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## VIRGINIANS FOR HEALTHY AIR

### Victories for Clean Air

**N**ational Parks Conservation Association, our members and other organizations are working to encourage electric utilities to transition from poorly-regulated coal-fired power to cleaner, more efficient fuel sources. Retrofitting outdated power plants with modern pollution-control technology, improving efficient use of energy by making machines and appliances more efficient, and using less-polluting energy sources are among the strategies needed to meet America's energy needs while generating less pollution.

Over the last year, we achieved many victories that will help achieve clearer, healthier air for our national parks and for the citizens who enjoy them:

- The Tennessee Valley Authority (TVA), the nation's largest public power provider, was established by Congress in 1933 to bring innovation to the Valley, including the delivery of low-cost energy. TVA provides power to residents and businesses in Tennessee, Alabama, Georgia, Kentucky, Mississippi, North Carolina and

Virginia. For decades, TVA relied on outdated and poorly regulated energy sources. After more than a decade of litigation, in April 2011, TVA committed to retiring 18 of its coal plants and installing pollution controls on another 36 plants as part of a settlement with NPCA and other partners. Last November, the TVA Board of Directors voted to continue their transition to cleaner energy by retiring three additional coal boilers and expediting the closure of another five units. This will improve air quality for local communities and national parks throughout the Southeast like the Great Smoky Mountains.

- Almost ten years ago, Wellington Development, WVDT, LLC proposed to build a waste-coal-fired power plant in Greene County, PA that would have significantly worsened air quality at Shenandoah National Park. Emissions from this proposed 525-megawatt plant would have damaged fish and wildlife, forests, and water quality in Pennsylvania, Virginia, and West Virginia, violated

requirements of the Clean Air Act, and threatened public health. These impacts would occur not only at Shenandoah, but on the James River Face Wilderness Area in Virginia; the Dolly Sods and Otter Creek Wilderness areas in West Virginia, and the Susquehanna River Watershed. NPCA, Group Against Smog Pollution, Sierra Club, and the Chesapeake Bay Foundation challenged the proposal. In February 2014, Wellington Development withdrew their plan to build what would have been the largest waste-coal-fired facility in the United States.

- For decades, the Danskammer Plant in New York released harmful soot, smog and other dangerous pollutants known to increase asthma attacks, respiratory illness and heart disease. Located along the shore of the Hudson River in Newburgh,

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**Top:** A young hiker takes in the view at Hawksbill Mountain, the tallest summit in Shenandoah National Park. Recent U.S. Supreme Court decisions will help return clean air to the park. ©NPS

# Citizens Converge on DC and Urge Action On Clean Air



**T**his spring, Jim Hazzard, a retired federal employee from Stafford, Virginia, joined other citizens from across the country in Washington, DC to deliver a message. The group's members asked officials from the Environmental Protection Agency and the National Park Service for their leadership to enforce existing clean air protections in order to end the hazy pollution in our national parks.

The individuals in the group were diverse in both profession and geography. Parents, business owners, former government officials, a preacher, a conservationist, an artist, a public health advocate and a botanist traveled from California, Oregon, New Mexico, Virginia, Texas, Minnesota, North Dakota, the Navajo Nation and Tennessee. They united in a common mission—clean air for our parks and communities.

These citizens shared their personal stories of how air pollution harms their health, their businesses, and the national park in their community. “I’ve been going to Shenandoah National Park for almost 30 years,” said Jim. “As a nature and wildlife photographer, I’m extremely concerned about environmental quality in general and air quality in particular. Air quality isn’t a stand-alone issue. It also affects water quality and livability and the enjoyment of the park itself.”

Twenty-five years ago, Congress approved programs to strengthen clean air protections for national parks and communities, after an earlier generation of people like Jim Hazzard asked their representatives to protect our precious clean air. Today, Jim and other concerned citizens are helping to clear the air for our children and grandchildren.

**Above:** Jim Hazzard came to DC to ensure that Shenandoah National Park will have clean clear air for his family to enjoy ©Sally Knight

## Clean Air 4 Parks

**D**o you think Yellowstone National Park should have clean, healthy air before the year 2163? NPCA's “Clean Air 4 Parks” campaign aims for EPA to close loopholes that allow poorly regulated power plants to continue to harm parks like Yellowstone for more than a century before being required to clean up. What’s going on?

America's national parks, like the Grand Canyon and Shenandoah, are beloved for their compelling natural beauty and expansive views. Hazy pollution not only diminishes those views but also can threaten the health of park visitors and neighbors, harm forests and streams, and discourage potential visitors. The U.S. Congress recognized the value of clean air in our national parks in the Clean Air Act, which requires our nation's largest and most iconic parks to have clean, clear air.

