



January 15, 2024

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

As organizations dedicated to achieving environmental and climate justice, we urgently request your attention to the racial inequities in the proposed rule¹ for power plants and the risks posed to Black, Indigenous, Latino, Asian and Pacific Islander communities. We work in collaboration with community-based organizations (CBOs), who are building their capacities to reduce toxic pollution, decrease climate risks, and engage in building an equitable and renewable energy economy. We stand with the hundreds of environmental and climate justice organizations working at national, regional, and state levels in opposing this rule.

We commend Administrator Michael S. Regan for his leadership at the US Environmental Protection Agency and compassionate focus on community concerns in the Journey to Justice tour, which launched in November 2021. We were pleased to offer White House Senior Advisor John Podesta the opportunity to speak to over 150 CBOs from across the country at *Justice40: A Time for Righteous Investment*, a national convening in New Orleans held on August 16, 2023. The tremendous progress marked by these occasions and the steadfast work to advance community-led solutions for environmental and climate justice must continue.

However, the proposed rule would set back hard-won achievements in pollution reduction, community restoration, and equitable climate action. The proposed rule for power plants would increase harmful co-pollutant air emissions and create significant health and safety risks at existing power plants, which are disproportionately located in close geographic proximity to Black and other communities of color. The rule would allow these power plants to either adopt the failed technology of capturing and storing hazardous carbon dioxide or employ inherently dangerous hydrogen co-firing. This rule strays from the goal of pollution reduction by introducing new pathways of harmful exposure and public health threats from carbon dioxide and hydrogen in our communities.

The troubling rationale set forth in the proposed rule acknowledges that environmental disparities rooted in race and income is acceptable. If finalized, this proposed rule would open the door to more environmental regulations which maintain or exacerbate racially

¹ New Source Performance Standards for Greenhouse Gas Emissions from New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emissions Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule (Docket ID No. EPA-HQ-OAR-2023-0072).

disproportionate pollution and health burdens and the manifold inequities, including heightened climate threats.

We write to you out of deep respect and gratitude for your leadership in setting a policy agenda focused on delivering environmental justice and tackling climate change. Unfortunately, the proposed rule for power plants does not reflect the goals of the Biden-Harris Administration, and, therefore, warrants a process of reconsideration that meaningfully engages the communities and vulnerable populations who are most impacted by existing power plants and climate threats.

We welcome further engagement and swift action on this urgent matter.

Sincerely,

Beverly Wright, PhD
Founder and Executive Director
Deep South Center for Environmental
Justice

Peggy Shepard
Executive Director
WE ACT for Environmental Justice

Robert D. Bullard, PhD
Executive Director
Bullard Center for Environmental and
Climate Justice
Texas Southern University

Rev. Lennox Yearwood, Jr.
President and CEO
Hip Hop Caucus