Congress of the United States
Washington, DC 20515

February 6, 2011

The Honorable Jacob "Jack" J. Lew
Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Dear Mr. Lew:

As newly-elected Members of Congress from Wisconsin, we look forward to working with you in the 112th Congress. Today, we write to express our concerns with the proposed Maximum Achievable Control Technology (MACT) rules included in the National Emission Standard for Hazardous Air Pollutants (NESHAP), which affects boilers and process heaters used by many papermaking plants in our districts and throughout Wisconsin.

The manufacturing sector has long been a significant driver of the American marketplace, but it has suffered numerous job losses as our economy has struggled in recent years. We believe this rulemaking would only exacerbate the challenges currently facing the manufacturing industry in Wisconsin and throughout the United States.

In addition, we are very concerned that few – if any – boiler operators would be able to comply with the proposed rule. That is because it would impose emission standards on existing facilities that are virtually impossible to meet and are not based on representative boiler performance data. We would urge EPA to revise the proposed rule so that the broad diversity of boilers – regardless of their fuel source – can comply with our clean air laws in a cost effective manner.

As proposed, the economic toll of the rule would be devastating. EPA's own estimate is that the rule would impose billions of dollars in capital cost, but many studies suggest the final cost would be far higher. In addition to incurring these massive capital expenditures, many operators would be forced to incur much higher annual operating costs because the fuel source to supply the new boilers is much more expensive.

We are particularly concerned about the impact the rule would have on Wisconsin's critical forest product and paper industries, given that this sector would bear $6.8 billion in capital costs. Wisconsin has 241 pulp and paper facilities that employ approximately 35,000 people across the state. The American Forest & Paper Association has determined that the MACT rules would saddle our facilities with over $470 million in compliance costs, and that the state would shed 7,500 manufacturing jobs if the rules as proposed last year were to take effect.

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We are committed to protecting our clean air and water, but we also believe that we must do everything in our power to ensure that hardworking Americans do not lose their jobs due to burdensome regulations. This issue is not a Democrat or Republican issue. Former Wisconsin Governor Jim Doyle, Senator Herb Kohl, former Senator Russ Feingold, and newly-elected Senator Ron Johnson have all expressed concerns to EPA regarding the excessive burden this new regulation would place on the Wisconsin paper industry, and we look forward to working with you to resolve this important matter.

Sincerely,

Reid Ribble
Member of Congress

Sean Duffy
Member of Congress

Cc: The Honorable Lisa Jackson, Administrator, Environmental Protection Agency