



Attorney General Doug Peterson

News Release

FOR IMMEDIATE RELEASE

October 23, 2015

Nebraska Joins 23 Other States in Suit Challenging EPA Rule

Attorney General Doug Peterson announced today that Nebraska, along with 23 other states, filed a lawsuit challenging the Environmental Protection Agency's (EPA) Section 111(d) Rule, an unlawful plan to significantly restructure the way electricity is produced and consumed throughout the country.

The Rule, as promulgated by the EPA, would result in markedly higher electricity bills and less reliable service for families, businesses, hospitals and schools across America. It would impact hardworking Nebraskans by raising energy costs on those who can least afford it.

"Nebraska public power generators have intentionally been proactive in the last several years in developing ways to reduce carbon emissions, however, the EPA's Rule change disregards this concerted effort and exceeds reasonable standards," stated Peterson.

Historically, Nebraska's air-quality standards have been in complete compliance under the federal standards established under the Clean Air Act (CAA). The EPA has made clear that it intends to move states away from coal dependency. Therefore, they have forced the issue, in violation of procedures found in the CAA, by setting a 40% mandated carbon reduction for the state of Nebraska.

Attorney General Peterson stated, "The EPA Rule change takes away Nebraska's authority to steward its own environmental future."

In the documents filed with the Court of Appeals for the District of Columbia, the States make clear that the EPA has no legal authority to promulgate or enforce the 111(d) Rule.

The States challenging the Rule include: West Virginia, Texas, Alabama, Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Montana, Nebraska, New Jersey, Ohio, South Carolina, South Dakota, Utah, Wisconsin, Wyoming, the Arizona Corporation Commission, and the North Carolina Department of Environmental Quality.

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