



Attorney General Jon Bruning

News Release

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Contact: Shannon L. Kingery
402.471.2067
Shannon.kingery@nebraska.gov

Bruning Challenges EPA Rule in Court

LINCOLN - Attorney General Jon Bruning today announced Nebraska filed suit in the United States D.C. Circuit Court of Appeals challenging implementation of the EPA's Mercury Air Toxics Standard Rule, commonly referred to as the Utility MACT.

“EPA's Utility MACT is the most expensive, burdensome rule ever imposed on power plants,” said Bruning. “These mandates drive up energy costs and threaten the jobs of millions of Americans.”

Announced in late December 2011, the rule forces existing coal and oil-fired power plants to cap mercury emissions by 90 percent over the next three years. EPA's own analysis estimates the rule will cost nearly \$10 billion annually—40% more than the total cost of all other Clean Air Act regulations combined.

The Nebraska Power Association reported approximately 65% of Nebraska's electricity produced in 2010 was from coal. Increased operating costs for producers would likely affect all Nebraska energy consumers, especially agricultural producers.

According to the Electric Reliability Coordinating Council, in addition to the financial impact, it is anticipated that the rule will result in the loss of some 1.44 million jobs nationwide by 2020.

Nebraska is joined by 21 other states on the petition for review including Michigan, Alabama, Alaska, Arizona, Florida, Idaho, Indiana, Kansas, Mississippi, Missouri, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Utah, Virginia, West Virginia, Wyoming, Iowa and Kentucky.

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