August 7, 2025

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

VIA ELECTRONIC SUBMISSION

Subject: Proposed Rule, "Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel Fired Electric Generating Units"

Docket No.: EPA-HQ-OAR-2025-0124; FRL-12674-01-OAR

To Whom It May Concern:

Climate Mayors, C40 and the Sabin Center for Climate Change Law at Columbia Law School ("Sabin Center") respectfully submit the following comments on the Environmental Protection Agency's ("EPA") proposed "Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units."[1]

Climate Mayors is a bipartisan network of nearly 350 mayors who demonstrate climate leadership through meaningful actions in their communities. Representing 46 states and nearly 60 million Americans, Climate Mayors reflects U.S. cities' commitment to climate progress.

[1] *Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units*, 90 Fed. Reg. 25752 (June 17, 2025).

C40 is a global network of nearly 100 mayors of the world's leading cities, including 14 cities in the United States, that are united in action to confront the climate crisis. Mayors of C40 cities are committed to cutting their fair share of emissions in half by 2030 and building healthy, equitable and resilient communities.

The Sabin Center develops legal techniques to combat the climate crisis and advance climate justice, and trains the next generation of leaders in the field. The Sabin Center's Cities Climate Law Initiative works with city legal departments and sustainability offices, and the networks that link them together, to provide key resources to efficiently and effectively address legal questions confronting the urban climate transition. The Sabin Center is also submitting separate comments on EPA's proposed determination that "GHG emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution within the meaning" of the Clean Air Act[2] and on EPA's proposed finding that carbon capture and storage technologies are not "adequately demonstrated" and therefore cannot form the best system of emission reduction.[3]

With respect to EPA's proposed repeal of greenhouse gas (GHG) emissions standards for fossil fuel-fired power plants, we write to make the following comments:

- GHG emissions from fossil fuel-fired power plants contribute significantly to costly and detrimental fiscal and public health impacts for cities across the United States. EPA's proposed finding that GHG emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution undervalues the damaging and dangerous impacts of this pollution experienced in cities, and we urge EPA not to adopt these proposals.

- EPA proposes that its interpretation of "contributes significantly" should be "based on the impact of the existing regulation."[4] As explained in another comment letter submitted by the Sabin Center, EPA's proposal is inconsistent with the text of the Clean Air Act and the case law that interprets it, but *even under its own proposal*, EPA regulation of GHG emissions from fossil fuel-fired electric generating units would have a significant impact on cities across the country, who rely on robust federal regulation to bolster their own greenhouse gas mitigation

[2] *Id.* at 25755.
[3] *Id.* at 25755-56.
[4] *Id.* at 25765.

and climate adaptation efforts.

- We urge EPA not to repeal its 2024 New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units, 89 Fed. Reg. 39,798 (May 9, 2024) (hereinafter referred to as the "2024 Carbon Pollution Standards"). Cities across the U.S. rely on the 2024 Carbon Pollution Standards to help protect them from costly and dangerous impacts to infrastructure and public health, and to augment their work to mitigate and adapt to climate change.

I. GHG Emissions from Fossil Fuel-Fired Power Plants in the U.S. Contribute Significantly to Dangerous Air Pollution That Causes Deleterious Fiscal and Public Health Impacts in Cities

EPA proposes "to repeal all greenhouse gas (GHG) standards for fossil fuel-fired power plants," including the 2024 Carbon Pollution Standards, based in part on proposed determinations "that GHG emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution" and that regulation of such power plant GHG emissions "would not have a significant effect on GHG air pollution and the public health or welfare impacts attributed to such air pollution."[5] In making its proposed findings, EPA cites its own *Inventory of GHG Sources and Sinks,*[6] which shows that GHGs attributable to the U.S. power sector comprised 3 percent of global GHGs in 2022, and argues that this demonstrated that the sector does not "contribute significantly to dangerous air pollution."[7] In doing so, EPA conveniently overlooks the fact that the sector contributes a whopping 25 percent to U.S. GHG emissions.[8] As explained in a separate letter filed by the Sabin Center, EPA has previously concluded that emissions of this magnitude, and even lower, may qualify as significant. The Proposed Rule does not provide a reasoned explanation as to why EPA is suddenly changing its approach.

Contrary to EPA's assertion that power sector GHG emissions do not contribute significantly to dangerous air pollution, these emissions have tremendously significant fiscal and public health impacts felt

[5] *Id.* at 25755.
[6] Id. at 25768, citing *Inventory of GHG Sources and Sinks*, U.S. Envt'l Protection Agency (July 1, 2025) https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks.
[7] *Repeal of Greenhouse Gas Emissions Standards…*, supra note 1, throughout.
[8] https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions.

in cities across the country. A recent analysis from the New York University School of Law found that just one year of U.S. power sector emissions would directly cause nearly $370 billion in damages and thousands of premature deaths.[9] The brunt of these impacts have been, and will continue to be, borne in cities. EPA's proposal does not adequately account for the harms that befall U.S. cities and local communities as a result of GHG emissions from fossil fuel-fired power plants. In fact, EPA suggests that no such harms are occurring; the Proposed Rule refers repeatedly to the "potential endangerment"[10] or "potential danger"[11] to public health and welfare resulting from climate change caused by GHG pollution. However, as this letter describes, the harms are already present at the local level in the form extreme weather, sky-high costs, and negative health outcomes. EPA has a legal obligation to consider evidence of those harms when making its significance determination.

