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Sierra Club Challenges EPA's Attempt to Reinstate Air Pollution Loopholes in Texas

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WASHINGTON, D.C. - Late yesterday, Sierra Club's legal team challenged [EPA's plan to reopen the Startup, Shutdown, Malfunction \(SSM\) loopholes in Texas](#), which would allow dirty industrial facilities like coal plants and oil refineries to release massive amounts of dangerous air pollution into [vulnerable communities already suffering from respiratory ailments](#).

"Before the COVID-19 outbreak, we already had people suffering from severe asthma, emphysema, and lung cancer in these communities, and now Trump's EPA is trying to dump more pollution on us while we deal with the pandemic." said [Suzie Canales, Director of Citizens for Environmental Justice](#). "By reintroducing this loophole, Trump's EPA is giving corporate coal plant and oil refinery polluters a reprieve from their responsibility to not poison us, and leaving us to fend for ourselves during a national emergency."

The SSM loopholes allow polluting facilities to release unlimited amounts of pollution during their startups, shutdowns, and malfunctions without legal remedies under the Clean Air Act. Some coal plants are already responsible for creating [sulfur dioxide nonattainment](#) areas all by themselves. Oil refineries have also been known to release more pollution during SSM events than they emitted during normal operations throughout the entire year. In a state like Texas, which produces a lot of energy, SSM events represent major health risks to local people with chronic ailments like asthma, especially children and seniors who venture outside for daily activities.

"Giving corporate polluters like large outdated coal plants free rein to pollute and worsen public health really hits home. During a pandemic that is especially dangerous for people with respiratory ailments, more pollution is not going to end in favorable health outcomes" said Sierra Club Organizing Representative Misti O'Quinn. "I think that at the very least, it is the responsibility of the EPA and state of Texas to actively create ways to reduce pollution from coal plants like Texas' Martin Lake Power Plant, which is the largest sulfur polluter in the country. They should also be enforcing the rules put in place to ensure public safety, not creating even more loopholes for polluters that could and inevitably will hurt people."

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About Sierra Club

The Sierra Club is America's largest and most influential grassroots environmental organization, with more than 3.5 million members and supporters. In addition to protecting every person's right to get outdoors and access the healing power of nature, the Sierra Club works to promote clean energy, safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and legal action. For more information, visit www.sierraclub.org.