

Congress of the United States
Washington, DC 20515

The Honorable Nikki Haley
Governor
State of South Carolina
1205 Pendleton Street
Columbia, SC 29201

Dear Governor Haley,

The U.S. Environmental Protection Agency recently released the final version of its Clean Power Plan, intended to limit carbon emissions from coal-fired power plants.

The negative economic consequences of the Clean Power Plan are well documented. The plan increases energy prices, decreases employment, and has almost no measurable impact on climate change. The plan would be particularly harmful to lower income American families, who spend a disproportionate amount of their earnings on energy.

The EPA would like states to believe that they have only two options: submit a State Implementation Plan (SIP) or become subject to a more stringent Federal Implementation Plan. However, there is strong reason to believe that the courts will ultimately rule that the Clean Power Plan oversteps the EPA's legal authority.

The U.S. Supreme Court's June ruling on the Administration's Mercury and Air Toxics Standards (MATS) should serve as a lesson to states considering submitting a plan. The Supreme Court rebuked the Administration for failing to adequately consider the costs of this rule. However, the decision came too late for those utilities that have already implemented costly pollution control measures or decided to shut down power plants altogether.

The Clean Air Act gives states the right to submit a SIP at any point in the process. We urge you not to move forward until after legitimate legal challenges to the Clean Power Plan have been resolved.

Sincerely,



Gary Palmer
Member of Congress



Lamar Smith
Member of Congress

cc: Attorney General Alan Wilson