



EDF general counsel **Vickie Patton** prepares for a case with **Sean Donahue**, one of America's preeminent appellate lawyers, who often represents EDF and our allies. Patton calls him "the Jedi Master of environmental litigation."



Protecting the health of America's children

Powerful interests want to hobble EPA and undermine the Clean Air Act. EDF's Colorado-based legal team has joined with public health groups and states to fight back. In 2012, we chalked up a string of victories, but the battle rages on.

In December 2011, the Environmental Protection Agency gave a very special gift to America's children. The agency issued the first national limits on mercury, arsenic and other toxic emissions from power plants.

This action, one of the biggest public health advances in a generation, will prevent up to

11,000 premature deaths and 130,000 asthma attacks annually. Working with the American Lung Association and other allies, EDF played a key role in making the case for progress.

There was little time to celebrate. Hours after the new Mercury and Air Toxics Standards were unveiled, Senator James Inhofe (R-OK) announced plans to block them, claiming that their health benefits were "EPA propaganda." Our legal experts, led by EDF general counsel

Vickie Patton, sprang into action. Along with our legislative team, they provided analysis, testified on Capitol Hill and worked with industry partners and states to support the rules. After a tense struggle, Inhofe's bill was defeated.

A big part of our push came from Moms Clean Air Force, a band of mothers—now more than 100,000 strong—that we helped launch to mobilize clean air supporters. "No politician wants to make a mother angry," says the group's leader, author Dominique Browning.

Mercury exposure, even in small quantities, can affect children's brains and nervous systems. But the mercury fight is not over. It is part of a larger struggle over EPA's authority to enforce the Clean Air Act. Center stage this year was the U.S. Court of Appeals in Washington, DC, where dozens of lawsuits by industry groups and



The front line: EDF's legal team is playing a key role in defending new clean air standards that will eliminate up to 90% of mercury emissions from power plants. Mercury exposure is particularly harmful to children.

"These battles for clean air might never have been won were it not for the collaboration of public health and environmental allies."

Sean Donahue
Attorney, Donahue & Goldberg, LLP





others aimed to deny the agency’s power to act on global warming pollution. In response, EDF and allies—coordinated by attorney Sean Donahue, who has successfully argued on EDF’s behalf before the Supreme Court—again worked around the clock, intervening in four cases.

In June, the court ruled unanimously in our favor, affirming EPA’s finding that greenhouse

gases pose a danger to public health. In blunt language, the court declared that EPA’s interpretation of the Clean Air Act was “unambiguously correct.” The judges said that the agency had based its finding on sound science, which showed, for example, that greenhouse gases increase ground-level ozone, worsening harmful smog.

The ruling clears the way for the first nationwide limits on greenhouse gas emissions from new vehicles and large new industrial sources.

Many businesses support clean air laws, but others keep pushing Congress and the courts to roll them back. “We can’t let down our guard,” says Patton. “But I’m optimistic. We have the law—and the public—on our side.”

