since systematic scientific assessments began in the 1970s, the influence of human activity on the warming of the climate system has evolved from theory to established fact." Intergovernmental Panel on Climate Change Sixth Assessment Report (AR6) published between 08/2021 – 03/2023.; Climate Change Causes - NASA Science;

[7] Overview of Greenhouse Gases | US EPA

[8] https://www.who.int/health-topics/climate-change#tab=tab_1; https://www.apa.org/news/press/releases/2017/03/mental-health-climate.pdf

workers most impacted by the clean energy transition. Such a transition will improve the health of everyone in the U.S. and strengthen our nation in other fundamental ways, benefiting our economy, security, and the wellbeing of current and future generations."[9] Additionally, the Clean Air Act requires EPA to protect both public health *and* welfare and does not allow the agency to choose one or the other.

Among the multitude of climate change impacts caused by increasing amounts of GHGs is the worsening of air quality, with serious consequences to public health. Warmer air temperatures accelerate the formation of ground-level ozone, which is a powerful air pollutant that makes it harder to breathe, can cause heart attacks and strokes, and can even lead to premature death. Heatwaves and droughts are causing more frequent and more intense wildfires with more people experiencing smoke exposure than ever before. One of the key findings from the American Lung Association's 2025 "State of the Air" report[10] is that wildfires are worsening air quality across the U.S., driving increasing levels of both fine particulate matter ($PM_{2.5}$) and ozone, and endangering the health of more people.[11] Fine particles penetrate deep into the lung tissues, leading to respiratory and cardiovascular problems and causing lung cancer and premature death. Climate change is also making seasonal allergies more severe and longer in duration, which particularly impacts more than 27 million people with asthma in this country. In addition to heat-related illnesses and death, and increased spread of vector-borne disease, extreme precipitation events are causing increasing flooding which threatens public health long after floodwaters recede by leaving behind mold, sewage and toxic chemicals, whose cleanup results in more pollution.[12] The impacts of climate change also profoundly affect mental health.

Combustion of fossil fuels produces not only greenhouse gases but numerous other primary air pollutants, including fine particulate matter ($PM_{2.5}$), nitrogen oxides (NO_x), sulfur oxides (SO_x) and volatile organic compounds (VOCs). Ozone is a secondary pollutant that forms as a reaction product of NOx and VOCs in the presence of sunlight. Exposure to one or a combination of these pollutants can cause respiratory harm, including asthma exacerbations, inflammation of airways and respiratory mortality, cardiovascular harm, strokes, low birthweight in newborns, reproductive and developmental harm, increased risk of metabolic disorders, increased need for medical care and increased emergency room visits and premature death.[13,14,15,16]

---

[9] Beyeler, N. S. *et al*. (2024). Lancet Countdown on Health and Climate Change - Policy Brief for the United States of America

[10] https://www.lung.org/research/sota

[11] The Hazy Truth: Tracking Wildfire Smoke's Impact on Our Air | American Lung Association

[12] Toxic Floodwaters: Public Health Risks and Vulnerability to Chemical Spills Triggered by Extreme Weather - Center for Progressive Reform

[13] Clean Air Scientific Advisory Committee (CASAC). (June 2023). Review of the EPA's Policy Assessment (PA) for the Reconsideration of the Ozone National Ambient Air Quality Standards (External Review Draft Version 2)

[14] EPA. Supplement to the 2019 Integrated Science Assessment for Particulate Matter (Final Report, 2022).

[15] EPA. Integrated Science Assessment (ISA) for Sulfur Oxides – Health Criteria (Final Report, Dec 2017).

[16] EPA. Integrated Science Assessment (ISA) for Oxides of Nitrogen – Health Criteria (Final Report, Jan 2016).

Scientific evidence on the health harms of air pollutant emissions from fossil fuel combustion is vast, irrefutable, and ever-growing.

3. **Endangerment Finding and Cause or Contribute Finding on Greenhouse Gases:** EPA's responsibility to regulate GHGs from the power sector is well grounded in law and in science. The U.S. Supreme Court set judicial precedent in *Massachusetts v. EPA* (2007), where it held that greenhouse gases are air pollutants under the Clean Air Act, and that EPA must regulate them if they endanger public health or welfare. Based on the overwhelming scientific data, including findings from the Intergovernmental Panel on Climate Change, U.S. National Climate Assessments, and EPA's own research, and consistent with the statutory requirements of the Clean Air Act Section 202(a)(1), EPA made the Endangerment Finding on greenhouse gases in 2009: "The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare of current and future generations."[17] At the same time, EPA also made a Cause or Contribute Finding on the health harms of GHGs: "The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution that threatens public health and welfare."[18] Courts have since upheld EPA's authority and obligation to regulate GHGs from motor vehicles, as well as from electric generating units (EGUs). Additionally, courts have consistently held that endangerment findings must be based on scientific and public health evidence and not economic or political considerations; e.g. in *Coalition for Responsible Regulation v. EPA* (2012), the D.C. Circuit upheld EPA's GHG endangerment finding as grounded in science. This contribution finding extends to the fossil fuel-fired EGU sector since it is the second largest source of harmful GHG emissions, next only to the transportation sector.

