

ATTORNEY GENERAL

STATE OF MONTANA

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EPA Administrator Gina McCarthy
USEPA Headquarters - Ariel Rios Building
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Administrator McCarthy:

The Environmental Protection Agency has scheduled 11 listening sessions across the United States to discuss the agency's implementation of Rule 111(d) of the Clean Air Act to regulate greenhouse gas emissions from existing power plants. While this rulemaking is clearly targeting coal-fueled power generation, the EPA has failed to schedule a single listening session in states that rely on coal for energy and jobs, like Montana. The purpose of these sessions is to solicit input on a rulemaking that could drastically change the future of America's energy supply. I am concerned that the EPA neglected the states where the rulemaking would have the largest impact.

Coal provides 51 percent of Montana's energy – far more than any other source. We depend on coal to provide reliable, consistent, and affordable energy for Montana families and businesses. Our reliance on coal is the primary reason why Montana has the 16th lowest energy prices in the nation. Montanans pay 1.49 cents per kilowatt hour less than the national average¹. Local commerce would suffer if Montana reduced its coal use, to say nothing of the families who would pay far higher monthly electrical bills.

Not only does coal keep our lights on at an affordable price, but it is also critical to our state economy. Montana has more recoverable coal reserves than any other state. Coal mining employs nearly 1,300 workers² and produces 42 million tons of coal each year³ in Montana. This does not even include the many indirect jobs connected to mining and coal-fueled power generation. It seems that the EPA has failed to take these hard-working women and men into account in their rulemaking.

Workers across the country have found themselves jobless thanks to EPA regulations, and the recently proposed New Source Performance Standards would effectively ban the construction of new coal-fueled power units. We cannot afford to have any more of the existing fleet of power plants shut down if we want to maintain good jobs and a reliable and affordable electricity supply for Montana citizens.

In the interest of a secure energy future, Montana and the nation need to move forward with an "all-of-the-above" energy approach. While President Obama and members of his administration have echoed this sentiment, EPA's recently announced proposals run contrary to a balanced energy approach. I am concerned that they would lead Montana down a dangerous road of fuel-switching requirements and shifts in electricity generation as a part of the EPA's program. This will encourage an over-reliance on a few sources, some of which are far less reliable than coal.

Montanans care about proposed federal regulations that affect their livelihood, public school funding, their utility rates, their communities, and their ability to raise a family in our great state. They deserve to be heard on those subjects and more.

I urge you to give citizens whose livelihoods are closely tied to the coal industry a voice by organizing an EPA listening session in the state of Montana. I have heard from folks around Montana who are still struggling to recover from the recent economic recession. Now is not the time to be gambling with our energy portfolio and eliminating a reliable, affordable source. It is critical that Montana be include as a part of the EPA's listening tour. My office would be more than happy to help you in the planning of such an event.

Respectfully,



Tim Fox
Attorney General of Montana

cc: Governor Steve Bullock
Senator Max Baucus
Senator Jon Tester
Representative Steve Daines

ⁱ U.S. Energy Information Administration, Electric Power Monthly, July, 2013
http://www.eia.gov/electricity/monthly/epm_table_grapher.cfm?t=cpmt_5_06_b

ⁱⁱ National Mining Association, U.S. Coal Mine Employment by State, Region and Method of Mining - 2011,
http://www.nma.org/pdf/c_employment_state_region_method.pdf

ⁱⁱⁱ National Mining Association, U.S. Coal Production by State, Region and Method of Mining - 2011,
http://www.nma.org/pdf/c_production_method.pdf