

Maryland Hearing on the Repeal of the Clean Power Plan, January 11, 2018
Testimony of Lissa Lynch, Natural Resources Defense Council

Good afternoon. My name is Lissa Lynch, and I am an attorney with the Natural Resources Defense Council. Thank you to the Maryland Office of the Attorney General and the Maryland General Assembly for providing this opportunity for the public to offer input on EPA's proposed repeal of the Clean Power Plan. I am here today with my colleagues Juanita Constible and Amanda Levin to testify on behalf of NRDC's more than 3 million members and online activists.

NRDC strongly opposes the repeal of the Clean Power Plan—our first national step to cut dangerous carbon pollution from the power sector. We urge EPA Administrator Scott Pruitt to withdraw the repeal proposal, and instead fulfill EPA's Clean Air Act obligation to protect us from harmful climate-changing pollution.

EPA's proposed repeal is legally unjustified. Administrator Pruitt misinterprets the Clean Air Act to claim, incorrectly, that the Clean Power Plan is outside of EPA's authority. His proposed interpretation would allow only highly constrained means—if any at all—of reducing carbon pollution from the power industry. The proposal misrepresents how power plants operate in the real world, and willfully ignores the well-established strategies that have long been used to reduce power plant emissions. Moreover, Administrator Pruitt's recent Advanced Notice of Proposed Rulemaking makes no commitment to the issuance of any replacement rule at all. If the Administrator repeals the Clean Power Plan without issuing a replacement rule that achieves meaningful emissions reductions to adequately address power plants' disproportionate contribution to the climate threat, he will violate the Clean Air Act's mandate protect public health and the environment.

With more than 3,000 miles of tidal shoreline, Maryland's unique geography makes this state particularly vulnerable to climate change-driven sea level rise, shoreline erosion, and storm surge along both the Chesapeake Bay and the Atlantic coast.¹ These impacts are already being felt here in Maryland, and a significant reduction of carbon pollution is needed to avert the worst effects of climate change.

Maryland has long been a leader in advancing bipartisan action to fight climate change. The state is on track to meet the target set in the 2009 landmark Greenhouse Gas Reduction Act, to cut greenhouse gas emissions 25 percent below 2006 levels by 2020. The 2016 reauthorization of the Act reaffirmed that commitment and set a new more ambitious goal to slash emissions to 40 percent below 2006 levels by 2030.² And Maryland's participation in the Regional Greenhouse Gas Initiative has helped the state work toward these goals while generating more than \$400 million in carbon allowance proceeds, which have been reinvested into energy efficiency, renewable energy, and electric bill assistance for low income residents.³

State action like Maryland's is critical to addressing the threat of climate change, but the states cannot solve this problem alone. Bold, nationwide action is necessary to curb climate change now, for the sake of our communities and our children's future. The Clean Power Plan is a common-sense step toward reducing the threat of climate change to our health and our planet, and EPA Administrator Pruitt must withdraw its proposed repeal.

¹ Comprehensive Strategy for Reducing Maryland's Vulnerability to Climate Change, Phase I: Sea-level rise and coastal storms (Aug. 2008), http://dnr.maryland.gov/climateresilience/Documents/Comprehensive_Strategy.pdf.

² Maryland Commission on Climate Change, 2017 Annual Report, <http://marylandclimatecoalition.org/factsheets/greenhouse-gas-reduction-act/>.

³ The Regional Greenhouse Gas Initiative, Investment of RGGI Proceeds in 2015 (Oct. 2017), https://www.rggi.org/docs/ProceedsReport/RGGI_Proceeds_Report_2015.pdf.