

Joseph I. Lieberman
Opening statement
Environment and Public Works Committee
Full Committee Hearing on the Clear Skies Act of 2005

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Thank you Mr. Chairman, for convening this hearing to discuss multi-pollutant legislation, which is so important to the health and well-being of the American people.

I know we all agree there is certainly a need for clear and unambiguous Clean Air legislation to protect the quality of the air we breathe. It makes sense because it protects the health of our citizens. It makes sense because it gives business a clear set of rules to live by. And it makes sense to do this in a manner that achieves the greatest gains at the lowest possible cost, to help our businesses compete in the global marketplace.

Unfortunately, in too many ways S. 131, the so-called "Clear Skies" legislation, doesn't make sense.

It damages the tools of the Clean Air Act that have worked so effectively to protect individual states. It drops the requirements that EPA update its standards on a regular basis. It ends requirements that best pollution control technology be employed in new facilities. It permits some industries to "opt-in" to Clear Skies provisions that may be weaker than current Clean Air Act protections.

It enacts SO₂ and NO_x provisions that are too weak. It does virtually nothing to reduce mercury pollution for more than a decade. And Clear Skies does nothing to address carbon dioxide emissions and global warming, wasting an opportunity to deal with all pollutants at once – and give industry the certainty they need now to tackle pollutants in a clear and cost-effective manner.

The Administration has been telling us that Clear Skies gives states the "tools they need" to combat air pollution. They say that it protects states rights by permitting them to set stricter standards within their own borders. But what they don't mention is that what Clear Skies takes away are the useful tools that states already have under current law to fight pollution that comes from outside their borders, from another state upwind.

In Connecticut, we often suffer from ozone smog caused by NO_x emissions. Asthmatic children and adults in our state have attacks triggered by ozone and by the fine particles formed from SO₂. Parents who have children come to them in the middle of the night and say three simple words - "I can't breathe" - know just how frightening asthma can be. We can reduce the number of times this happens to children throughout our nation by implementing rigorous and fair pollution standards that can be met with today's

technology at an affordable cost. To think that we won't because of Clear Skies should be reason enough to go back to the drawing board and get it right.

The health effects of air pollution go beyond asthma. Each year, nationwide, these particles are also responsible for some 15,000 premature deaths. These are preventable deaths. Does Clear Skies help reduce this number? Probably. What they won't tell you is that protections provided by the Clean Air Act – our current law – do a better job of reducing this number farther and faster.

Throughout the country, many of our fish are tainted by high levels of mercury, which in the northeast is caused mostly by mercury emitted by U.S.-based power plants. There should be no debate that mercury, SO₂, and NO_x must be reduced decisively and quickly.

What about carbon dioxide? The legislation before us does nothing, absolutely nothing, to begin to address CO₂ emissions. Why? Many in industry have told us that it would be far more cost effective to factor CO₂ requirements into their planning at the same time that they are making changes to control for SO₂, NO_x, and mercury.

CO₂ concentrations have been rising due to emissions from power plants, cars and other manmade sources. We have now reached the point where further study without action is both dangerous and costly. There is scientific consensus that global warming is a real and potentially disastrous phenomenon. The rest of the developed world is already taking steps, opening up market opportunities through development of new technologies and new trading markets while the U.S. stands behind and does nothing. Our businesses that compete in an international marketplace are facing carbon regulation overseas as we speak.

Shame on us if 100 or 200 years from now our grandchildren and great-grandchildren are living on a planet that has been irreparably damaged by global warming, and they ask, "How could those who came before us, who saw this coming, have let this happen?"

Clear Skies falls far short of what is needed, what is achievable, what is cost-effective, and what makes good common sense. Some say be realistic. The choice is between the Administration's Clear Skies or nothing. If that is the choice, I choose nothing. But there are better choices, including the Clean Power Act that Senator Jeffords, Senator Collins and I and many others have introduced. Or there may be some, third alternative. The fact is we can do better than Clear Skies and we must.

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