4. **Significant Contribution of Power Plants to GHGs:** EPA's argument in this proposal that greenhouse gas emissions from power plants do not contribute significantly to dangerous air pollution does not match either the legal precedence or the scientific reality. Section 111(b)(1)(A) of the Clean Air Act requires EPA to regulate air pollutants that "cause, or contribute significantly to, air pollution which may reasonably be anticipated to endanger public health or welfare." The term "significantly" refers explicitly to the pollution impact, and not the economic cost of regulation, contrary to the position of the current repeal proposal.[19] Overwhelming scientific evidence has shown greenhouse gases including CO_2 to be significant air pollutants because of their heat-trapping properties (global warming potential) and

[17] https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a

[18] Ibid 17

[19] Specific Comments solicited in the proposal: (C-1) The proposed interpretation of CAA section 111 to require, or at least authorize the EPA to require, an Administrator's determination of significant contribution for the air pollutant under consideration; (C-2) Whether CAA section 111 requires a significant contribution finding for the fossil fuel-fired EGU source category first created in the 2015 NSPS; (C-3) The proposed interpretation of what it means for a source category to contribute "significantly" to dangerous air pollution

their very long atmospheric residence times.[20] Fossil fuel-fired electric power generation is the second-largest source of CO_2 emissions in the U.S., accounting for about 25% of total CO_2 emissions[21] - according to the US Energy Information Agency: "(i)n 2023, about 60% of U.S. utility-scale electricity generation was produced from fossil fuels (coal, natural gas, and petroleum)."[22] EPA's historical record shows support for this determination and the regulatory docket built on it (e.g. 2015 Clean Power Plan) concluded that GHGs from EGUs contribute significantly to climate change. Therefore, EPA's assertion in this proposal that "GHG emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution" contradicts international scientific consensus and the agency's own prior findings.

5. **Responsibility of U.S. in Climate Change Mitigation**: The health impacts of climate change are not theoretical; they are happening now, affecting people nationwide and getting worse. The scientific consensus is that the world's average temperature must not exceed that of preindustrial times by more than 1.5°C (2.7°F, Paris Agreement) to prevent worsening of global warming and potentially irreversible impacts of climate change.[23] According to the 2024 *Lancet* "Countdown" report, the annual mean global surface temperature reached a record high of 1.45°C above the pre-industrial baseline in 2023 and is dangerously close to exceeding the 1.5°C threshold. New temperature highs were recorded throughout 2024. The resulting climatic extremes are increasingly claiming lives and livelihoods worldwide.[24]

   Climate change is wreaking havoc in the U.S. with ever-increasing number of extreme weather events. According to the National Centers for Environmental Information, "During 2024 alone, the U.S. experienced 27 weather and climate disasters each incurring losses that exceeded $1 billion. 2024 ranked second highest for the number of billion-dollar disasters in a calendar year. These disasters included: 17 severe storms, five tropical cyclones, two winter storms, one flooding event, one drought/heat wave and one wildfire event. The U.S. cost for these disasters in 2024 was $182.7 billion and was fourth highest on record. The total annual cost may rise by several billion as additional costs from identified events are reported over time. There were at least 568 fatalities associated with these events—the eighth-highest number of fatalities on record."[25]

   The United States ranks second in the world for total greenhouse gas emissions and is among top 20 countries in *per capita* GHG emissions.[26] Integrated assessment models from various sources such as the International Energy Agency,[27] the

[20] Climate Change Indicators: Greenhouse Gases | US EPA
[21] Sources of Greenhouse Gas Emissions | US EPA
[22] Electricity generation, capacity, and sales in the United States - U.S. Energy Information Administration (EIA)
[23] Explained: The 1.5 C climate benchmark | MIT News | Massachusetts Institute of Technology
[24] Romanello, M. *et al*. (11/09/2024). The 2024 report of the Lancet Countdown on health and climate change: facing record-breaking threats from delayed action. The Lancet 404 (10465),1847-1896
[25] Assessing the U.S. Climate in 2024 | News | National Centers for Environmental Information (NCEI)
[26] CO2 Emissions – Global Energy Review 2025 – Analysis - IEA
[27] Executive summary – United States 2024 – Analysis - IEA

Rhodium Group,[28] and EPA's own previous analyses show that U.S. power sector decarbonization can significantly reduce global warming potential, especially when coupled with international action. Mitigating global climate change is every nation's responsibility and the U.S. must do its part. By reducing GHG emissions from power plants, the U.S. can help lower the global surface temperatures to stave off the worst impacts of climate change. First, even lowering global temperatures by a fraction of a degree has a meaningful impact; and second, U.S. policies and climate actions to reduce GHG emissions set a global precedent which influences international climate policy and negotiations.

Cumulatively, all actions to lower GHG emissions from all possible sources irrespective of their scale will have a measurable effect on reducing global warming and mitigating climate change. Instead of helping the U.S. assume a leadership position in these climate change efforts, EPA's proposed repeal to weaken GHG emission standards of the country's second biggest source of GHGs undermines global cooperation and climate diplomacy and endangers human health and the environment in the U.S. and across the world.

6. **Regulating Fossil-Fueled Power Generation as a Single Source Category of GHG Emissions**: The current proposal also improperly argues that a new Endangerment Finding is needed based on the way the agency categories EGUs. However, irrespective of the design of their operational components, all fossil fuel-fired power plants share a similarity of function and of pollutant emission profiles. Fossil fuel-based electricity generation, whether it uses steam boiler units or gas combustion turbines or both, emits CO_2 as a primary pollutant along with numerous harmful co-pollutants. Modern power plants such as combined-cycle plants have integrated operations that employ both steam and combustion turbine components. The 2024 carbon pollutions standards for power plants finalized emission guidelines for GHG emissions from existing coal-fired and some oil/gas-fired steam generating EGUs and revised New Source Performance Standards (NSPS) for GHG emissions from new and reconstructed gas-fired stationary combustion turbine EGUs, and from fossil fuel-fired steam EGUs that undergo a large modification.

   Fossil fuel-fired steam turbine and combustion turbine EGUs are not new technologies or configurations, but are rather integrated systems that have long been regulated as a single source category. Combining them for regulatory purposes does not change their fundamentally similar emissions profile to justify a new category. The claim that combining them now creates a "new" source category contradicts decades of regulatory precedent and the established interpretation of Clean Air Act §111(b)(1)(A), which requires EPA to list categories of sources that "cause, or contribute significantly to, air pollution." The statute does not require a new endangerment finding every time a subcategory is modified or combined

[28] Taking Stock 2024: US Energy and Emissions Outlook – Rhodium Group;

administratively. Courts have upheld EPA's discretion in defining and grouping source categories, provided the grouping is reasonable.[29]

The proposal could set a precedent that undermines regulatory stability and creates unnecessary procedural hurdles for future rulemakings. EPA's proposal to require a new endangerment finding for what is effectively a reclassification of existing EGU sources has no reasoned legal or scientific basis.

7. **Human Health Costs of the Repeal:** Repealing the carbon pollution standards for power plants would incur enormous costs to public health from foregone benefits of avoided air pollutant emissions, and these costs significantly outweigh the regulatory compliance costs to industry. The repeal would result in 617 million metric tons CO_2 emissions over the 2028 to 2042 timeframe[30] which translates to $117.23 billion in climate costs (applying the $190 per metric of updated Social Cost of Carbon).[31] Among the benefits that would be foregone because of this repeal are avoided climate impacts resulting from GHG emissions and avoided health impacts of harmful co-pollutants including $PM_{2.5}$ and ozone. These pollutants would now increase substantially, adding to the health burden of climate change. In 2035 alone under the 2024 rule, there would be substantial health benefits including up to 1,200 avoided premature deaths, 1,900 avoided cases of asthma onset, 360,000 avoided cases of asthma symptoms, 870 avoided hospital and emergency room visits, 48,000 avoided school absence days, and 57,000 lost workdays.[32] Repealing the rule would forego these health benefits.

