

International Brotherhood of
BOILERMAKERS • IRON SHIP BUILDERS

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CECILE M. CONROY
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November 8, 2011

The Honorable Joe Manchin
United States Senate
Washington, DC 20510

The Honorable Dan Coats
United States Senate
Washington, DC 20510

Dear Senators Manchin and Coats,

On behalf of the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers (IBB), I write to express our support for your recently introduced legislation, the "Fair Compliance Act of 2011." This bi-partisan legislation offers a real opportunity to put the Utility Maximum Achievable Control Technology Rule (Utility MACT) and the Cross-State Air Pollution Rule (CSAPR) on a more rational and compatible compliance schedule without affecting or undermining the core regulations, including emissions standards, as established by the Environmental Protection Agency (EPA).

IBB represents over 100,000 highly-skilled workers in the construction, ship building, railroad, manufacturing, mining and emergency medical service industries throughout the United States and Canada. Our members are responsible for, among other things, installing the complex pollution control equipment that will be required for electric generating units (EGUs) to comply with the current and future environmental regulations. Over the last few decades, Boilermakers have invested millions of man-hours in the installation of fluid gas desulfurization (FGD) units, selective catalytic reduction (SCR) equipment, low-NO_x burners, dry sorbent injection systems and other major pollution control technologies.

Consistent with our own comments submitted to the EPA on both UMACT and CSAPR reflecting our concerns on the compliance schedules, the "Fair Compliance Act of 2011" extends the compliance deadlines for both UMACT and CSAPR Phase 2 and puts them on the same timeframe for compliance (the "compliance date" is the date by which emission controls must be installed to meet an emissions reduction requirement, and when reductions actually begin) - as the emission controls that are installed under either rule will in many cases be identical. We believe that harmonizing and extending the compliance dates to January 1, 2017 will allow the

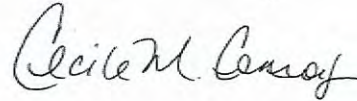
retrofit of more plants than what may be achievable under the current compliance schemes of the two rules. In addition, this legislation would certainly help maintain and create thousands of good-paying construction jobs at a time of high unemployment in the construction field.

We are also pleased that your legislation includes the requirement that utilities must submit implementation plans setting intermediate milestones and final completion dates for the planned retrofits that are needed to ensure expeditious implementation of the emissions reductions no later than the compliance deadlines. In addition, the Boilermakers support the requirement for the implementation plan to identify upfront the power plants scheduled for retirement and consult with North American Electric Reliability Corporation (NERC) and the appropriate regional reliability organizations to minimize or avoid reliability risk.

The Boilermakers fully recognize that striking a reasonable balance between two very important goals - environmental protection and job recovery and retention in a manner that ensures the reliability of the electricity grid - is no easy task. This legislation provides a sensible approach to meeting EPA's goals while preserving and creating many much-needed American jobs.

Thank you for your leadership on this very important matter.

Sincerely,



Cecile M. Conroy
Director of Legislative Affairs

cc: Newton B. Jones, International President
William T. Creeden, International Secretary-Treasurer
U.S. International Vice-Presidents
U.S. International Representatives
U.S. Construction Lodges



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EDWIN D. HILL
International President

SAM J. CHILIA
International
Secretary-Treasurer

November 9, 2011

Dear Senator:

On behalf of the approximately 725,000 members of the International Brotherhood of Electrical Workers (IBEW), I write in support of the Fair Compliance Act of 2011 on Utility Maximum Achievable Control Technology (Utility MACT) and the Cross State Air Pollution Rule (CASPR). This bipartisan legislation does not alter the stringency of the Environmental Protection Agency's (EPA) Utility MACT or CASPR rules in any way. The legislation simply extends the compliance deadlines of these rules to January 1, 2017. Because the current Utility MACT and CASPR compliance deadlines are so soon many United States utility companies will be forced to close plants and lay off workers absent the Fair Compliance Act of 2011.

To ensure utilities use the extension wisely, the legislation requires utilities to submit an implementation plan that lays out how it plans to retrofit and retire plants to ensure compliance before the compliance deadline. Because the technology required for Utility MACT and CASPR compliance is often the same, it makes sense for the deadlines to be the same. Requiring implementation plans will safeguard the reliability of the electric grid and reduce the job losses due to plant closures.