The Clean Air Act requires outdated and poorly regulated coal-fired and other power plants to install modern pollution-control equipment, or take other steps to achieve clean air. This can include changing plant operations, retiring outdated plants, promoting energy efficiency, or using cleaner fuels. Each of these methods can result in substantial benefits to park air. However, active resistance from the industry and lack of enforcement by EPA has drastically set back the restoration of clean air to national parks.

After decades of inaction, NPCA and other clean air allies went to court to force EPA to implement the law – and in March 2012, we won the case. The court required EPA to work with each of the 50 states to plan how the pollution sources in their states would comply with requirements to clean up the hazy pollution that plagues our national parks and wilderness areas.

Since then, 47 states have finalized plans, and the remaining three will become final by 2015.

While this represents a significant victory, many state plans are weak. At the current rate of cleanup, it will be centuries before many parks have clean, healthful air. To ensure that progress for our parks and for people is achieved in a reasonable timeframe, NPCA launched our “Clean Air 4 Parks” campaign earlier this year, which engages a number of strategies including challenging targeted plans that are especially weak.

### HOW CAN YOU HELP?

We are asking citizens to sign a petition to EPA Administrator Gina McCarthy, urging her to close the loopholes that allow industries to continue to pollute park air. Please visit [www.npca.org/cleanair4parks](http://www.npca.org/cleanair4parks) to sign our petition and to learn how you can help!

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# Clean Air Progress at Shenandoah National Park

**A**lthough we have a long way to go before clean clear air is back at Shenandoah National Park, two long-term studies have demonstrated that the Clean Air Act is making progress in the park. In January 2014, the University of Virginia released “The Shenandoah Watershed Study & the Virginia Trout Stream Sensitivity Study” reporting on thirty-five years of water monitoring and research on Virginia streams. Both ongoing studies investigate how the health of a stream is affected by pollutants, especially acid rain caused by sulfur dioxide emissions from coal-fired power plants. The report found that acid rain and its impact to Shenandoah National Park and Virginia mountain streams has declined. This is good news for both aquatic species and park visitors!

The Shenandoah Watershed Study was initiated in 1979 when the University of Virginia (UVA) partnered with Shenandoah National Park to examine the effects of acid rain on park streams. They began with White Oak Run and Deep Run streams in the southern part of the park. In the 1980s, these streams showed increasing sulfate due to acidification from atmospheric deposition. Stream acidification harms fish and other aquatic life, causing some species to disappear from streams that are too acidic.

In Shenandoah National Park, stream water composition data is collected seasonally at 14 sites, weekly at four sites, and every two hours at episodic high-flow concentration at three sites. The three streams are Paine Run, Staunton River and Piney River. They were chosen because they contain major bedrock types in the park. The bedrock impacts the ability of streams to absorb acid. Today UVA monitors more than 60 sites and takes weekly water samples throughout Virginia.

The University of Virginia began the Virginia Trout Stream Sensitivity Study (VTSSS) in 1987 to survey native brook trout streams. Brook trout, the only trout species native to Virginia, are the last to go when a stream becomes too acidic. If a stream cannot support brook trout, it is unlikely to be able to sustain other aquatic life. The VTSSS collected water samples at 379 sites in 34 counties and found that about 50% of the streams surveyed were impaired by acidification. Additional surveys were conducted in 2000 and 2010. A smaller group of the 379 sites were selected for long-term monitoring, primarily streams on public land.

In the spring of 2010 more than 160 volunteers organized by Trout Unlimited, collected



**Above:** The future of Virginia's native brook trout relies on the Clean Air Act to reduce acid rain to the many streams and rivers in Shenandoah. ©Trout Unlimited

samples in 384 streams, including those in Shenandoah National Park. When UVA compared these findings to results from 1987 and 2000, they discovered that overall concentrations of sulfates are down and streams are better able to neutralize acid.

Major findings of the report on the Shenandoah Watershed Study and the Virginia Trout Stream Sensitivity Study include:

- Sulfur deposition in precipitation in Big Meadows in Shenandoah National Park has decreased by about two-thirds from the levels observed in the 1980s.
- The reductions in emissions from coal-fired power plants have resulted in reduced sulfur deposition to Virginia's mountain watersheds and throughout the eastern United States.
- This improved health is linked directly to years of lower emissions from power plants, due to tougher standards enacted in the Clean Air Act Amendments of 1990, including the Acid Rain Program.

- In 1973, sulfur dioxide emissions were peaking in the U.S. at 32 million tons. In 2010, this decreased to 9 million tons. Between 1990 and 2009, sulfur dioxide emissions declined by 64%.

Despite this good news, the report also found that current sulfur dioxide emissions are lower than 1900 but about five times greater than estimated natural levels. And that streams that are already suffering from acidification cannot always recover. Although progress has been made, air pollution continues to negatively impact Virginia's twenty-two national parks and the rivers and streams within them. With your help, NPCA is working to ensure that the Clean Air Act is implemented and enforced to someday return clean healthy air to our national parks.

