

United States Senate

WASHINGTON, DC 20510

December 21, 2023

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator Regan:

We share the administration's goal of responsibly reducing carbon emissions. However, we are concerned with the potential unintended consequences of the Environmental Protection Agency's (EPA) recently proposed rule on power plant emissions ("New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units"). We encourage you to strengthen this proposal by working with stakeholders from labor and industry to build consensus prior to putting forward a final rule that accomplishes our shared goals of maintaining affordable, reliable power; protecting American energy independence; protecting jobs; and lowering emissions.

Recently, Congress has worked in a bipartisan manner to pass important laws advancing American innovation through promising technologies like hydrogen, carbon capture, and advanced nuclear to create additional pathways to achieve a clean energy future. Unfortunately, EPA's recent power plant rule overestimates the current and anticipated maturity of these promising technologies, to the detriment of American workers and consumers. While we hope these technologies will be available in the near future, we cannot ask our constituents to bear the cost of that risk in the form of significantly higher utility bills and unreliable electricity. A final EPA power plant rule must reflect these realities and rely on the proven technology as we continue to pursue innovation, commercialization, and technological breakthroughs.

While the U.S. energy generation mix includes a growing share of renewables, we are reliant for now on our dispatchable and baseload generation capacity. We believe there is a balanced approach to achieve a clean energy future while preserving the reliability of the electric grid. As a coalition of several labor unions indicated in their public comments to EPA, reasonable changes that take into account the maturity of decarbonization technologies are necessary to ensure these regulations do not also cause the loss of both critically-needed jobs and energy grid resilience.¹ Providing a realistic transition path to advanced technologies when they become available can best ensure both affordability and reliability of service.

¹ Comments submitted jointly by the International Brotherhood of Boilermakers, the International Brotherhood of Electrical Workers, the International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers, the Transportation Communications Union, IAM, and the United Mine Workers of America on EPA's "New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units." <https://www.regulations.gov/comment/EPA-HQ-OAR-2023-0072-0386>

Prior to finalizing the EPA's proposed rule on power plant emissions, we urge you to consult with stakeholders from both industry and labor to ensure that the final rule facilitates a responsible nationwide clean energy transition while protecting the jobs of millions of Americans, ensuring electric reliability and affordability, and making our nation a global leader in combatting greenhouse gas emissions.

Sincerely,



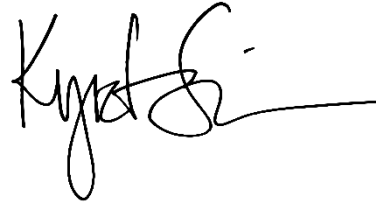
Sherrod Brown
United States Senator



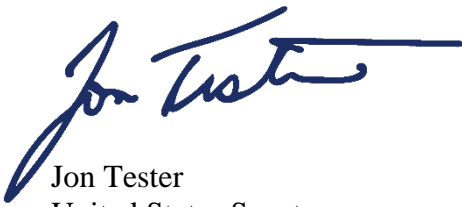
Joe Manchin
United States Senator



Mark Kelly
United States Senator



Kyrsten Sinema
United States Senator



Jon Tester
United States Senator