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KDHE Denies Sunflower Electric Air Quality Permit

Roderick L. Bremby, Secretary of the Kansas Department of Health and Environment (KDHE), announced today that he has denied the air quality permit for the two proposed 700-megawatt generators at the Sunflower Electric Power Corporation plant near Holcomb.

"After careful consideration of my responsibility to protect the public health and environment from actual, threatened or potential harm from air pollution, I have decided to deny the Sunflower Electric Power Corporation application for an air quality permit," said Bremby.

In making his decision, Bremby cited the authority provided to the Secretary of KDHE in K.S.A. 65-3008 and K.S.A. 65-3008a, which grant him the authority to affirm, modify or reverse a decision on an air quality permit after the public comment period or hearing, and K.S.A. 65-3012, which authorizes him to deny or modify an air quality permit to protect the health of persons or the environment.

"I believe it would be irresponsible to ignore emerging information about the contribution of carbon dioxide and other greenhouse gases to climate change and the potential harm to our environment and health if we do nothing," said Bremby.

The U.S. Supreme Court found in *Massachusetts v. EPA* that carbon dioxide meets the broad definition of an air pollutant under the Clean Air Act. The Kansas Air Quality Act similarly has a broad definition of what constitutes air pollution.

The Centers for Disease Control and Prevention has recognized the need for public health agencies to take the lead on educating the public about the health impacts of climate change and has adopted priority health actions to prepare for, respond to and manage the associated health risks of climate change.

The decision constitutes a first step in emerging policy to address existing and future carbon dioxide emissions in Kansas. "KDHE will work to engage various industries and stakeholders to establish goals for reducing carbon dioxide emissions and strategies to achieve them. This is consistent with initiatives underway in states leading the effort to address climate change," said Bremby.

One such initiative currently being undertaken by eight northeastern states is the Regional Greenhouse Gas Initiative (RGGI), a mandatory regional cap-and-trade program aimed at reducing carbon dioxide emissions from power plants by 10 percent, or approximately 12 million

tons annually, by 2020. The expanded Sunflower plant was projected to release an estimated 11 million tons of carbon dioxide annually.

“Denying the Sunflower air quality permit, combined with creating sound policy to reduce carbon dioxide emissions can facilitate the development of clean and renewable energy to protect the health and environment of Kansans,” said Bremby.