Not only will this legislation prevent job loss; it will promote job creation. Retrofitting plants with the technology required for compliance with Utility MACT and CSAPR will create construction industry jobs. According to the Bureau of Labor Statistics, the construction industry currently has an unemployment rate of 13.7%. The Fair Compliance Act of 2011 could not come at a more critical time for American workers in the construction field.

This legislation provides a logical approach to implementation of the Utility MACT and CASPR rules. Most importantly, this legislation achieves the same goal while sparing thousands of American jobs. At a time when millions of Americans are already unemployed, I urge you to support the Fair Compliance Act of 2011.

Sincerely yours,

Edwin D. Hill
International President

EDH:lgd
Opeiu#2

United Mine Workers of America

CECIL E. ROBERTS
INTERNATIONAL PRESIDENT



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UNITED MINE WORKERS' HEADQUARTERS
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November 8, 2011

Hon. Joe Manchin
303 Hart Senate Office Building
Washington, DC 20510

Hon. Dan Coats
493 Russell Office Building
Washington, DC 20510

Dear Senators Manchin and Coats:

I am writing to commend and to strongly endorse your proposed legislation to extend the compliance deadlines of the Utility Maximum Achievable Control Technology (UMACT) and Cross-State Air Pollution Rule (CSAPR), from 2015 and 2014 respectively, to 2017, keyed to specific implementation plans and milestones that lead to full compliance within your legislation's specified deadline.

The UMWA has long warned of severe employment and consumer consequences arising from the very short compliance timetables associated with the UMACT and CSAPR rulemakings. As currently configured, these rules pose credible threats to the integrity of the nation's electric grid and to the continued utilization of America's coal resources.

Notably, your legislation does not affect the stringency of either rule. Instead, it sets realistic compliance trajectories, and in so doing, will likely also help to increase the number of plants retrofitting controls, while reducing adverse employment impacts from plant closures. Consumers will benefit from smaller electric rate increases.

Your legislation does much more than merely extend these unrealistic deadlines. It requires utilities to submit implementation plans with specific milestones, to be approved by the U.S. Department of Energy in consultation with the North American Electric Reliability Council. With

so much of America's electric generation fleet affected by these rules, these new safeguards are both prudent and necessary.

Your legislation is critically needed to harmonize the UMACT and CSAPR timetables. This will reduce threats to electric reliability and streamline compliance planning and implementation.

On behalf of the UMWA, I urge the swiftest possible consideration and enactment of this important legislation.

Sincerely,

A handwritten signature in black ink that reads "Cecil E. Roberts". The signature is written in a cursive, flowing style.

Cecil E. Roberts
International President

cc: Richard L. Trumka

Daniel J. Kane

UTILITY WORKERS UNION OF AMERICA

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November 9, 2011

The Honorable Joe Manchin
United States Senate
Hart Senate Office Bldg., Room 303
Washington, DC 20510

Dear Senator Manchin:

The Utility Workers Union of America, AFL-CIO, represents men and women who proudly deliver vital services every day to fellow Americans. We have members working in the electric industry across the country – responsible for generating, delivering and restoring power – keeping America running.

I write to you today, on behalf of the UWUA, in strong support of the **Fair Compliance Act of 2011** on Utility Maximum Achievable Control Technology (Utility MACT) and the Cross State Air Pollution Rule (CASPR). This bipartisan legislation does not alter the stringency of the Environmental Protection Agency's (EPA) Utility MACT or CASPR rules in any way. The legislation simply extends the compliance deadlines of these rules to January 1, 2017. We know that the current Utility MACT and CASPR deadlines **will not** provide adequate time for many U.S. utility companies to comply. They will be forced to close plants and lay off workers across the country. And as these plants shut their doors, the stability and reliability of the electric grid will be greatly jeopardized.

This legislation does not simply buy time. It seeks to ensure that utility companies use this extension wisely by requiring that they submit an implementation plan that lays out how they intend to retrofit and retire plants to ensure compliance before the deadline. Requiring these implementation plans will not only help safeguard the reliability of the electric grid, but will also greatly reduce the job losses due to plant closures. And because the technology required for Utility MACT and CASPR compliance is often the same, it makes sense for these deadlines to be the same.

Not only will this legislation prevent job loss, it will promote job creation. Retrofitting plants with the technology required for compliance with Utility MACT and CSAPT will create construction industry jobs, an industry that currently has an unemployment rate of 13.7%. In addition, plants properly retrofitted, will need additional workers to run the plants, thus creating thousands of new, permanent jobs in the utility industry.

