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The E.P.A. Announces a New Rule on Polluters

By SINDYA N. BHANOO

The Environmental Protection Agency unveiled a final rule on Thursday for regulating major emitters of greenhouse gases, like coal-fired power plants, under the Clean Air Act.

Starting in July 2011, new sources of at least 100,000 tons of greenhouse gases a year and any existing plants that increase emissions by 75,000 tons will have to seek permits, the agency said.

In the first two years, the E.P.A. expects the rule to affect about 15,550 sources, including coal-fired plants, refineries, cement manufacturers, solid waste landfills and other large polluters, said Gina McCarthy, the agency's assistant administrator.

She said the rule would apply to sites accounting for about 70 percent of the nation's greenhouse gas emissions. "We think this is smart rule-making, and we think it's good government," she said.

Last fall the E.P.A. had indicated that the bar would be set at 25,000 tons a year, which would have imposed the permit requirement on smaller entities like family farms and large apartment buildings. "What we realized at the 25,000 level was that we were going to be actually reaching sources that we did not intend to reach," Ms. McCarthy said.

The announcement came a day after a climate and energy bill was introduced in the Senate, one that would effectively shift regulatory power over greenhouse gases to Congress from the E.P.A.

Last year the agency issued a finding that carbon dioxide and other climate-altering gases posed a threat to human health and welfare. Under the Clean Air Act, that gave it the authority to issue regulatory measures like the one announced Thursday.

The Obama administration made clear last year that the finding was intended to goad Congress into superseding the agency and adopting emissions limits of its own. The E.P.A.'s regulatory move faces stiff opposition from industry groups.

Senator [John Kerry](#), a Massachusetts Democrat and one of the two sponsors of the climate bill, seized on Thursday's announcement to argue for the urgency of passing it. "Today we went from 'wake-up call' to 'last call,' " he warned in a statement.

In another move, Senator Lisa Murkowski, Republican of Alaska, [introduced a resolution](#) in January that would strip the E.P.A. of its power to regulate greenhouse gas emissions.

She argued that allowing the agency to regulate emissions could devastate the American economy. A spokesman for Ms. Murkowski, Robert Dillon, said on Thursday: "The E.P.A. has made very clear that while they might start at the 75,000, they plan to ratchet that down in ensuing years to catch even the smallest emitters. It doesn't matter how fast you boil a lobster — it's still cooked."

But environmental groups praised the new rule as a smart move that conveys to Congress that the agency's goal is to regulate large emitters rather than serve as a vengeful force that financially burdens small businesses.

"It's clear evidence that the E.P.A. is saying, 'We are no rogue agency,' " said Frank O'Donnell, president of the advocacy group [Clean Air Watch](#). "They are saying, 'We're only going to be looking at the very biggest polluters.' "

Next year the E.P.A. is to begin another rule-making process to phase in more permits and determine whether some smaller sources of emissions can permanently be excluded from the process.