

STATE OF MICHIGAN



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**FOR IMMEDIATE RELEASE**  
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## **Schuette Leads 25-State Challenge to Burdensome EPA Regulations that Threaten Jobs, Endanger Affordable Electricity Rates**

*Request to Delay Emissions Regulation Follows Formal Challenge to  
EPA's 'Cap and Trade' Air Pollution Rule*

**LANSING** – Attorney General Bill Schuette today announced he is leading 25 states and the U.S. Territory of Guam in filing an amicus brief urging the U.S. District Court for the District of Columbia to require the Environmental Protection Agency (EPA) to delay implementation of new burdensome air emissions regulations in order to protect and preserve Michigan jobs and affordable electricity rates.

“Michigan’s fragile economy cannot afford the job losses and skyrocketing electricity rates that would accompany the premature implementation of this new federal regulation,” said Schuette.

The EPA’s proposed Utility Maximum Achievable Control Technology (Utility MACT) rule would create a new federal regulation to address the emissions of “hazardous air pollutants” from coal and oil-fired power plants. The proposed rule may require the installation of new expensive control technologies to meet the new limits mandated by the EPA. Power plants that can’t meet these new EPA limits may simply have to shut down. Schuette noted that because of this and other new federal air emissions regulations, the EPA’s actions threaten tens of thousands of Michigan jobs and could increase electricity rates for Michigan consumers by an average of 20.5% by 2016, according to some estimates.

The brief filed by Schuette requests the U.S. District Court for the District of Columbia postpone the implementation of the Utility MACT rule by one year, to November 16, 2012. The extension would allow the EPA more time to respond to the states’ concerns, fix serious technical flaws, and undergo a more careful review of the economic ramifications of the regulation.

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“Half the states have banded together to ask the Court to press the pause button. It’s not unreasonable for the EPA to take more time to address our concerns about the job-killing impact of this proposed emissions framework.”

Twenty-five states and the U.S. Territory of Guam filed an amicus brief today with U.S. District Court for the District of Columbia in the case, *American Nurses Association, et al. v. Lisa P, Jackson, and Administrator of The United States Environmental Protection Agency*. The 25 states include: Alabama, Alaska, Arizona, Arkansas, Colorado, Georgia, Florida, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming.

On Friday October 7, 2011, Schuette also filed a formal petition with the U.S. Court of Appeals for District of Columbia to oppose the EPA’s Cross-State Air Pollution Rule, which limits emissions in certain states and creates a “cap and trade” program in an attempt to prevent emissions in upwind states from affecting air quality in downwind states. Schuette noted that this stringent rule side-steps the authority of the State Department of Environmental Quality to set facility-specific limits to best meet the needs of Michigan power producers. As a result, certain Michigan power plants, like those in the Upper Peninsula, cannot reasonably meet the standards set by Washington.