GHGs are emitted by power plants in every part of the U.S., but the most acute effects of these emissions are often felt in cities. So, too, is the financial burden necessary to respond to climate disasters, prepare for future extreme weather, and reduce GHG emissions.[12] The throughline between power sector GHG emissions and direct impacts to cities is clear. The electric power sector emits a full quarter of all GHG emissions in the United States.[13] While EPA insists that power sector emissions are a small share of the global total, they are in fact larger than those of most countries. As explained in a separate letter filed by the Sabin Center, the climate impacts experienced in cities (and elsewhere) are directly attributable to these GHG emissions. Cities and other local governments rely on the EPA to appropriately assess the significance of fossil fuel-fired power plants contribution to GHG pollution and to implement robust rules to limit those emissions of GHGs and lessen the impacts and costs of such emissions in their jurisdictions.

The specific impacts experienced in U.S. cities vary from place to place. Coastal cities – home to 20% of the total U.S. population – from Florida to Maine to California, are preparing for and responding to the overwhelming effects of sea level rise,[14] the associated high costs of infrastructure corrosion and inundation

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[9] Peter H. Howard and Jason A. Schwartz, *The Scale of Significance: Power Plants*, N.Y. University Inst. For Policy Integrity (May 2025), at 6, 8. https://policyintegrity.org/files/publications/Power_Sector_GHG_Contribution_Issue_Brief_vF.pdf.

[10] *Repeal of Greenhouse Gas Emissions Standards…*, supra note 1 at 25766.

[11] *Id.* at 25767.

[12] *See State of the Climate 2023*, WORLD METEOROLOGICAL ORG., https://library.wmo.int/viewer/68835/download?file=1347_Global-statement-2023_en.pdf&type=pdf&navigator=1.

[13] *Sources of Greenhouse Gas Emissions*, U.S. Envt'l Protection Agency (Mar. 31, 2025), https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions.

[14] *See* D. Hayward et al., IPCC, *Cities, Settlements and Key Infrastructure in* Climate Change 2022: Impacts, Adaptation and Vulnerability at 925.

of coastal property,[15] and disruptions to daily life resulting from shrinking coastlines. Cities like Charleston, South Carolina and Boston, Massachusetts have already seen huge increases in so called "nuisance flooding" that is further projected to increase as seas rise and land subsides.[16] Looming beyond the frequent serious damage and disruption of nuisance flooding is the extraordinary threat of destructive storm surges, similar or more severe than the ones that accompanied Hurricanes Helene, Ida, Maria, Isabel, Katrina, Rita, Harvey, Florence, Michael, Idalia, Ophelia, and Sandy. In 2024 alone, storms caused billions of dollars of damage to municipalities in the Gulf Coast region and up and down the eastern seaboard.[17] In October 2024, Hurricane Milton devastated parts of Tampa, Sarasota, and St. Petersburg, Florida with heavy rain, blistering winds, and a six foot storm surge in Naples.[18] In Norfolk, Virginia, another coastal city, these climate impacts also threaten the Naval Station Norfolk – the largest naval station in the U.S. – which could be "completely submerge[]d by "sea level rise coupled with significant storm surge."[19] The risks to the Naval Station Norfolk are indicative of broader risks to critical infrastructure housed in U.S. cities, such as transport supply chains, airports, ports, and energy infrastructure.[20] All of this is driven by GHG emissions from the combustion of fossil fuels, to which the U.S. electric power sector contributes more than nearly every country in the world.[21]

GHG pollution is also fueling more intense storms in inland and riverine areas. Increases in extreme precipitation and decreasing snowpack storage in mountainous regions have led to increases in flooding throughout non-coastal areas of the U.S. Each year, flooding costs the country an amount equal to 1-2% of the U.S.'s total gross domestic product (GDP), between $179.8 and $496 billion per year, and much of this cost is borne by and in cities.[22] For example, Detroit, Michigan, despite having spent hundreds of millions of dollars to improve its stormwater system, is still being deluged with flooding.[23] Further upgrading

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[15] *Id*. at 958.
[16] *See Global and Regional Sea Level Rise Scenarios for the United States*, NOAA (Feb. 2022), https://sealevel.globalchange.gov/internal_resources/756/noaa-nos-techrpt01-global-regional-SLR-scenarios-US.pdf.
[17] *Hurricane Costs*, NOAA Office for Coastal Management, https://rb.gy/gxnhzo (last visited July 30, 2025).
[18] Laris Karklis et al., *The damage caused by Hurricane Milton*, WASH. POST (Oct. 10, 2024), https://www.washingtonpost.com/weather/2024/10/10/hurricane-milton-damage-florida/.
[19] Kelly A. Burks-Copes et al., *Risk Quantification for Sustaining Coastal Military Installation Assets and Mission Capabilities 9* (2014), https://rb.gy/7bvoyo.
[20] *See* D. Dodman et al., *Cross-Chapter Paper 2: Cities and Settlements by the Sea* in IPCC: Sixth Assessment Report 2022.
[21] See Howard and Schwartz at 3-4.
[22] Taylor Delandro, *Flooding costs US billions of dollars per year: Report*, THE HILL (Jun. 11, 2024), https://thehill.com/changing-america/resilience/natural-disasters/4714466-flooding-costs-us-billions-of-dollars-per-year-report/
[23] *See* Casey Crownhart, *Cities Are Scrambling to Prevent Flooding*, MIT TECH. R. (July 20, 2021), https://bit.ly/3ywGKAg.

