

EDITORIAL

Clean Air or Hot Air?

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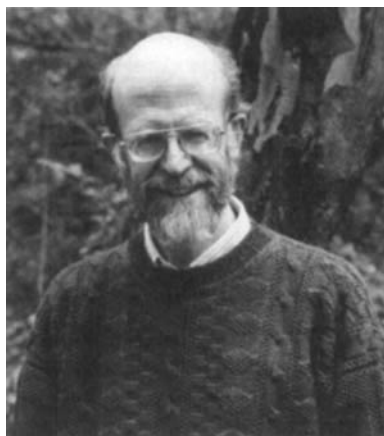
Everybody wants clean, healthy air to breathe. Right? But nobody wants to turn off the electricity or get out of our automobiles. Right! The result follows: air pollution creates a threat to our own health and the environment. We also create some real ugliness in terms of smoke and an enveloping gray haze.

Where life gets complicated is when we make efforts to reduce the emissions of air pollutants. Electric power utilities, manufacturing processes of many types, and transport activities generate a myriad of nasty chemicals that need to be corralled. This is what the Clean Air Act, passed back in 1970, has successfully done for the last three decades.

Unfortunately, enforcement of the Act continually elicits political bickering, conflicting scientific assessments, and calls for further reform. This past June we were treated to great huffing and puffing on all sides as President Bush's administration launched the opening salvos for a new round of change.

"New Source Reviews" are at the heart of the matter. One of the compromises made in 1970 was that existing sources of air pollution, especially electric utility plants, would not have to meet the stringent control technologies of plants built after 1970. In theory, as the older plants aged they would either be replaced or significantly changed. If the plant owner opted for changes that significantly increased emissions, then the proposed alterations had to be permitted through the New Source Review process.

New Source Reviews were never popular with plant owners. Possibly they avoided them by not changing the plants. Or perhaps some owners made changes that should have been reviewed but weren't. In the last years of President Clinton's administration, the USEPA began vigorous enforcement of the Clean Air Act on New Source Reviews. President Bush's team had a different opinion and reduced litigation, a political decision that triggered the resignation of a senior USEPA official in February.



In place of going to court, President Bush's administration is pursuing two related changes: (a) modification of the rules for New Source Reviews, and (b) the Clear Skies initiative to bring sulfur dioxide, nitrogen oxides, and mercury emissions under a "cap and trade" regimen. The government would cap emissions, and emitters would buy and sell permits to pollute based on what makes sense for their situation. This initiative was modeled on the emissions trading plan that has been highly successful in reducing sulfur dioxide emissions and acid rain creation.

The effect of the two new initiatives is to eliminate the distinctions between old sources of emission and new sources. In other words, no plant owner would need to worry about New Source Reviews anymore. All plants would be treated equally in

the sense that any emission of the three "capped" pollutants would have to have a permit, and permits would be limited to protect health.

Given the success of efforts to reduce acid rain through cap and trade programs, is the Bush administration's proposal a worthy one or not? The answer seems to be a rather mixed bag. Four points are worth considering.

First, ramping down the enforcement operations begun in the previous administration will not win the hearts and minds of people currently suffering from excessive pollution levels. For example, Environmental Defense, Clear the Air, New York State's Attorney General, and Senator Jim Jeffords (Ind., Vermont) have all objected forcefully.

Second, reducing litigation before the administration's proposed reforms are enacted into law seems illogical. Proposed reforms are just that: proposals. The forthcoming rules for New Source Review aren't yet specific. Congress may or may not enact the Clear Skies amendments. Without specifics it is hard to justify ending enforcement.

Furthermore, even though the administration is probably right about emissions trading being a better way to go, vigorous enforcement of existing laws is necessary before the new program begins. Moreover, enforcement would perhaps bring powerful economic forces to bear in favor of expanded emissions trading. Without enforcement, plant owners may sit quietly. Why should they not?

Third, the administration proposes to cap and trade for sulfur dioxide, nitrogen oxides, and mercury. That's fine, but what about particulates? Ozone? Volatile organic compounds? These, too, are severe health hazards, and control of the sulfur and

nitrogen oxides and mercury may or may not control other pollutants.

Finally, a poignant item for the administration: what about carbon dioxide and other greenhouse gases? Will we head toward a cap and trade regime for the materials that can force climate change? Senator Jeffords thinks we should. Most of these greenhouse gases are not acutely toxic, but climate change is the ultimate health hazard. President Bush's team has lost a great deal of credibility on acute hazards by avoiding the issue of climate change.

Cap and trade mechanisms for air pollution control are an idea worthy of consideration. The bottom line, however, is that serious proposals along these lines have to have a logical coherence, which currently seems absent from the new proposals.

References

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