

## The Good Neighbor Plan: A Critical Tool to Reduce Cross-State Smog Pollution at Risk

### What's Happening

On February 21, 2024, the Supreme Court will [hear oral arguments](#) from the industry groups and red states (Indiana, Ohio, and West Virginia) attempting to stop EPA from implementing the [Good Neighbor Plan](#). SCOTUS' decision could complicate the swift and successful implementation of the rule, so it is important to show strong support for the plan in the face of opposition from big polluters.

### How the Good Neighbor Plan Works

Ground-level ozone, or smog, is a problem that afflicts millions of people across the United States. But much of the pollution that causes smog is not emitted locally—it comes from power plants and industrial sources across state lines, often hundreds of miles away. The EPA's Good Neighbor Plan is designed to protect the health of these millions of people downwind of the sources of dangerous smog pollution, through the deployment of readily available technologies that are already in use at many coal plants and other polluters across the country. By reducing dangerous pollution emitted by power plants and industry, and ensuring that polluter states are “good neighbors,” the rule protects people in dozens of states who are unknowingly subjected to dangerous emissions from plants.

### Benefits of the Good Neighbor Plan

The Good Neighbor Plan, finalized by the EPA in March 2023, is an environmental regulation designed to reduce ozone-forming emissions of nitrogen oxides (NOx) from power plants and industrial facilities. By 2026, the rule is [projected](#) to annually prevent 1,300 premature deaths, more than 7,100 cases of onset asthma, more than 2,100 hospital emergency room visits for breathing problems, and almost 1.3 million asthma attacks. If fully implemented, the Good Neighbor Plan will also bring \$13 billion in health benefits to people across the country every year from 2026 through 2042.

### Opposition to the Plan

Polluter states and industries are trying to block EPA from implementing the common sense Good Neighbor Plan, which is already successfully addressing cross-state smog pollution in many states. Opponents of the rule, which include the National Mining Association, the American Forest & Paper Association, and fossil fuel industry groups, want to make sure businesses can continue to pollute communities, often hundreds of miles downwind of the original source of pollution. Smog pollution can lead to asthma, heart and lung diseases, and even premature death, and threats to the Good Neighbor Plan are threats to public health.

### What We Can Do

The Supreme Court's decision to hear this case directly from the emergency docket, also known as the shadow docket, is unusual and significant, short-circuiting the normal process of judicial review. This is a power grab by the Supreme Court, meant to transfer authority from federal

agencies to the court itself. **Together, environmental, public health, and community groups must demonstrate strong public support for the rule and demonstrate the ways public health will suffer if EPA is blocked from implementing this critical protection.**