Detroit's stormwater systems to reduce flood risks would cost billions of dollars.[24] In Minnesota, a $3 billion river-flood diversion project in Moorhead will offer protection against river flooding, but not against costly flooding from extreme rain events.[25] The cost to make investments to overhaul existing storm sewers and other systems to adapt to increases in precipitation is an unexpected and hugely significant financial burden of hundreds of millions or billions of dollars that cities like Moorhead, a relatively smaller city with a population of 45,000, must bear.[26]

Cities are also experiencing deadly heat waves made more frequent, severe, and longer by greenhouse gas-induced climate change, along with rising average summer temperatures. Researchers have noted that "human-induced climate change manifests through more intense and frequent weather events, with heat waves being the most dramatically affected."[27] As temperatures continue to rise, cities that already acutely experience the effects of extreme heat – like Houston, Texas and Phoenix, Arizona – could experience average summer high temperatures at least six degrees warmer than what they are now.[28] Heat is the deadliest type of extreme weather, leading to thousands of deaths each year.[29] Because urban "heat islands"[30] heat up faster and stay hotter longer than suburban and rural areas, city dwellers are disproportionately harmed by heat waves.[31] Heat-related deaths and illnesses are projected to increase, causing additional damages, injuries, and deaths in cities.[32] A Natural Resources Defense Council analysis of NOAA data found that 45 major U.S. urban areas could see 28,000 more deaths each year from extreme summer heat by the 2090s.[33] The summer of 2024, the hottest on record, saw stifling heat domes across the country, resulting in dozens of deaths in cities across the Pacific Northwest, California, and Nevada.[34]

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[24] *Id*.
[25] Dan Gunderson, *Cost is a barrier as cities prepare for wild weather in a changing climate*, MPR NEWS (Aug. 26, 2024), https://www.mprnews.org/story/2024/08/26/cost-is-a-barrier-as-cities-prepare-for-wild-weather-in-a-changing-climate.
[26] *Id*.
[27] Julie Arrighi et al., Climate Change and the Escalation of Global Extreme Heat: Assessing and Addressing the Risks (May 28, 2024), https://assets.ctfassets.net/cxgxgstp8r5d/5sjPWtBWuPk56xVZKuuL3g/fe050dd8d61e8b2a7e3a315a4b75b22f/Climate_Change_and_the_Escalation_of_Global_Extreme_Heat_Climate_Central.pdf.
[28] *See Shifting U.S. Cities*, CLIMATE CENTRAL (July 13, 2022), https://www.climatecentral.org/climate-matters/shifting-u-s-cities.
[29] *See Austyn Gaffney*, *Heat Deaths Have Doubled in the U.S. in Recent Decades, Study Finds*, N.Y. TIMES (Aug 27, 2024), https://www.nytimes.com/2024/08/27/climate/heat-deaths.html.
[30] *See supra* note 4.
[31] M.H. Hayden et al., *Ch. 15: Human Health in* 5th National Climate Assessment at 15-6; IPCC, AR6 Synthesis Report: Climate Change 2023 (2023) [hereinafter IPCC AR6 SR] at 50.
[32] M.H. Hayden et al., *Ch. 15: Human Health in* 5th National Climate Assessment at 15-6.
[33] *See supra* note 19.
[34] Hayley Smith, *As California swelters, climate officials declare Summer 2024 the hottest on record*, L.A. TIMES (Sept. 6,

Extreme heat often stresses urban infrastructure to the breaking point, like in Texas, where one of the multiple 2024 heat waves buckled roads, burst water pipes, and compromised air conditioners.[35] Grid operators in California have been forced to reduce output from natural gas plants, causing rolling blackouts in the state.[36] When extreme heat stresses the power system into failure, it can have cascading effects – "transportation, water and wastewater treatment, telecommunications, health services, and many other economic activities are also disrupted."[37]

Climate change caused by GHG pollution – which, again, fossil fuel-fired power plants contribute 25 percent nationally – is also increasing the frequency, size, and severity of wildfires in the United States.[38] With more than 55,550 wildfires reported in the U.S. in 2023,[39] the Western U.S. has been particularly affected. During the record setting year of 2020, wildfires consumed more than 10 million acres in the region.[40] Western cities like Los Angeles, California; Eugene, Oregon; Salt Lake City, Utah; and Denver, Colorado are ranked among the most polluted cities in the United States based on ozone and annual particulate matter pollution, with wildfires as the major contributor to the "increasing number of days and places with unhealthy levels of particle pollution" in recent years.[41] While the fires themselves are concentrated in the Western United States, cities across the country feel their effects, with smoke blowing in from other areas. Exposure to wildfire smoke can damage the heart, lungs, and brain,[42] and exposure during pregnancy correlates with pre-term births, low birth weights, and negative maternal health

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2024), https://www.latimes.com/environment/story/2024-09-06/summer-2024-was-earths-hottest-on-record#:~:text=2024%20was%20the%20hottest%20boreal,was%201.24%20degrees%20Fahrenheit%20hotter.