This legislation provides a logical approach to implementation of the Utility MACT and CASPR rules. Most importantly, this legislation achieves the same goal while sparing thousands of American jobs and creating thousands more new jobs. At a time when millions of Americans are already unemployed, I urge you to support the Fair Compliance Act of 2011.

Sincerely yours,

Michael Langford
President

M. B. FUTHEY JR.
International President

ARTHUR MARTIN III
Assistant President

KIM N. THOMPSON
General Secretary and Treasurer

JAMES A. STEM JR.
National Legislative Director



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WASHINGTON OFFICE
NATIONAL LEGISLATIVE DEPARTMENT

November 16, 2011

Dear Senator:

On behalf of the approximately 80,000 members of United Transportation Union (UTU), I write in support of the Fair Compliance Act of 2011 on Utility Maximum Achievable Control Technology (Utility MACT) and the Cross State Air Pollution Rule (CASPR).

This bipartisan legislation does not weaken the Environmental Protection Agency's (EPA) Utility MACT or CASPR rules in any way. The legislation simply extends the compliance deadlines of these rules to January 1, 2017. Because the current Utility MACT and CASPR compliance deadlines are so soon many United States utility companies will be forced to close plants and lay off workers unless the Fair Compliance Act of 2011 is passed.

To ensure utilities use the extension wisely, the legislation requires utilities to submit an implementation plan that lays out how it plans to retrofit and retire plants to ensure compliance before the compliance deadline. Because the technology required for Utility MACT and CASPR compliance is often the same, it makes sense for the deadlines to be the same. Requiring implementation plans will ensure the reliability of the electric grid and reduce job losses due to plant closures.

Not only will this legislation prevent job loss; it will promote job creation. Retrofitting plants with the technology required for compliance with Utility MACT and CSAPR will create thousands of construction industry jobs at a time when the construction industry has an unemployment rate of 13.7%. The Fair Compliance Act of 2011 is critical for American workers in the construction field and is vital to retain good-paying railroad jobs.

This legislation provides a logical approach to implementation of the Utility MACT and CASPR rules. Most importantly, this legislation achieves the same goals while sparing thousands of American jobs. At a time when millions of Americans are already unemployed, I urge you to support the Fair Compliance Act of 2011.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James A. Stem, Jr.", written in a cursive style.

James A. Stem, Jr.
National Legislative Director



M. B. FUTHEY JR.
International President

ARTHUR MARTIN III
Assistant President

KIM N. THOMPSON
General Secretary and Treasurer

JAMES A. STEM JR.
National Legislative Director



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WASHINGTON OFFICE
NATIONAL LEGISLATIVE DEPARTMENT

November 16, 2011

The Honorable Joe Manchin
United States Senate
Washington, DC 20510

The Honorable Dan Coats
United States Senate
Washington, DC 20510

Dear Senators Manchin and Coats:

On behalf of the United Transportation Union (UTU), I write to express our support for your recently introduced legislation, the "Fair Compliance Act of 2011." This bi-partisan legislation offers a real opportunity to put the Utility Maximum Achievable Control Technology Rule (Utility MACT) and the Cross-State Air Pollution Rule (CSAPR) on a more rational compliance schedule without undermining the core regulations as established by the Environmental Protection Agency (EPA).

The "Fair Compliance Act of 2011" extends the compliance deadlines for both UMACT and CSAPR Phase 2 and puts them on the same timeframe for compliance. We believe that harmonizing and extending the compliance dates to January 1, 2017 will allow the retrofit of more plants than would be achievable under the compliance schedules of the two rules. In addition, this legislation would help maintain and create thousands of good-paying construction jobs at a time of high unemployment in the construction field and retain thousands of good-paying railroad jobs.

We are also pleased that your legislation includes the requirement that utilities submit implementation plans setting milestones and final completion dates for the planned retrofits. This is needed to ensure that implementation of the emissions reductions occur no later than the compliance deadlines. In addition, the UTU supports the requirement for the implementation plan to identify upfront the power plants scheduled for retirement and the requirement to consult with North American Electric Reliability Corporation (NERC) and the appropriate regional reliability organizations to minimize or avoid electrical reliability risk.

The UTU fully recognizes that striking a reasonable balance between two very important goals - environmental protection and job recovery and retention in a manner that ensures the reliability of the electricity grid - is no easy task. This legislation provides a sensible approach to meeting EPA's goals while preserving and creating many much-needed American jobs.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James A. Stem, Jr.", written in a cursive style.