To learn more about the Shenandoah Watershed Study and the Virginia Trout Stream Sensitivity Study, go to [http://people.virginia.edu/~swas/POST/assets/docs/SWAS\\_VTSSS\\_20140105.pdf](http://people.virginia.edu/~swas/POST/assets/docs/SWAS_VTSSS_20140105.pdf)

# The U.S. Supreme Court Weighs In for Clean Air in Our National Parks

As progress is made in implementing the Clean Air Act across the country, a number of states and industry groups have raised legal challenges to the EPA's ability to implement federal rules to make our air cleaner and healthier. These challenges are making their way from the federal courts to the U.S. Supreme Court and their outcomes will impact our country's ability to reach our clean air goals.

In 2011, EPA developed the Cross-State Air Pollution Rule (CSAPR), a pollution-trading program between the state for the emissions of nitrogen oxides and sulfur dioxide. CSAPR requires sulfur dioxide and nitrogen oxide emissions from power plants in 28 Eastern states to be reduced from their 2011 levels by 73% and 54% respectively. A federal court threw out CSAPR in 2012, in response to a challenge by several states and the utility industry. But, in a huge victory for clean air, the U.S. Supreme Court upheld CSAPR in April 2014.

Implementation of CSAPR is critical because sulfur dioxide and nitrogen oxides—the pollutants this program seeks to reduce—lead to premature deaths and increased asthma cases. They also increase ground-level ozone (which can harm wildlife, forests, and plants), sour trout streams, and shroud the scenic views that attract tourists and benefit local businesses.

Additional legal challenges to the Clean Air Act have been raised over EPA's ability to curb regional haze emissions to improve



visibility in our national parks, discussed elsewhere in this newsletter. When a state submits their plan to control regional haze, EPA may accept or reject some or all of the plan. EPA may also require the state to follow a plan that EPA writes for them. These recent lawsuits challenge EPA's authority to reject weak state plans and to require a state follow a federal plan instead. Lawsuits challenging regional haze rules are pending in many states, including Arizona, Colorado, Michigan, Minnesota, Montana, Nebraska, New Mexico, West Virginia, and Wyoming.

**Above:** Although we have made progress, hazy air pollution continues at Dickey Ridge in Shenandoah National Park ©NPS

When lower courts upheld EPA's authority to reject state plans, a number of states petitioned the United States Supreme Court to review the lower court rulings. The first state challenges to reach the Supreme Court were filed by Oklahoma and North Dakota. These states claimed that the EPA was infringing upon state rights and overstepping its authority under the Clean Air Act. In May 2014, the Supreme Court declined to review these challenges, thereby supporting EPA's ability to enforce clean air protections for national parks.

## Victories for Clean Air

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New York, the plant was responsible for more toxic pollution than nearly all of the other 646 industrial sites in the state. It created hazy pollution throughout the Northeast and as far away as Acadia National Park in Maine. NPCA and our allies prioritized this plant for pollution reduction, transition to cleaner energy, or closure via a variety of efforts. In

2012, Danskammer's owner, Dynegy, announced the closure of the plant, and later sold it to Helios Power Capital. In 2013, Helios Power Capital sought permission to restart coal-powered generation at Danskammer. Thankfully, the widespread opposition led to Helios announcing in April 2014 that it was dropping its proposal to use coal to power Danskammer.

If you have a personal story you would like to share about how you and your business are affected by air pollution, and would like to help protect our priceless clean air, please contact us by emailing [pgoddard@npca.org](mailto:pgoddard@npca.org).



**CONTACT US:** Virginians for Healthy Air is a network of Virginia businesses, civic groups, and nonprofit organizations that share the vision of healthy air for the Commonwealth and for Virginia's national parks, including Shenandoah, the largest national park in Virginia, established for its beautiful scenic views. Members of the Virginians for Healthy Air network currently include bed and breakfasts, wineries, summer camps, and other local businesses from across the state. We appreciate all of the members of our Virginians for Healthy Air (VHA) Network! Look for your organization online at [www.npcapca.org/mid\\_atlantic/vha\\_links/](http://www.npcapca.org/mid_atlantic/vha_links/). Want to join VHA? Need to update your listing? Visit [www.npcapca.org/mid\\_atlantic/vha.html](http://www.npcapca.org/mid_atlantic/vha.html). For more info on the VHA network, visit [www.npcapca.org/mid\\_atlantic/vha\\_issues.html](http://www.npcapca.org/mid_atlantic/vha_issues.html), or contact Pamela Goddard, Chesapeake & Virginia Program Manager • 202.454.3365 • [pgoddard@npcapca.org](mailto:pgoddard@npcapca.org)