



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 12, 2005
(Senate)

STATEMENT OF ADMINISTRATION POLICY

S.J. Res. 20 – Disapproving an Environmental Protection Agency (EPA) rule Controlling Mercury Emissions from the Power Sector

(Senator Leahy (D) VT and 31 cosponsors)

The Administration supports clean air rules to reduce mercury emissions and protect public health based on sound science, and thus strongly opposes S.J. Res. 20. This resolution would, in effect, repeal EPA's Clean Air Mercury Rule (CAMR), which will reduce mercury emissions by nearly 70 percent. Repeal of CAMR would unnecessarily delay the first-ever reduction of mercury emissions from power plants. It would also compromise incentives for the power sector to invest now in the development of reliable and cost-effective mercury control technologies. If S. J. Res. 20 were presented to the President, his senior advisors would recommend that he veto the bill.

On March 29, 2005, after extensive scientific study and analysis, EPA issued a final rule under the Clean Air Act (CAA) that upon full implementation will reduce coal-fired utility mercury emissions from 48 to 15 tons per year. EPA is regulating mercury emissions from coal-fired electric utility steam-generating units with CAMR, an emissions cap-and-trade rule under section 111 of the Act instead of under the less flexible command-and-control approach of section 112. CAMR establishes a regulatory program to permanently limit and cap mercury emissions from new and existing coal-fired power plants. CAMR is designed to work in combination with the Administration's Clean Air Interstate Rule (CAIR) to control emissions of sulfur dioxide, nitrogen oxides, and mercury from the power sector. This multi-emissions program permits emission trading similar to the highly successful CAA Acid Rain Trading Program.

EPA's analysis shows that CAIR and CAMR will ensure that power plant mercury emissions do not cause a public health hazard and will achieve reductions in a manner that is more cost-effective than could be achieved through the command-and-control approach. The Administration urges the Senate to support public health by defeating S.J. Res. 20.

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