

United Mine Workers of America

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Dear Senator:

As President of the United Mine Workers of America (UMWA), I am writing to urge your support of the Congressional Review Act (CRA) Senate Joint Resolution 37 (SJR 37). UMWA members and their families, like all Americans, desire clean air. As an organization, the UMWA has and will continue to support efforts to reduce emissions from coal-based electric generating units (EGUs) through the development and deployment of advanced coal technologies. However, the UMWA cannot, and will not, support legislation or regulations that eliminate coal as an option to generate electricity. In our opinion, EPA's final National Emission Standard for Hazardous Air Pollutants from Coal and Oil Fired Electric Utility Steam Generating Units (MATS) does just that: eliminates coal as an option for new electric generation facilities.

Our support for SJR 37 is based upon our assessment of the threat that the EPA MATS rule poses to UMWA members' jobs, the economies of coal field communities, and the future direction of our national energy policy. Our analysis of MATS and other EPA regulations revealed that 56 gigawatts of coal EGUs are at risk of closing with the possible loss of 250,000 direct and indirect jobs. Unfortunately, the UMWA's and other like-minded comments to EPA on the proposed MATS rule were largely ignored.

I would like to make two points for supporting SJR 37. First, for existing coal EGUs, the final MATS rule requires utilities to be in compliance in a tight three year period (2015). The installation of the technologies needed to comply with the MATS rule on average takes at least five years from the permitting process to completion of construction. Even with the availability of a potential 4th year compliance extension, the final MATS rule ignores the competition and scheduling problems that will take place among owners of coal EGUs to secure contracts with equipment companies to install control technologies.

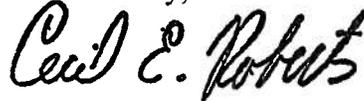
A second critical point concerns the impact of MATS on the construction of new coal EGUs. The final rule contains new source standards that are so stringent as to be unachievable even for new coal EGUs equipped with the most advanced combustion and pollution control technologies.

Both equipment suppliers and electric utilities have expressed concerns that currently available emissions monitoring equipment lacks the precision and accuracy for measuring emissions at the MATS new source limits. According to the Institute of Clean Air Companies (ICAC), the technology does not exist to measure pollutant reductions at the levels required by EPA for newly constructed coal EGUs. The Clean Air Act (CAA) requires EPA under section 112(d)(3) to set new source MATS limits based on emissions controls achieved in practice at best controlled similar sources.

We continue to support S. 1833, the Fair Compliance Act, which seeks to place MATS and the Cross-State Air Pollution Rule (CSAPR) on five-year compliance timetables. Both of these rules require the installation of similar control technologies at hundreds of coal-based power plants. However, the CSAPR rule is now subject to a judicial stay, creating uncertainties about the future of this rule.

For these reasons, the UMWA asks that you to support Senate Joint Resolution 37. The UMWA will continue to work with EPA and others to promulgate a new MATS rule that reduces emissions and protects public health. An “all of the above energy policy” must include our most abundant energy resource: coal.

Sincerely,

A handwritten signature in black ink that reads "Cecil E. Roberts". The signature is written in a cursive, flowing style.

Cecil E. Roberts

cc: Daniel J. Kane, International Secretary-Treasurer
International Executive Board Members
Regional Directors
Department Heads
Richard L. Trumka, President, AFL-CIO