

## Oklahoma Challenges EPA Haze Restrictions

By **Kenneth Artz**

February 6, 2012

Oklahoma state officials are challenging a new U.S. Environmental Protection Agency mandate that will force the state's two largest utilities to spend at least \$800 million to install emissions scrubbers. EPA estimates the scrubbers will cost \$874 million, while the utilities say the costs will be much higher and will cause electricity rates to rise 20 percent above baseline costs.

EPA claims the scrubbers are necessary to reduce haze and improve visibility at national parks and wilderness areas and protect the public from pollutants coming from power plants.

“Controlling emissions that improve visibility also prevents health risks including increased asthma symptoms and premature death,” the EPA said in a prepared statement.

Oklahoma Attorney General Scott Pruitt has announced plans to appeal the EPA mandate, which the Agency handed down on Dec. 13.

### Ulterior EPA Motives

**H. Sterling Burnett**, a senior fellow with the National Center for Policy Analysis, says the EPA mandate has little to do with visibility limitations in national parks or health risks.

“It’s about power, shifting the power from the states where Congress and the courts have placed it, to executive agencies where this President wants it to satisfy his radical environmental constituency,” **Burnett** said.

“It’s [also] about stopping the use of coal,” **Burnett** added. “The administration has a war on coal from the mine to the power plant. The coal industry is under assault.”

“These regulations would be bad any time but especially in the current economic conditions. Even if the economy is currently on a slight economic upturn, higher energy prices could easily send it back into a tailspin. Because of their harmful effect on the economy, these regulations at this time seem especially counterproductive for an administration that claims jobs are its ‘first, second, and third concern,’” said **Burnett**.

### Unsupported Health Claims

The EPA says restricting emissions prevents health risks such as asthma that can lead to premature death. However, physician John Dunn, a policy advisor for the American Council on Science and Health, says EPA has yet to prove air pollution has killed anyone during the past 20 years.

“What they’ve done is merely data-dredge the statistics for days when the number of deaths exceeds the average daily death rate and then label that as a ‘premature’ death,” Dunn said.

“As for their claim that air pollution causes asthma, that’s nonsense: Asthma is an allergic disease not caused by haze,” said Dunn.

“In fact, the air standards over the last 50 years have all improved, according to the EPA’s own data, yet the rate of asthma continues to go up in this country. Air pollution does not cause asthma, yet the EPA says it enough times that people believe it,” Dunn explained.

### **Environmental Federalism**

William Yeatman, an energy policy analyst at the Competitive Enterprise Institute, says EPA is trampling states’ rights in their bid for budgetary dollars and power.

“EPA is creatively and aggressively trying to run roughshod over the states’ rights to set energy and environmental policy,” Yeatman said. “This is really the frontier of environmental federalism.

Yeatman says the administration’s motive is to raise costs to make wind and solar energy competitive. “Basically this is a means to an end. The EPA wants the power to make electricity generated from coal power plants to be more expensive so that it will become more costly than already expensive energy generated from renewables,” Yeatman observed.

“It’s really pretty transparent what they’re trying to do. President Obama told us that he wanted to bankrupt the coal industry. Through the EPA with this legislation, he’s well on his way to doing it,” Yeatman explained. “This legislation won’t promote health. It won’t promote prosperity. When you waste money, you cannot achieve prosperity.”