   The Regulatory Impact Analysis (RIA) of the 2024 rule calculated the monetized values of these benefits to be $30 billion in climate benefits and 68 billion in $PM_{2.5}$- and ozone-related health benefits.[33] The RIA noted that these projected benefits do not include several categories of climate, health, welfare, and water quality benefits, which remain unmonetized. Regulatory compliance costs, on the other hand, are estimated at $14 billion over the same timeframe. What's more, the agency did not provide an updated RIA with this proposed repeal that takes into account the current suite of other completed and pending EPA actions that impact air pollution and public health, including delayed implementation of other clean air rules and other

[29] Courts (e.g. in New Jersey v. EPA, 517 F.3d 574 (D.C. Cir. 2008); Utility Air Regulatory Group v. EPA, 744 F.3d 741 (D.C. Cir. 2014)) have consistently affirmed that under Clean Air Act Section 111, (i) EPA has broad discretion to define, group, revise, and reorganize source categories without reissuing an endangerment finding, provided the grouping is reasonable and consistent with statutory objectives, and (ii) a new endangerment finding is not required for each administrative adjustment, as long as the pollutant in question has already been found to endanger public health or welfare.

[30] EPA's Regulatory Impact Analysis (RIA) *Regulatory Impact Analysis for the Proposed New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule, Page 25

[31] The RIA for the proposed repeal but does not quantify /monetize lost GHG reduction benefits because of its decision to rescind the "social cost of carbon" calculation used in previous analyses. Regulatory Impact Analysis for the Proposed Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units

[32] Biden-Harris Administration Finalizes Suite of Standards to Reduce Pollution from Fossil Fuel-Fired Power Plants | US EPA

[33] values in 2019 dollars discounted to 2024 using 3% Discount Rate; Table ES-5: RIA for 2024 rule

proposed repeals. Based on EPA's own previous research into the cumulative impacts of air pollution, it is reasonable to assume that the additional burden of the air pollution that would occur under this repeal could have a greater impact on human health when added to the growing burden of pollution-related health harms created by the current regulatory landscape.

8. **Technology consideration:** In addition to this proposed repeal being unjustifiable from a mission, legal or cost perspective, the agency also lacks scientific or technological evidence to support it.

   Clean Air Act Section 111(d) requires EPA to set technology-based standards for pollutants emitted by major stationary sources. In the 2024 rule, EPA identified carbon capture and sequestration/storage (CCS) technologies as the best system of emissions reductions (BSER) for GHGs and set CCS-based GHG emission standards for fossil-fueled power plants. CCS technologies significantly reduce CO_2 emissions by capturing up to 90% of CO_2 emissions from power plants and industrial sources while these sources transition away from fossil fuels to cleaner energy sources. CCS allows for low-carbon dispatchable power, supporting grid reliability as more variable renewable energy sources are integrated. CCS has been internationally recognized (including by the IPCC[34] and IEA[35]) as proven, cost-effective technology and an essential tool in decarbonizing the power sector and achieving net-zero emissions.

   EPA's claim that CCS is not "adequately demonstrated" ignores the growing number of commercial-scale CCS projects operating successfully around the world supported by major public and private investment.[36] By seeking to eliminate CCS-based standards, EPA is not only undermining innovation but actively discouraging long-term investments in clean energy solutions. This could stall the deployment of climate technologies and delay the nation's transition to a low-carbon economy, which is essential to protect human health and the environment from the ravages of climate change.

   Conclusion: Repealing the GHG emissions standards for power plants is a dangerous step that pushes the country backward at a time when we urgently need bold, science-based action to confront the climate crisis and protect people's health. EPA has a legal obligation to protect human health and the environment. This proposed repeal fails that obligation. EPA's proposed repeal is arbitrary, devoid of scientific or legal reasoning, and directly contradicts the agency's mission - at enormous costs to public health and the environment. As such, we forcefully ask this EPA to immediately withdraw this costly repeal and instead focus on implementing the greenhouse gas emission standards finalized in the 2024 rule for a healthier energy future for all.

[34] What does the latest IPCC report say about carbon capture? – Clean Air Task Force

[35] Carbon Capture Utilisation and Storage - Energy System - IEA

[36] Carbon capture and storage: What can we learn from the project track record? – Clean Air Task Force

Signed,

Alliance of Nurses for Healthy Environments
American Academy of Family Physicians
American Academy of Pediatrics
American College of Chest Physicians
American College of Obstetricians and Gynecologists
American College of Physicians
American Heart Association
American Lung Association
American Public Health Association
American Thoracic Society
Asthma and Allergy Foundation of America
Children's Environmental Health Network
Climate Psychiatry Alliance
Health Care Without Harm
Healthy Climate Wisconsin
Infectious Diseases Society of America
Inglewood Foot and Ankle Center
International Society for Environmental Epidemiology North America Chapter
Medical Society Consortium on Climate and Health
National Association of Pediatric Nurse Practitioners
National Medical Association
OUCH-Int'l (Oncologists United for Climate and Health)
Physicians for Social Responsibility
Public Health Institute