[35] Acacia Coronado and Juan Lozano, *Deadly heat wave in the central US strains infrastructure, transportation and the Texas power grid*, AP NEWS (Aug. 23, 2023) https://apnews.com/article/summer-heat-wave-fd19c3995992c93121ef4baedcbcf07e.

[36] Romany Webb, *California Blackouts Highlight Need to Better Plan for Climate Impacts*, CLIMATE LAW BLOG (Oct. 12, 2020), https://blogs.law.columbia.edu/climatechange/2020/10/12/california-blackouts-highlight-need-to-better-plan-for-climate-impacts/.

[37] 5th Climate Assessment at 18-6.

[38] Tzeidle N. Wasserman & Stephanie E. Mueller, *Climate influences on future fire severity: a synthesis of climate-fire interactions and impacts on fire regimes, high-severity fire, and forests in the western United States*, 19 FIRE ECOLOGY 43, July 24, 2023, https://fireecology.springeropen.com/articles/10.1186/s42408-023-00200-8; Yizhou Zhuang et al., *Quantifying contributions of natural variability and anthropogenic forcings on increased fire weather risk over the western United States*, PROCS. OF THE NAT'L. ACAD. OF SCIS. OF THE U.S., Nov. 1, 2021, https://rb.gy/ak0rds.

[39] *Wildland Fire Summary and Statistics Annual Report 2023*, NAT. INTERAGENCY COORDINATION CTR. (2023), https://www.nifc.gov/sites/default/files/NICC/2-Predictive%20Services/Intelligence/Annual%20Reports/2023/annual_report_2023_0.pdf.

[40] Manas Sharma et al., *The Age of the "Megafire,"* REUTERS GRAPHICS (Feb. 1, 2021), https://tmsnrt.rs/3yx2uvw.

[41] *State of the Air: 2024 Report*, AMERICAN LUNG ASS'N. (2024), https://www.lung.org/getmedia/dabac59e-963b-4e9b-bf0f-73615b07bfd8/State-of-the-Air-2024.pdf.

[42] Alison Saldanha et al., *Dangerous Air: As California Burns, America Breathes Toxic Smoke*, KCRW (Sept. 28, 2021), https://kcrw.co/3ISH4Oh.

outcomes.[43] As GHG-induced climate change continues to increase wildfire smoke exposure in cities across the country, exposure to smoke may lead to mortalities on the scale of the temperature-related mortalities described above,[44] and may create compound events with other climate change impacts like heat waves.[45]

Alongside larger, more severe, and frequent wildfires, municipalities in the Western U.S. are suffering from severe droughts that are made worse and more frequent by the U.S. power sector's significant contribution to climate change. Droughts affect millions of urban residents who are living with strict permanent water-use regulations[46] and at risk of catastrophic wildfires due to drier conditions.[47] And drought duration and severity is expected to increase in the coming decades.[48] As NOAA's Drought Task Force stated in its analysis of the 2020-2021 Southwestern U.S. drought:

> [t]he warm temperatures that helped make this drought so intense and widespread will continue (and increase) until stringent climate mitigation is pursued and regional warming trends are reversed. . . . Human-caused increases in drought risk will continue to impose enormous costs upon the livelihoods and well-being of the ~60+ million people living in the six states of the U.S. Southwest, as well as the broader communities dependent on the goods and services they produce.

Cities are already incurring costs running into the billions of dollars because of these GHG-induced climate impacts. The U.S. now experiences, on average, a billion-dollar weather or climate disaster every three weeks; one estimate puts the per year price tag of extreme weather events in the U.S. at $150 billion.[49] The average annual losses to residential homes due to flooding are projected to increase 67 percent to $34 billion over the next thirty years.[50] By 2050, over $100 billion worth of coastal property will likely be below

