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# Trump's Proposal to Replace the Clean Power Plan Endangers Public Health and the World's Climate

The so-called “Affordable Clean Energy Rule” exemplifies the administration’s irresponsibility on climate change.

## Op-Eds

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*August 29, 2018 - by Joel A. Mintz*

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In his first 19 months in office, Donald Trump has repeatedly defied established presidential norms — so flagrantly that it almost obscures the many ways he’s changed national policies for the worse. But despite all the scandals and mean-spirited tweets, it’s likely that his most enduring impact will be his administration’s systematic, reckless dismantling of ongoing efforts to curtail human-caused climate change.

The miseries of global climate disruption are already upon us. During the current decade, the world has experienced record heat waves, as well as intermittent periods of extraordinary cold, devastating floods, prolonged droughts, dangerous wildfires and large and powerful hurricanes. Despite these alarm bells and urgent warnings from scientists around the globe, the volume of carbon dioxide and other greenhouse gases emitted into the atmosphere by human activity has continued to rise each year.

One clear example of the administration's gross irresponsibility on climate change is the so-called "[Affordable Clean Energy Rule \(https://www.epa.gov/stationary-sources-air-pollution/proposal-affordable-clean-energy-ace-rule\)](https://www.epa.gov/stationary-sources-air-pollution/proposal-affordable-clean-energy-ace-rule)," recently proposed by Trump's Acting EPA Administrator Andrew Wheeler. A little study shows the rule is neither affordable nor clean.

In contrast with the significant emissions reductions in the Clean Power Plan, which the Trump/Wheeler rule is intended to replace, the new rule allows individual states to establish their own emissions standards for highly polluting power plants. In some instances states will even be permitted to ignore CO<sub>2</sub> emissions from power stations.

Instead of allowing emissions reductions to be calculated by a mix of measures — such as shifting from using coal to burning natural gas, adding new renewable energy sources, and encouraging energy conservation and plant efficiency — the Trump/Wheeler proposal would only allow for consideration of on-site steps to encourage plant efficiency. At best those limited measures would lead to extremely modest reductions of climate-altering emissions.

The cost-benefit analysis that accompanies the proposed rule fails to compare the paltry benefits of the Trump administration proposal with those that could have been achieved under the Clean Power Plan. It also declines to take into account the new plan's costly impacts on human health, wildlife and overall environmental quality. But one impact stands out: By EPA's own calculations, it will cause as many as [1,400 premature deaths annually \(https://www.nytimes.com/2018/08/21/climate/epa-coal-pollution-deaths.html\)](https://www.nytimes.com/2018/08/21/climate/epa-coal-pollution-deaths.html) because of the increased pollution it will permit.

Beyond this the proposal undermines EPA's longstanding use of the "New Source Review" provision of the Clean Air Act. Since 2000 vigorous implementation of that part of the law has required significant air pollution control upgrades — improvements that have limited health-harming emissions of soot, sulfur dioxide and other air pollutants at more than 100 U.S. coal-burning power plants and 112 oil refineries.

Once it is finalized, the Trump administration's latest anti-environmental proposal will almost certainly be challenged in court. Unless it is materially altered, the rule may not survive judicial review.

The Clean Air Act provisions on which the proposal is supposedly grounded require the EPA to publish emissions guidelines reflecting the "best system of emission reduction" that has been "adequately demonstrated." It may prove impossible for the administration's lawyers to convince federal courts that the exclusive use of improvements in power plant operating efficiency — without allowing any other available emission limitation techniques to also be considered — satisfies that clear statutory criterion. Moreover, the ACE proposal runs afoul of the agency's previous, well-supported finding that emissions of greenhouse gases pose an "endangerment" to human health.

Even if it is eventually struck down by federal judges, the Trump administration's deeply flawed proposal reflects an irresponsible public policy choice. By pretending that climate change is not a serious, ongoing problem, or that it's merely a minor difficulty that may be overcome by weak half-measures, the president and his appointees are shirking their public responsibilities in a damaging way.

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