Congress of the United States
Washington, DC 20515

March 16, 2011

The Honorable Lisa Jackson, Administrator
U.S. Environmental Protection Agency
1201 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Jackson:

We are writing in regards to the Environmental Protection Agency's (EPA) recently announced revised Boiler Maximum Achievable Control Technology (MACT) rule concerning regulations for industrial and commercial boilers. While we appreciate the significant revisions that have been made to the original proposed rule, we remain concerned about how EPA's proposal will impact Wisconsin's pulp and paper industry, a significant source of employment and driver of our state's economy.

Wisconsin has over 240 pulp and paper facilities employing approximately 35,000 workers in good-paying jobs. As you are aware, a 2010 study on the impact of the original proposed rule found that Wisconsin pulp and paper facilities would have had to spend $470 million to comply with the proposed regulations. Moreover, the American Forest and Paper Association has determined that our state would shed roughly 7,500 manufacturing jobs if the original Boiler MACT rules were to take effect.

Given the findings above, we appreciate the revisions to the rule made by EPA. However, we are concerned that the changes made will not decrease compliance costs as much as EPA is estimating. Furthermore, even if compliance costs are reduced by the levels you envision, the rule will still impose significant capital costs and result in thousands of lost jobs in the Wisconsin pulp and paper industry. We expect that coal-fired boilers, which support Wisconsin's paper industry, will face particularly stringent requirements under the new rules.

This industry cannot afford to sustain further job losses right now. It is estimated that nearly 13,000 jobs have been lost in the Wisconsin pulp and paper sector since 2001, representing a 26 percent decline in employment within the industry in just the past decade. This sobering data underscores the fact that now is not the time to impose any additional economic burdens on the industry through new compliance costs, which would accompany the new regulations.

We further appreciate that EPA has established a three-year timeline for compliance with the rule. However, we are concerned that even though EPA will review additional input with a new comment period, the Agency has made no commitment to potentially revise the final rule.

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Therefore, EPA is creating a climate of greater uncertainty among the industry about the rule's final requirements.

We share your view that EPA should take more time to fully digest and accommodate the thousands of viewpoints and comments on this complex and costly regulation. We look forward to working with you to make additional revisions to this rule to prevent Wisconsin businesses from facing massive additional costs that would threaten employment throughout our state.

Sincerely,

Reid J. Ribble
Member of Congress

F. James Sensenbrenner, Jr.
Member of Congress

Sean P. Duffy
Member of Congress

Thomas E. Petri
Member of Congress

Ron Kind
Member of Congress