HEALTH GOALS

Cut air pollution from coal plants 75% from 2005 levels

Reform U.S. toxic chemicals policy to reduce exposure to harmful substances

Accelerate innovation through corporate partnerships

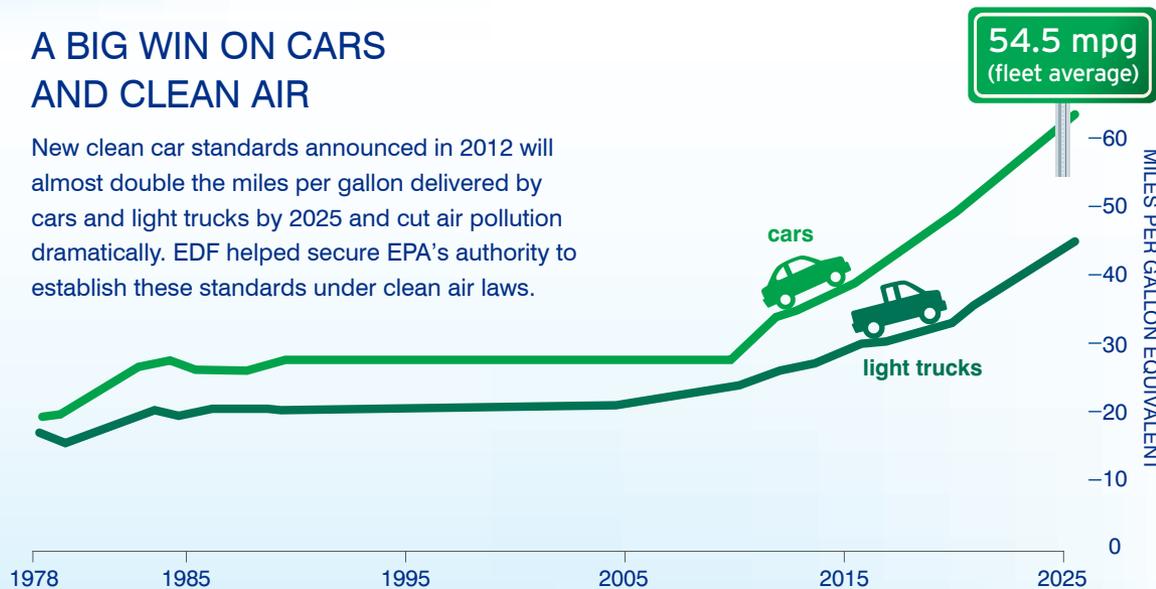


“Pollution and toxic chemicals take a heavy toll on public health. We owe it to future generations to ensure the safety of chemicals and cut smokestack pollution.”

Dr. Sarah Vogel
Health Program Director

A BIG WIN ON CARS AND CLEAN AIR

New clean car standards announced in 2012 will almost double the miles per gallon delivered by cars and light trucks by 2025 and cut air pollution dramatically. EDF helped secure EPA’s authority to establish these standards under clean air laws.





CLEANING NEW YORK'S DIRTY AIR

Every year, many New Yorkers die because of the dirty heating oil burned in some of the city's buildings. An EDF campaign to end the use of the dirtiest fuels is helping to clear the air.

Three years ago, EDF began a campaign to rid New York City of dirty No. 6 and No. 4 heating oils. Just 1% of the city's buildings burn these fuels—which are basically unrefined sludge—but they spew more particulate matter, or soot, into the air than all the city's cars and trucks combined. The result: 120 preventable deaths each year and millions of dollars in added health care costs.

In 2011, our campaign, which included an interactive online map showing 9,500 city buildings that burn dirty oil, helped convince Mayor Michael Bloomberg to create a Clean Heat partnership between his administration and EDF. The partnership is dedicated to converting buildings from dirty oil.

“Reducing high-pollutant fuel oil use across New York City will have an enormous health benefit for all New Yorkers.”

Dr. Thomas Farley
New York City Health Commissioner

The administration issued rules that will phase out No. 6 oil by 2015 and No. 4 oil by 2030 and announced more than \$100 million in mostly private financing to help buildings convert to cleaner fuels.

The impact of that decision on illnesses such as asthma and heart disease could be “second only to our achievements in reducing the city's smoking rates,” said Dr. Thomas Farley, the city's health commissioner.

Thanks to NYC Clean Heat, more than 1,100 buildings already have converted and hundreds more are on track to do so in 2013. They include 257 Park Avenue South, home to EDF's national headquarters. Our Sustainability Council, charged with reducing EDF's environmental impact, initiated the coming shift.

In addition, the investment principles behind Clean Heat have applications that extend far beyond New York and heating oil. They also apply to investments in energy efficiency.

“We'll be demonstrating to the financial community that energy efficiency is a good investment,” says Andy Darrell, EDF's New York regional director. “And our model can be adapted to finance efficiency around the world.”



99% of pregnant women in the United States have flame-retardant chemicals called polybrominated diphenyl ethers in their blood. These can cause decreased I.Q., memory deficits and hyperactivity in children.

PROTECTING AMERICANS FROM TOXIC CHEMICALS

The 1976 Toxic Substances Control Act (TSCA) has never been updated to ensure the safety of chemicals in America. The law is so weak that millions of people now risk being exposed to dangerous chemicals through everyday household products. In fact, companies have only had to test about 3% of 85,000 available

chemicals. EDF helped found a coalition of health, labor, business and consumer groups working to reform TSCA. We've also engaged progressive chemical companies. In 2012, a Congressional committee took up proposed reform. EDF is fighting to ensure the final bill protects public health and the environment.



MELISSA HAMMEL, MICHAEL BURTON & KIDS

PRESERVING A HEALTHY PLANET FOR THEIR CHILDREN

Melissa Hammel, an award-winning filmmaker, and husband Michael Burton, a financial advisor, learned early to appreciate nature. Growing up in Vermont, Burton took classes in environmental science from his father, a teacher. Hammel loved backpacking in her native Pennsylvania. Her first video in 1992 was about international security and the environment.

Today, the two EDF donors live in New York City with their daughters Amelia, seven, and Rye, three. "Of course," says Burton, "as parents we want a world where they breathe clean air and drink clean water.

"As I got to know EDF," he says, "I was impressed that they are nonpartisan and look at all sides of an issue to come up with realistic solutions."

"Now that I'm a mother," Hammel says, "activism looks very different than it did when I was in college." She eagerly got involved in the leadership circle of Moms Clean Air Force, an EDF project that has galvanized grassroots activists to fight for kids' health. "Engaging mothers to voice environmental concerns helps empower more people," she says.