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**Re: Docket ID No. EPA-HQ-OAR-2025-0124: Repeal of GHG Emissions
Standards for Fossil Fuel-Fired Electric Generating Units Public Comments**

Dear Administrator Lee Zeldin:

Great Rivers Environmental Law Center submits these comments regarding the proposed repeal of Green House Gas (GHG) emissions standards for fossil fuel-fired electric generating units (EGUs) on behalf of Breathe Better STL (Breathe Better), Missouri Congregations United (MCU), and the Missouri State Conference of the National Association for the Advancement of Colored People (Missouri NAACP). Members of these organizations are concerned citizens who will be adversely affected by the repeal of regulations on GHG emissions from EGUs.

Breathe Better is an organization of community members based in St. Louis, Missouri who are concerned about the impacts of air pollution and climate change on public health. Breathe Better members are concerned about the direct impacts of fossil fuel emissions on air quality and of the impacts of climate change resulting from GHG emissions, including extreme heat events, natural disasters, and unpredictable weather patterns. Breathe Better has goals of increasing public awareness of local air quality problems, improving the health of Missouri and Metro East citizens, and holding EPA accountable.

Metropolitan Congregations United for St. Louis (MCU) is a Missouri public benefit corporation that brings together communities of faith on their shared values. One of these shared values is equality in the access to clean air. MCU advocates for communities suffering from breathing issues and other issues linked to air pollution. MCU's member congregations support policies that limit pollution and reduce current levels of pollution for all people to benefit.

MCU believes that the proposed regulations are counter to sound decision-making. Further, the proposed regulations are contrary to air quality concerns expressed by MCU's member congregations with community air monitors and other individuals on the MCU Environmental Justice Task Force. MCU agrees with the scientific research that concludes that fossil fuel-fired power plants contribute significantly to dangerous air pollution. MCU understands that these power plants add to the cumulative impact of all air pollution sources. MCU supports alternative ways to generate power outside of coal and gas-powered plants to provide a healthy modern life for all people.

The Missouri NAACP is the duly organized NAACP State Conference which furthers the mission of the NAACP within the State of Missouri. The NAACP is a national non-profit organization with the mission to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination. The NAACP has an Environmental and Climate Justice Program ("ECJ Program") which addresses environmental injustices that have a disproportionate impact on low-income communities of color in the United States and around the world. The NAACP ECJ Program was created to provide resources and to support community leadership in addressing these types of human and civil rights issues by advocating to reduce harmful emissions, advance energy efficiency and clean energy, and strengthen community resiliency and livability. The NAACP furthers its mission through the work of its duly organized State/State-Area Conferences, Branches, Prison Branches, College Chapters, Youth Councils, Junior Youth Councils, High School Chapters and Authorized Committees of the Association.

Through its ECJ Program, the Missouri NAACP works to address Environmental injustice, including the proliferation of climate change, which has a disproportionate impact on communities of color and low-income communities. The Missouri NAACP is concerned with the build-up of greenhouse gases which lead to global warming, and with pollution from non-renewable sources which cause numerous health problems, and which tend to have a disproportionate impact on communities of color. The Missouri NAACP encourages energy efficiency measures and renewable energy sources and opposes coal-fired energy generation.

Breathe Better, MCU, and the Missouri NAACP urge EPA to maintain current GHG standards for fossil fuel-fired EGUs. It is imperative to public health and welfare and to the advancement of climate and environmental justice that GHG emissions from the power sector continue to be regulated. Failure of EPA to regulate GHGs from fossil fuel-fired EGUs will exacerbate and accelerate the rate of climate change, increase the frequency and severity of inclement weather, and adversely impact public health.

I. Impact of Repeal of GHG Emissions Standards for Fossil Fuel-Fired EGUs

In the United States, the power sector is the largest stationary source of GHG emissions, producing a quarter of its emissions in 2022.¹ EPA's proposed roll back of GHG emissions regulations would reverse progress made on climate action, adversely impact public health and

¹ EPA, *Sources of Greenhouse Gas Emissions*, Oct. 22, 2024, <https://perma.cc/CZ89-62JY>.

welfare, and frustrate the missions and goals of Breathe Better, MCU, and Missouri NAACP and harm the health of their members.