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[43] Mona Abdo et al., *Impact of Wildfire Smoke on Adverse Pregnancy Outcomes in Colorado*, 2007 –2015, INT'T J. OF ENV'T RSCH. AND PUB. HEALTH, Oct. 2019, https://bit.ly/3q2c1ab.
[44] Marshall Burke et al., *The Changing Risk and Burden of Wildfire in the United States*, PROCS. OF THE NAT'L ACAD. OF SCIS. OF THE U.S., Jan. 12, 2021, https://bit.ly/3F4s1yD.
[45] IPCC AR 6 at 51.
[46] *See, e.g.*, *Rulemaking to Make Conservation a California Way of Life*, STATE WATER RES. CONTROL BD., https://www.waterboards.ca.gov/conservation/regs/water_efficiency_legislation.html (last accessed July 30, 2025).
[47] John Muyskens et al., *1 in 6 Americans live in areas with significant wildfire risk*, WASH. POST (May 22, 2022), https://www.washingtonpost.com/climate-environment/interactive/2022/wildfire-risk-map-us/.
[48] N. Bjarke et al., *Storylines for Global Hydrologic Drought Within CMIP6*, 12 EARTH'S FUTURE 6, June 3, 2024,, https://doi.org/10.1029/2023EF004117.
[49] 5th National Climate Assessment at 1-17.
[50] *Budget Exposure to Increased Cost and Lost Revenue Due to Climate Change: A Preliminary Assessment and Proposed Framework for Future Assessments*, WHITE HOUSE OFFICE OF MGMT. & BUDGET (Mar. 2023), https://www.whitehouse.gov/wp-content/uploads/2023/03/climate_budget_exposure_fy2024.pdf.

sea level.[51] And in a scenario where GHG emissions from the U.S. power sector are left unchecked by regulation,[52] hundreds of billions of dollars of infrastructure damage per year is expected by 2090.[53] All of these impacts fall in significant part at the feet of local governments. In this context of ever-rising costs attributable to damage from GHG emissions, cities more than ever need robust regulation from EPA to reduce harmful emissions from power plants.

II. EPA's Proposal That Its Interpretation of "Contributes Significantly" Should be "Based on the Impact" of Its Regulations Supports Robust GHG Standards for Power Plants Because of the Significant Positive Impact Such Regulation Has in Cities

EPA proposes that its interpretation of "contributes significantly" should be "based on the impact of the existing regulation."[54] As explained in another comment letter submitted by the Sabin Center, EPA's proposal is inconsistent with the text of the Clean Air Act and the case law that interprets it, but *even under its own proposal*, EPA regulation of GHG emissions from fossil fuel-fired electric generating units would have a significant impact on cities across the country, who rely on robust federal regulation to bolster their own greenhouse gas mitigation and climate adaptation efforts.

Cities not only experience significant and harmful impacts as a result of the U.S. power sector's GHG emissions, they also lead the efforts necessary to adapt to and mitigate those impacts. The 2024 Carbon Pollution Standards support them in doing just that; a robust federal framework for reducing GHG emissions from power plants helps limit the sector's significant contribution to global climate change, thus lessening the cost to cities to adapt and amplifying cities' own efforts to lessen GHG pollution. Moreover, federal regulation of power sector GHG emissions not only reduces emissions from regulated power plants, but also has the indirect effect of reducing emissions from other sectors that use electricity, including the

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[51] *Climate Change Impacts on Coasts*, U.S. ENV'T. PROTECTION AGENCY, https://www.epa.gov/climateimpacts/climate-change-impacts-coasts#:~:text=Damaged%20or%20lost%20coastal%20property,level%20if%20current%20trends%20continue (last accessed July 30, 2025).

[52] The 2024 Carbon Pollution Standards were projected to reduce GHG emissions by 1.38 billion metric tons through 2047. *Biden-Harris Administration Finalizes Suite of Standards to Reduce Pollution from Fossil Fuel-Fired Power Plants*, U.S. Envt'l Protection Agency (Apr. 25, 2024), https://www.epa.gov/newsreleases/biden-harris-administration-finalizes-suite-standards-reduce-pollution-fossil-fuel.

[53] *See* James E. Neumann et al., *Climate effects on US infrastructure: the economics of adaptation for rail, roads, and coastal development*, 167 CLIMATIC CHANGE 4 (Aug. 19, 2021), https://doi.org/10.1007/s10584-021-03179-w.

[54] *Id.* at 25765.

building and transportation sectors, which are the top two sources of GHG emissions in U.S. cities.[55]

For these reasons, cities across the U.S. have previously supported, and continue to support, strong EPA regulations for the power sector. In 2022, 244 mayors representing over 52 million Americans asked EPA not to repeal the Clean Power Plan, and in 2023, C40 and Climate Mayors urged EPA to adopt ambitious standards to control power sector emissions.[56] In particular, Climate Mayors wrote that "local efforts to address climate change are highly sensitive to national policies like [power plant standards], which shape markets, steer state action, and have large direct impacts on nationwide emissions."[57] Section 111 of the Clean Air Act is a vital tool for the EPA to support local initiatives to reduce GHG emissions and, in turn, the climate change response and adaptation costs that local governments will incur over the coming decades and centuries. Without robust Section 111 standards for fossil fuel-fired power plants undergirded by an accurate assessment of the significant contribution of the U.S. power sector to dangerous GHG pollution, local governments will bear ever more significant costs in the coming years.

A. **Adaptation Efforts**

Across the nation, cities are taking action to protect their residents from the most severe impacts of GHG-induced climate change. In 2023, U.S. cities reported 879[58] separate climate adaptation actions; things like increasing the urban tree canopy, expanding green infrastructure programs, and investing in emergency response equipment for extreme weather events.[59] In some states, cities are the only level of government to implement adaptation strategies. For example, both Nebraska and the City of Omaha submitted Priority Climate Action Plans to EPA under the IRA's CPRG program, but while Omaha's plan centers adaptation as a key priority, the State of Nebraska's does not use the word "adaptation" a single time.[60]

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[55] See, e.g., *Greenhouse gas emissions interactive dashboard*, C40 Cities (last updated July 2025), https://www.c40knowledgehub.org/s/article/C40-cities-greenhouse-gas-emissions-interactive-dashboard?language=en_US.

[56] *Final EPA Power Plants Rules Comment*, C40 CITIES & CLIMATE MAYORS (Aug. 7, 2023), https://drive.google.com/file/d/13ST48UaNLSACZ4FN2rdRxCRrBHPV422V/view.

[57] *Climate Mayors Submit Comments on Proposed Repeal of Clean Power Plan*, CLIMATE MAYORS (March 27, 2018), https://bit.ly/3a7V6ta.

[58] *2023 – Cities Adaptation Actions*, CDP, https://data.cdp.net/Adaptation-Actions/2023-Cities-Adaptation-Actions/4ubf-r8fc/about_data (last accessed July 30, 2025) (data filtered for U.S. cities).

[59] *Id*.

[60] City of Omaha, *Priority Climate Action Plan* (Mar. 2024), https://www.epa.gov/system/files/documents/2024-03/omaha-council-bluffs-ne-msa-priority-climate-action-plan.pdf; State of Nebraska, *Priority Climate Action Plan* (Mar. 2024), https://www.epa.gov/system/files/documents/2024-03/nebraska-pcap.pdf.

Climate adaptation costs to cities are significant, but the costs of *not* adapting would be far higher. Phoenix, Arizona, a city that experiences dangerously high temperatures, created the nation's first Office of Heat Response and Mitigation to protect residents from the hazard of urban heat.[61] Miami, which routinely clocks upper ninety degree temperatures, appointed its first Chief Heat Officer in 2022, and subsequently released its Extreme Heat Action Plan to prepare residents for and protect them from extreme heat events.[62] For example, Annapolis, Maryland developed a first-in-the-nation Cultural Resources Hazard Mitigation Plan in 2018 to mitigate climate impacts on important cultural and historic landmarks.[63] Chicago, Illinois, recognizing the importance of "tak[ing] action to minimize the impact of change we can no longer avoid[,]" embraced five adaptation objectives in its 2022 Climate Action Plan to help guide the city's response to impacts such as flooding, extreme winter events, and tornadoes.[64]

Cities will need to invest billions of dollars to properly equip themselves for future climate impacts.[65] Cities' adaptation costs are high, and they stand to turn stratospheric absent a strong federal framework for limiting GHG emissions from the power sector that takes into account the immensely significant and detrimental impacts these emissions have within cities. EPA should continue to regulate GHG emissions from the power sector in a robust manner. Such regulation will significantly lessen the costs and other harmful impacts experienced in cities as a result of GHG pollution from fossil fuel-fired units.

B. **Mitigation Efforts**

Cities around the U.S. are also working to reduce their own contributions to global GHG pollution, and their efforts depend on an accurate assessment of the significance of GHG pollution from fossil fuel-fired power plants and robust EPA regulations to address it. The reason is that many local GHG-reducing efforts rely on – but cities do not have direct control over – the reduction of GHG emissions from the power sector nationwide. Cities' efforts include the procurement and deployment of renewable energy resources, investing in zero-emission vehicles and alternative modes of transportation, and electrifying buildings,

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[61] *See* City of Phoenix, Arizona, *Office of Heat Response and Mitigation*, https://www.phoenix.gov/heat (last accessed July 30, 2025).
[62] City of Miami, Florida, *Heat Action Plan* (2022), https://www.miamidade.gov/environment/library/2022-heat-action-plan.pdf.
[63] *See Weather It Together: A Cultural Resource Hazard Mitigation Plan for the City of Annapolis (2018),* https://bit.ly/3re60rG; *Resilient People*, EASTERN SHORE LAND CONSERVANCY, https://www.annapolis.gov/885/Weather-It-Together.
[64] City of Chicago, *Climate Action Plan* (2022), https://www.chicago.gov/content/dam/city/sites/climate-action-plan/documents/Chicago-CAP-071822.pdf.
[65] 5th National Climate Assessment at 31-24.

among many other emission reducing actions. In addition, local governments are increasingly seeking to reduce GHG emissions in an equitable manner, emphasizing the reduction of local pollutants in disadvantaged communities.

Hundreds of local governments have made ambitious GHG reduction commitments. For example, Atlanta, Georgia has a goal to reduce GHG emissions 40 percent below 2009 levels by 2030.[66] Rochester, New York, shares the same goal.[67] Kansas City, Missouri has a goal to achieve carbon neutrality by 2040.[68] In Ohio, multiple cities have incorporated ambitious goals in their climate plans: Cincinnati has a goal to reach 100 percent community-wide carbon neutrality by 2050;[69] in Cleveland, a goal to reduce GHG emissions 40 percent by 2030 and 80 percent by 2050, both from 2010 levels;[70] and Columbus intends to achieve carbon neutrality by 2050, with an interim goal of reducing its GHG emissions by 45 percent from 2013 levels by 2030.[71] Pittsburgh's Climate Action Plan sets the city's GHG reduction goal of an 80 percent reduction by 2050 from 2003 levels.[72] Knoxville, Tennessee has adopted a goal to reduce community-wide GHG emissions 80 percent by 2050;[73] and Charlotte, North Carolina has set a goal of less than two tons of carbon dioxide equivalent per resident per year by 2050.[74] These commitments and plans are just a snapshot of the hundreds of municipal GHG reduction goals set by local governments around the U.S.[75]

To achieve these commitments to reduce GHG emissions, numerous cities have also committed to a 100 percent "clean" or renewable energy supply. For example, Savannah, Georgia has a goal of achieving

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[66] City of Atlanta, *Climate Action Plan* (2016), https://atlantaclimateactionplan.wordpress.com/wp-content/uploads/2016/02/atlanta-climate-action-plan-07-23-2015.pdf.
[67] City of Rochester, *Climate Action Plan,* https://www.cityofrochester.gov/sites/default/files/2024-06/Rochester%20Climate%20Action%20Plan.pdf (last accessed Sept. 20, 2024).
[68] City of Kansas City, *Climate Protection and Resiliency Plan* (Sept. 2022), https://indd.adobe.com/view/3e643429-e6da-428d-a6d6-00ef730388f5.
[69] City of Cincinnati, *Green Cincinnati Plan* (2023), https://www.cincinnati-oh.gov/oes/climate/climate-protection-green-cincinnati-plan/green-cincinnati-plan-2023-spreads/.
[70] City of Cleveland, *Climate Action Plan* (2018), https://drive.google.com/file/d/1Z3234sMp7S7MjaXvMgcZtcAaYs4x2oHE/view.
[71] City of Columbus, *Climate Action Plan* (2021), https://www.columbus.gov/files/sharedassets/city/v/1/utilities/sustainability/cap/columbus-climate-action-plan_final.pdf.
[72] City of Pittsburgh, *Climate Action Plan 3.0* https://apps.pittsburghpa.gov/redtail/images/7101_Pittsburgh_Climate_Action_Plan_3.0.pdf (last accessed July 30, 2025).
[73] City of Knoxville Resolution No. R-265-2019 (Aug. 13, 2019).
[74] City of Charlotte, Resolution Book No. 48, Page No. 839 (June 25, 2018).
[75] *See Local Government Climate and Energy Goals*, AM. COUNCIL FOR AN ENERGY-EFFICIENCY ECON., https://database.aceee.org/city/local-government-energy-efficiency-goals.

100 percent renewable electricity community wide by 2035, while Atlanta[76] Augusta,[77] Clarkston,[78] and Decatur[79] have set similar goals. In other states, local governments are making commitments to 100% renewable energy: Portland, Oregon (by 2050);[80] Helena[81] and Missoula,[82] Montana (by 2030); St. Paul, Minnesota (by 2030);[83] Madison, Wisconsin (by 2050);[84] Golden, Colorado (by 2030);[85] Fayetteville, Arkansas (by 2050);[86] and Tallahassee, Florida (by 2050).[87] All told, more than 200 local governments have committed to achieving 100 percent clean, carbon-free electricity.[88]

In addition to procuring and deploying renewable energy, cities' efforts to reduce operational and community-wide GHG emissions are highly contingent on electrifying most communities' two highest-emitting sectors: buildings and transportation.[89] Both sectors must achieve near total electrification if cities are to achieve their GHG emissions reduction targets. More than 100 local governments have adopted policies that require or encourage building electrification,[90] but the success of these local electrification efforts in reducing GHG emissions depends entirely on a cleaner power sector which, in turn, depends on robust federal regulation. To put it another way, the reduction of GHG emissions from the power sector is far more urgent, and significant, than is immediately apparent; the power sector's GHG emissions have

[76] City of Atlanta, Resolution No. 17-R3510 (2019).
[77] City of Augusta, Ga. Resolution File No. 25232, https://forms.augustaga.gov/WebLink/DocView.aspx?dbid=0&id=90684&page=1.
[78] *Clarkston Georgia Commits to 100 Percent Clean Energy*, NAT'L RES. DEF. COUNCIL https://www.sierraclub.org/press-releases/2019/03/clarkston-georgia-commits-100-percent-clean-renewable-energy.
[79] City of Decatur, *Climate Action Plan* (2022), https://www.decaturga.com/media/27441.
[80] https://www.portland.gov/policies/environment-natural/climate-change/enn-508-establish-goal-meet-100-community-wide-energy.
[81] City of Helena, Mont., Resolution No. 20592 (2020).
[82] City of Missoula & Missoula County, *100% Clean Electricity Joint Resolution* (2019), https://www.missoulacounty.us/home/showpublisheddocument/32876/636904982653030000.
[83] City of St. Paul, Mn. Resolution No. 19-1870 (2019).
[84] City of Madison, CRANES Amended Resolution, Leg. File. No. 45569 (Mar. 2017).
[85] City of Golden, Co. Resolution No. 2656 (Feb. 2019).
[86] City of Fayetteville, Ark. Resolution No. 45-17 (Dec. 2017).
[87] City of Tallahassee, Fla. Resolution No. 19-R-04 (Feb. 20, 2019).
[88] Sam Ricketts et al., *Implementing America's Clean Energy Future,* CTR. FOR AMERICAN PROGRESS (Sept. 14, 2023), https://www.americanprogress.org/article/implementing-americas-clean-energy-future/#:~:text=More%20than%2020%20states%2C%20and,clean%2C%20carbon%2Dfree%20electricity. In addition, many other local governments have set ambitious local renewable energy goals that fall short of a 100 percent target.
[89] See, e.g., *Greenhouse gas emissions interactive dashboard*, C40 Cities (last updated July 2025), https://www.c40knowledgehub.org/s/article/C40-cities-greenhouse-gas-emissions-interactive-dashboard?language=en_US.
[90] *See* Leah Louis-Prescott & Rachel Golden, *How Local Governments and Communities Are Taking Action to Get Fossil Fuels out of Buildings*, ROCKY MOUNTAIN INST. (Aug. 9, 2022), https://rmi.org/taking-action-to-get-fossil-fuels-out-of-buildings/#:~:text=A%20chart%20titled%20%22Local%20government,took%20action%20on%20building%20electrification.