James A. Stem, Jr.
National Legislative Director





Founded 1889

United Association of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of the United States and Canada

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Stephen F. Kelly
Assistant General President

General Office File Reference: WPH

November 22, 2011

The Honorable Joe Manchin
303 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dan Coats
493 Russell Senate Office Building
Washington, D.C. 20510

Dear Senators Manchin and Coats:

On behalf of the more than 340,000 members of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada ("UA"), I am writing to express our support of the Fair Compliance Act of 2011 (S. 1833). This sensible, bipartisan legislation would help to ensure that the emissions targets proposed under the U.S. Environmental Protection Agency's ("EPA") Utility Maximum Achievable Control Technology Rule ("Utility MACT") and Cross-State Air Pollution Rule ("CSAPR") are achieved in a manner which safeguards the reliability of our electricity grids and protects American jobs. The Act would accomplish this through a modest extension of the deadlines set forth under the Utility MACT and CSAPR Rules. It would not in any way alter the stringency of these Rules.

As noted, the first important step taken by the Fair Compliance Act of 2011 is to extend and align the compliance deadlines for the Utility MACT and CSAPR Rules to January 1, 2017. This is necessary because the current Utility MACT and CSAPR deadlines do not provide electric utilities with adequate time to procure and execute the retrofits necessary to achieve compliance. In addition, the establishment of separate deadlines may be counterproductive given that utilities will be required to procure similar or identical retrofits to meet emissions targets under the two Rules. For these reasons, the current deadlines may have the effect of forcing some utilities to shut plants down rather than upgrade their emissions controls -- robbing our country of critical generating capacity while bringing about job losses that could have been avoided. Enacting the Fair Compliance Act would help us avoid these undesirable and unnecessary results.

We also support the Fair Compliance Act's requirement that electric utilities submit detailed implementation plans to the EPA and U.S. Department of Energy explaining how they intend to achieve compliance with the Utility MACT and CSAPR deadlines. In developing these plans, electric utilities would be required to consider and specify, among other things, the retrofits that would be installed to achieve emissions targets, any plants that would be retired rather than retrofitted, and the effect of the plan on the reliability of local and regional electricity grids. Such planning would make certain that, to





The Honorable Joe Manchin
The Honorable Dan Coats
November 22, 2011
Page Number 3

the extent possible, emissions targets are being met in a manner which preserves generating capacity and protects American jobs.

Finally, it should be emphasized that the Fair Compliance Act has the potential not only to keep utility workers on the job, but also to support the creation of many new jobs in the U.S. construction industry. Each plant that we are able to retrofit rather than close down presents significant job opportunities for American construction workers -- 14 percent of whom are currently unemployed. By giving electric utilities adequate time to procure and install these retrofits, the Fair Compliance Act would help to ensure these job opportunities are not lost.

Thank you for your leadership in this important matter.

Sincerely yours,

William P. Hite
General President

WPH:bdh

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Building and Construction Trades Department

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November 9, 2011

Senator Joe Manchin
311 Hart Senate Office Building
Washington, DC 20510

Senator Dan Coats
493 Russell Senate Office Building
Washington, DC 20510

Dear Senators Manchin and Coats:

On behalf of the Building and Construction Trades Dep't., AFL-CIO, I write to express our support for the Fair Compliance Act of 2011. We strongly support the adoption of stringent pollution control technology that will create work for the skilled men and women who make up America's Building Trades Unions, clean the environment, and protect human health. However, a hasty transition will only force the closure of many coal plants that could and should be retrofitted. The Environmental Protection Agency has done the best job possible to promulgate a number of complex rules that will incentivize retrofit work while preserving our coal generation capacity.

Unfortunately certain issues are not in the purview of EPA's authority, and one of those issues is the compliance deadline for Utility Maximum Attainable Control Technology and Cross State Air Pollution Rule. The Fair Compliance Act does not in any way limit EPA's authority to regulate pollution, but it wisely allows adequate time for plants to comply with these new rules without having to go through the uncertain extension process that is currently in the Clean Air Act.

It is obvious to those of us who have been installing this pollution control technology for decades that a 36 month compliance window just is not adequate to retrofit all the electrical generation units in need of updating. By providing an extension until December of 2016 to meet these goals, the Fair Compliance Act will hopefully minimize coal plant retirements, while maximizing the adoption of stringent pollution control technology and the resulting good-paying jobs that are so scarce in this economy.

With kind regards, I am

Sincerely,

Mark H. Ayers
President