

Climate Action Campaign Recommendations for the Strongest Possible Pollution Standards for Gas Power Plants

Burning gas in power plants causes dangerous pollution, including carbon dioxide, nitrogen oxides, hazardous air pollutants, and methane from the combustion and supply of fuel. The cumulative impacts of the pollution exposure caused by gas power plants and their interactions with structural racism disproportionately endanger Black and Brown frontline communities. The Climate Action Campaign works to reduce carbon pollution from the power sector to 80% below 2005 levels by 2030 consistent with a pathway to 100% by 2035. Among the advocacy goals our organizations share is a commitment to reduce climate and health-harming pollution and accelerate the transition to clean energy and a sustainable society in ways that support justice, jobs, improved health, and quality of life for all.

The Clean Air Act compels the Environmental Protection Agency (EPA) to limit pollution from existing gas power plants. EPA has made a [commitment](#) – which our organizations have celebrated – to pursue a “comprehensive approach” on pollution standards “for climate, toxic, and criteria air pollution” from the “entire fleet of natural gas-fired turbines,” beginning “immediately” with “a robust stakeholder engagement process.”

Our organizations are united in demanding meaningful stakeholder engagement, careful consideration, and the swift adoption of the strongest possible standards to limit all forms of pollution from existing gas power plants. In addition to our individual advocacy, we offer the following priority recommendations to support EPA’s effort.

Recommendation #1: Cumulative Impacts. EPA must carefully analyze and account for how its approach to limiting pollution from existing gas power plants, including carbon pollution, will contribute to or alleviate the cumulative impacts of pollution, particularly for environmental justice communities situated near power plants. This includes: while proposing and finalizing rules, while accepting or rejecting state implementation plans, and while considering permits for any power plant modifications that might result. The approach to regulating pollution from existing gas plants should reduce pollution burdens in all communities and our organizations intend to judge the adequacy of the proposed approach based in part on how it contributes to or alleviates the cumulative impacts of pollution in environmental justice communities.

Recommendation #2: Comprehensive Approach. EPA’s comprehensive approach to regulating pollution from existing gas power plants must fulfill all Clean Air Act requirements, including but not limited to:

- Issuing emission guidelines through which states establish performance standards that limit greenhouse gas emissions from existing gas power plants under Section 111(d) of the Clean Air Act;
- setting new source performance standards (NSPS) under Section 111(b) for emissions of nitrogen oxides (NO_x) from new, modified, and reconstructed gas plants;
- promulgating national emission standards for hazardous air pollutants (NESHAP) from new and existing gas plants under Section 112, including for formaldehyde, benzene, acetaldehyde, toluene, hydrochloric acid, arsenic, lead, and mercury; and
- bolstering the new source review (NSR)/prevention of significant deterioration (PSD) program by closing multiple loopholes that have allowed gas plants and other sources to evade stringent permitting requirements when they modify or undergo initial construction, and by enforcing the Clean Air Act's alternatives analysis requirement for permit applicants (as discussed further in Recommendation # 9).

Recommendation #3: **Stakeholder Engagement.** Before proposing the standards and guidelines as part of the comprehensive approach to regulating pollution from existing gas power plants, EPA must conduct meaningful engagement with stakeholders, including environmental, labor, and environmental justice organizations. This engagement should include consultation with community-based frontline organizations whose members include those that have experienced the most harm from the fossil fuel economy. EPA should use these opportunities to share information on the process and requirements of the Clean Air Act and to seek input about community priorities and concerns.

Recommendation #4: **Environmental Justice.** In proposing the standards and guidelines as part of the comprehensive approach to addressing pollution from existing gas plants discussed in Recommendation #2, EPA must analyze the combined effects of the comprehensive approach on environmental justice. Our organizations intend to judge the adequacy of the proposed approach based in part on how significantly and how certainly it would reduce all forms of pollution in environmental justice communities.

Recommendation #5: **Greenhouse Gases.** In proposing the standards and guidelines for existing gas plants, EPA's analysis must include a wholesale assessment of greenhouse gas emissions, covering both direct emissions from on-site combustion and lifecycle emissions from the supply of fuel. Our organizations intend to judge the adequacy of the proposed approach based in part on how significantly and how certainly it would reduce greenhouse gas emissions.

Recommendation #6: **Covering the Entire Fleet.** EPA's comprehensive approach to regulating pollution from existing gas plants must consider the emission reductions possible from every power plant and avoid structuring the standards in ways that would tend to shift pollution from one community to another rather than achieve reductions in all communities. This includes careful consideration of any power plant categorization based on capacity factors, retirement dates, combustion cycles, or geography.

Recommendation #7: **Stringent and Unbiased Guidelines.** In proposing GHG emission guidelines for existing gas plants under Section 111(d), EPA must identify the most stringent numerical emission standard of performance that could be achieved within the parameters of the statute. However, regardless of which system EPA selects to set the guideline's quantitative emission limits, the agency must not in its rulemaking restrict or favor any particular means of satisfying those emission limits.

Recommendation #8: **Fully Considered Implementation Plans.** As states develop implementation plans in response to EPA's Section 111(d) emission guidelines, the agency must require the consideration of all potential means of satisfying the numerical emission standard of performance, including consideration of the relative costs, energy requirements, and health and environmental impacts. This analysis should particularly focus on how plan proposals would contribute to the cumulative impacts of environmental injustice for communities situated near power plants, while also considering the full lifecycle emissions of any fuels or captured carbon dioxide. EPA should ensure that implementation of this rule will not impede the transition to clean energy that is occurring as a result of the IRA and other federal, state, and local policies driving a shift from fossil fuel to renewable power. This means giving plant owners and operators full authority (and, where requested, assistance) to select legally permissible compliance pathways based on retiring or reducing fossil generation rather than installing retrofits.

Recommendation #9: **Close Permitting Loopholes for Sources that Increase Annual Emissions:** In the event that a power plant is retrofitted with carbon capture, hydrogen cofiring capacity, or equipment upgrades to achieve heat-rate improvements (in response to new standards or otherwise), EPA must ensure that any resulting increases in annual pollution trigger the appropriate permitting obligations under Section 165 and Section 173 of the Clean Air Act. This requires closing loopholes in the NSR/PSD programs that apply to modifications at power plants as well as for entirely new sources, including:

- limiting or narrowing the "demand growth exclusion" that currently allows power plants to avoid triggering NSR/PSD permit requirements for major modifications;

- limiting or narrowing the “redefining the source” policy, which appears nowhere in the Clean Air Act;
- requiring representative baseline emissions when evaluating NSR/PSD applicability in order to avoid papering over real-world emission increases;
- requiring public hearings and analysis of alternatives to NSR/PSD permits (as described above in Recommendation #2), including analysis of zero-emission alternatives and a cumulative impacts to environmental injustice in nearby communities;
- rescinding the Significant Impact Levels (SILs) guidance document that authorizes construction and modification of major gas and petrochemical plants even where their emissions are predicted to cause or worsen violations of clean air standards, and affirmatively disallowing such use of SILs in NSR/PSD permitting.

Considering the climate, health and justice implications, the EPA must urgently develop, with meaningful community input, a comprehensive approach to limiting pollution from the existing fleet of gas power plants.

Supporting Groups:

