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Clean Wisconsin: Sues EPA over Clean Power Plan replacement

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MADISON, WI — Clean Wisconsin and nine other environmental organizations filed a lawsuit in federal court on Wednesday opposing the Trump Administration's Affordable Clean Energy (ACE) rule, arguing the rule unlawfully sidesteps the Clean Air Act by relaxing emission standards that will increase carbon emissions and harm public health.

"The so-called Affordable Clean Energy rule is a desperate and illegal attempt by the Trump Administration to prop up outdated and dirty coal," said Scott Blankman, Director of Energy & Air Programs for Clean Wisconsin. "This rule will fail to bring back coal, but it will succeed in choking our air with harmful pollutants and climate-changing carbon emissions."

The new rule allows coal plants to make minor technological improvements, which allows them to run more and for longer periods of time. This policy would lead to increased overall carbon emissions, and it fails to live up to the Clean Air Act's edict to employ the "best system of carbon reduction" in the energy sector. EPA's own analysis found that the ACE rule would result in over 1,600 premature deaths as compared to the Obama-era Clean Power Plan.

"The writing is on the wall for coal, and this rule ignores and delays the inevitable," said Blankman. "Wisconsin utilities understand that there are cleaner and cheaper ways to produce electricity. Many of them are already replacing coal plants with

renewable energy sources like wind and solar. This rule only slows our progress towards clean energy."

Clean Wisconsin is joined in the legal challenge by Appalachian Mountain Club, Center for Biological Diversity, Clean Air Council, Conservation Law Foundation, Environmental Defense Fund, Environmental Law & Policy Center, Minnesota Center for Environmental Advocacy, Natural Resources Defense Council, and Sierra Club. The lawsuit was filed in U.S. District Court. On Tuesday, Wisconsin Attorney General Josh Kaul and 22 other states filed a similar lawsuit challenging the ACE rule.

"We all need clean air, and it's critical we act now to reduce carbon emissions to avoid the worst effects of climate change," said Blankman. "This rule is an unlawful effort to prop up energy of the past, and we intend to defend the health and wellbeing of Wisconsinites and Americans in this legal challenge."

You can find our filing here.