ripple effects into other priority areas of city GHG reduction.

Similarly, cities have invested in electric vehicle charging infrastructure, or enacted policies that incentivize private property owners to do so. For example, more local building codes include EV charging or EV-readiness requirements, including in New York City;[91] Seattle;[92] Oakland, California;[93] Atlanta;[94] and Fort Collins, Colorado.[95] Other cities require or incentivize electric vehicle chargers through their zoning codes; Salt Lake City mandates one electric vehicle charging space for every 25 parking spaces in new multi-family buildings.[96] Chenango, New York simplifies deployment by permitting EV charging stations as an accessory use in all zoning districts.[97] Complementarily, cities are steadily electrifying their municipal fleets with crucial federal funding provided by the IRA,[98] and in August 2024, a network of nearly 350 mayors committed to electrifying at least 50 percent of their municipal fleets by 2030.[99] While local electrification efforts are essential to reducing sector-specific GHG emissions, their overall success is incumbent upon the EPA acknowledging the significance of GHG emissions from the power sector and regulating fossil fuel-fired power plants accordingly.

CONCLUSION

For the reasons stated in Parts I and II to this comment letter, we urge EPA not to repeal its 2024 Carbon Pollution Standards. Cities across the country rely on the 2024 Carbon Pollution Standards to lessen the costs they incur as a result of extreme weather, dangerous air pollution, and risks to critical infrastructure. The well-calibrated 2024 Carbon Pollution Standards are part and parcel of a cooperative federalism model in which the EPA regulates emissions from the power sector consistent with its Clean Air Act-delegated authority, while local governments and states pursue a variety of approaches to mitigating and adapting to climate change. Cities of all sizes across the U.S. rely on EPA to accurately and holistically assess the significance of GHG emissions from the power sector and to regulate the sector accordingly. Without a

[91] City of New York, N.Y. Intro. No. 0017-2024 (2024).
[92] City of Seattle, Ore. Elec. Code § 625.27.
[93] City of Oakland, Cal. Code. § 15.04.3.11010.
[94] City of Atlanta, Ga. Ord. 17-O-1654 (2017).
[95] City of Fort Collins, Colo. Code. § 5-30-E3401.5 (2019).
[96] City of Salt Lake City, Utah, Code. sCh. 21A.44.040.B (2019).
[97] Town of Chenango, N.Y. Code. § 74B-3.
[98] *See, e.g.*, CTA Receives $25 Million to Advance its Electric Bus Fleet, Chicago Transit Authority (June 27, 2023), https://www.transitchicago.com/cta-receives-25-million-to-advance-its-electric-bus-fleet-/.
[99] *Climate Mayors Announces Major New Commitment from Nearly 350 Mayors to Accelerate US Electric Vehicle Transition*, CLIMATE MAYORS (Aug. 13, 2024), https://www.climatemayors.org/post/electrify50-ev-announcement.

strong federal partner, cities' mitigation measures will fail to achieve maximum GHG reductions; their adaptation budgets will be further stressed (or their adaptation investments will prove inadequate despite considerable price tags); and the bill for responding to climate disasters will continue to mount.

The Clean Air Act states in its opening provisions "that the growth in the amount and complexity of air pollution brought about by urbanization [and] industrial development…has resulted in mounting dangers to the public health and welfare" and that "Federal…leadership is essential for the development of cooperative Federal, State, regional, and local programs to prevent and control air pollution." 42 U.S.C.A. § 7401. GHG emissions from the power sector are highly significant due to their contribution to climate change and its resulting fiscal, infrastructure, and human health and safety impacts felt in cities, and because regulation of power sector emissions has significant positive benefits for cities and local communities. The 2024 Carbon Pollution Standards, which are underpinned by a fact-based assessment of the significance of GHG pollution from the U.S. power sector, stand to protect and bolster local climate action in every single state, and EPA should keep them on the books.

Sincerely,

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