Repealing GHG regulations will lead to increased emissions, accelerate climate change, and further environmental and climate injustice. Communities of color, Indigenous peoples, and low-income families and children are more vulnerable to changing climate conditions and have the fewest resources to protect against and recover from extreme weather events.² Racially and socioeconomically marginalized communities in the United States experience greater impacts from storm and flood events, extreme heat, and infectious diseases that are more prevalent due to climate change.³ Climate change will exacerbate existing social and economic inequalities and worsen racialized health disparities.⁴ Further, climate change degrades air quality and adversely impacts public health. According to EPA, climate change worsens harmful ground-level ozone, increases exposure to allergens, and results in increased wildfire events that contribute to worsening air quality.⁵

Climate change as a result of GHG emissions is costly and dangerous. In 2024, there were 27 weather and climate disasters in the United States that reached over \$1 billion in damages, including winter storms and cold wave events, wildfires, droughts and heat waves, floods, tornados, tropical cyclones, and severe weather and hail events.⁶ These disasters caused at least 568 direct or indirect fatalities and cost approximately \$182.7 billion.⁷

EPA offers three non-statutory reasons for its conclusion that regulations would have no effect on GHG emissions and related health and welfare impacts: GHG emissions from those sources are a small and decreasing part of global emissions; cost-effective control measures are not reasonably available; and the administration's priority is to promote the public health or welfare through energy dominance and independence secured by using fossil fuels to generate power.⁸ EPA's reasoning runs contrary to the purpose of the Clean Air Act (CAA)—to protect air quality and promote the public welfare.

II. EPA's Proposals Are Arbitrary

EPA's proposals are arbitrary and contrary to the purpose of the CAA; the proposals will face legal challenges if implemented by EPA.

² Alique G Berberian, David J X Gonzalez, Lara J Cushing, *Racial Disparities in Climate Change-Related Health Effects in the United States*, 9 Curr. Env. Health Rep. 451 (2022), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9363288/>.

³ *Id.*

⁴ *Id.*

⁵ EPA, *Climate Change Impacts on Air Quality*, March 27, 2025, <https://www.epa.gov/climateimpacts/climate-change-impacts-air-quality>.

⁶ Adam B. Smith, 2024: *An active year of U.S. billion-dollar weather and climate disasters*, NOAA, Jan. 10, 2025, <https://www.climate.gov/news-features/blogs/beyond-data/2024-active-year-us-billion-dollar-weather-and-climate-disasters>.

⁷ *Id.*

⁸ 90 Fed. Reg. at 25755.

Under section 111 of the Clean Air Act, EPA is to determine whether a type of emissions source contributes significantly to air pollution that may reasonably be anticipated to endanger public health and welfare (e.g., emissions from coal and gas fired energy generation sources). If the source significantly contributes to air pollution, then EPA is to promulgate regulations that would contribute significantly to solving the emissions problem.

In attempting to roll back its regulations, EPA proposals would reverse this analysis. EPA proposes that “CAA section 111 is best read to require, or at least authorize the EPA to require, an Administrator’s determination that an air pollutant emitted by a source category causes, or contributes significantly to, dangerous air pollution as a predicate to establishing emissions standard for that pollutant.”⁹ EPA is proposing to conclude that, regardless of the volume of emissions a source category produces (even if it is the largest emitting source category in the US economy), EPA may determine that the emissions are not significant because the pollution cannot be remedied unless many other sources also reduce their contributions. The result would be that even very large emitters of harmful pollution can be deemed not to significantly contribute to an air pollution problem that poses an endangerment.

Further, EPA proposes to find that GHGs from fossil fuel-fired power plants “do not contribute significantly to dangerous air pollution”¹⁰ as is required for EPA to regulate the emissions, despite that most scientific opinions conclude otherwise and despite EPA itself finding otherwise in 2009. Given the dangers of climate change and the dire need to eliminate emissions to protect public health and welfare, these proposals are arbitrary and capricious.

EPA makes an alternative proposal to repeal the 2024 Carbon Pollution Standards, stating that the standards based on carbon capture and sequestration or storage (CCS) and natural gas co-firing are not adequately demonstrated. EPA relies on arguments related to cost of regulation rather than evaluation of health implications of repealing the standards. Repeal of regulations for these reasons is contrary to the CAA and is arbitrary and capricious.

III. Conclusion

EPA’s proposed repeal of regulations of GHG emissions from fossil fuel-fired EGUs is arbitrary because GHG emissions from the fossil fuel EGUs contribute significantly to dangerous air pollution. Prioritizing energy dominance and independence over public health and welfare is contrary to the purpose of the Clean Air Act, and such prioritization will have devastating impacts on our communities. Breathe Better, MCU, and the Missouri NAACP urge EPA to keep in place current regulations on GHG emissions standards for fossil fuel-fired EGUs.

Sincerely,

Caitlin Stiltner
Staff Attorney

⁹ 90 Fed. Reg. at 25755.

¹⁰ 90 Fed. Reg. at 25762.