United States Senate

WASHINGTON, DC 20510

February 18, 2011

Administrator Lisa Jackson
USEPA Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Administrator Jackson:

We are writing with regard to the January 20, 2011, decision by the U.S. District Court for the District of Columbia that denied the Environmental Protection Agency's (EPA) request for a 15-month extension to promulgate Maximum Achievable Control Technology standards to control the emissions from commercial and industrial boilers (Boiler MACT). We remain concerned about the vulnerability of small and large businesses—as well as municipalities, universities and federal facilities—to excessive and expensive regulatory burdens. It is critical that the final rule include standards achievable by boilers in real-world operating conditions. The rule should protect public health while fostering economic recovery and sustaining jobs.

While we were encouraged by EPA's recent statement that the "standards will be significantly different than what we [EPA] proposed in April 2010," given that the court granted the agency a mere 30 days to finalize the rule, we are seriously concerned about whether EPA has sufficient time to complete the necessary improvements to the rule.

We stand ready to assist you in finding a reasonable solution, one that allows EPA to craft new rules that are achievable and protective of public health without sacrificing economic recovery and manufacturing jobs. In order to help us find the appropriate solution in a timely manner, we would appreciate your prompt response.

Sincerely,

Lamar Alexander

Susan Collins

Jim McConnell

Mark R Warner

Le Benjamin Gleason

Rob Partridge