For decades, Hoosiers have joined millions of Americans in demanding a change to the status quo that let polluters put their profits before the health of our communities. 2015 was the year we finally got that, with historic public health protections, including the Clean Power Plan’s first-ever protections against dangerous carbon pollution from power plants, steps to cut toxic smog pollution, safeguards from coal ash, and steps to reform the federal coal leasing program. These protections save money and they save lives, including here in Indiana.

However, this year, Senators Coats and Donnelly will face a crucial choice: they can help lock in the incredible recent progress our nation has made to protect the health of our families from pollution or they can open the door to let fossil fuel billionaires erase those victories and launch new assaults on clean air, clean water, the health of our communities, and our job-creating clean energy economy.

Polluter-backed leaders in Congress have threatened to roll back progress on critical public health protections on issues like:

**CARBON POLLUTION**
Carbon pollution is the main contributor to climate disruption, making extreme weather worse—including more severe floods, widespread wildfires and record drought. It is also linked to life-threatening air pollution—such as the smog that can trigger asthma attacks. More often than not, the power plants spewing dangerous carbon pollution also have a disproportionately negative effect on low-income communities and communities of color already suffering from the worst effects of toxic pollution, including heart attacks, asthma, and premature death.

On August 2, 2015, the EPA finalized the first-ever carbon pollution protections, which will limit the amount of carbon pollution that power plants can dump into our air. These safeguards require energy companies to reduce their carbon pollution using technological innovation or to transition to cleaner sources of energy.

Coal and gas-fired power plants emit more than 2.3 billion metric tons per year of carbon pollution, approximately 40% of total U.S. energy-related carbon pollution. By establishing these strong carbon pollution protections under the Clean Power Plan, the EPA has given states a
framework to clean up and modernize the way we power our country. The transition from coal to clean energy has already begun, even without the Clean Power Plan. Now the states are in the driver’s seat to come up with their own plans to move toward 100% clean energy.

Despite the Supreme Court’s temporary hold (or “stay”) of the Clean Power Plan until the courts make a full decision (potentially as early as this Summer), we expect the the court to uphold the Clean Power Plan, which will likely mean states need to submit state implementation plans by 2018 and begin complying with the standards by 2022. Therefore many states are continuing to plan for compliance while the Clean Power Plan goes through the legal process. We have urged Gov. Mike Pence to develop a plan for a transition to clean energy, which will reduce carbon pollution and also improve public health and grow the state’s clean energy economy. Regardless, Congress should not stand in the way of states that want to be proactive in reducing carbon pollution.

SMOG POLLUTION

Ground-level ozone, or smog pollution, is a widespread public health threat affecting millions of Americans. Exposure to smog can cause asthma and heart attacks, worsen respiratory problems, and even lead to premature death. Children, seniors and people with breathing ailments like asthma are at particular risk from smog pollution. Socioeconomic factors such as lack of access to insurance and adequate health-care, poverty, lack of patient education, and proximity to polluting facilities compound the problem for many low income families and communities of color.

In October 2015, EPA updated the smog standard to 70 parts per billion (ppb). This new level, while not as stringent as it could have been based on the latest science, is a step in the right direction that will better protect public health. The Indiana Department of Environmental Management has acknowledged that most of Indiana is already on track to meet this standard.

TOXIC WATER POLLUTION

Every year, the nation’s coal plants produce 140 million tons of coal ash pollution, the toxic byproduct that is left over after the coal is burned, and dumped in the backyards of power plants across the nation into open pits. Coal ash pollution contains high levels of toxic heavy metals, such as arsenic, lead, selenium, and other cancer-causing agents. The public health hazards and environmental threats to nearby communities from unsafe coal ash dumping have been known for many years and include increased risk of cancer, learning disabilities, neurological disorders, birth defects, reproductive failure, asthma, and other illnesses.

Living near a wet coal ash storage pond is significantly more dangerous than smoking a pack of cigarettes a day, according to a risk assessment done by the EPA. In fact, people living within 1 mile of unlined coal ash ponds can have a 1 in 50 risk of cancer—more than 2,000 times higher than what the EPA considers acceptable.
Indiana has more coal ash pits than any other state. Because of lax oversight and minimal regulation in the past, Indiana has recorded ten known instances of groundwater contamination from leaking coal ash lagoons, and three spills of coal ash sludge into Indiana waterways.

Last December, the EPA finalized the first-ever protections for the disposal of coal ash. While they do not go far enough, we need to make sure these standards are enforced.

Additionally, in September 2015, the EPA announced updated safeguards that will control the amount of toxic heavy metal pollution coal-fired power plants can dump into our waterways. Previously weak national Effluent Limitation Guidelines were over three decades old and allowed coal-fired power plants to release billions of pounds of contaminated wastewater directly into our rivers, lakes, and bays every year. Nearly 40 percent of all coal plants discharge toxic pollution within five miles of a downstream community’s drinking water intake. Coal plant wastewater has contaminated more than 23,000 miles of waterways, including nearly 400 water bodies used as drinking water sources.

These new standards are among the most effective the EPA could have implemented to protect the drinking water for millions of families from toxic wastewater from coal-fired power plants. These standards will eliminate most ash-contaminated wastewater releases and require rigorous treatment requirements for scrubber sludge, reducing toxic pollution by 1.4 billion pounds a year.

**FEDERAL COAL LEASING**

Secretary of the Interior Sally Jewell announced that the Obama Administration will be compiling a Programmatic Environmental Impact Statement on coal leasing on public lands and putting an immediate suspension on all future and modified coal leases. Secretary Jewell’s announcement follows President Obama’s statement in the State of the Union that he would “push to change the way we manage our oil and coal resources, so that they better reflect the costs they impose on taxpayers and our planet.”

In reforming the federal coal leasing program and accounting for the full cost of coal on our health and our climate, President Obama and Secretary Jewell are doing what’s right for the American people. This will be the first Programmatic Environmental Impact Statement (PEIS) on federal coal leasing in decades and will be a step forward in fixing a broken and outdated system. More importantly, this reform marks the first time that the U.S. will examine the collective climate impacts from all coal mined from public lands. The last federal coal leasing reform was conducted in 1979. Clearly, in 1979 we knew only a fraction of what we do now about the devastating harm coal causes to our climate, air, land, water, and our health. Forty percent of all coal produced in the United States comes from our public lands. Immediately suspending all new and modified coal leases ensures that our federal public lands stay wild and unscathed from the dangers of coal mining.

**CONGRESS SHOULD PROTECT PUBLIC HEALTH, NOT BIG POLLUTERS**

Senators Coats and Donnelly should represent the interests of their constituents, not Big Coal and Oil industries, by voting against support for dirty fuels and attacks on public health protections and clean energy. We need the government to do what we cannot do individually—protect us from pollution and polluters who are only motivated by higher profits and their bottom line.

Strong protections to curb life-threatening pollution help us improve the lives of millions of Americans and clean up our air, water, and environment. We can make the world safer and healthier for our children and families.

Urge Senators Coats and Donnelly to vote against attacks on public health protection at sc.org/LockInProgress.

**ENDNOTES**

2 *Ibid*
3 *Ibid*
4 *Ibid*
5 *Ibid*
6 [http://earthjustice.org/features/map-coal-ash](http://earthjustice.org/features/map-coal-ash)
7 *Ibid*
8 Data on permit limits and discharges is drawn from EPA’s ECHO database and other permitting documents. Plants which have retired, or which will shortly retire, are not included in these figures.
9 [ghgdata.epa.gov](http://ghgdata.epa.gov)
12 *Ibid*
14 *Ibid*

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