

**Oral Testimony of
David C. Foerter
Executive Director, Institute of Clean Air Companies (ICAC)**

**House Subcommittee on Regulatory Affairs, Stimulus Oversight, and Government
Spending Hearing on “Assessing the Cumulative Impact of Regulation on U.S.
Manufacturers”**

March 9, 2011

Rayburn House Office Building, Room 2154

Representative and Chair Jim Jordan and Members of the Subcommittee:

Good morning and thank you for the invitation to share another industry perspective at this hearing on how regulations and requirements create real jobs in the American economy. I am David Foerter the Executive Director for the Institute of Clean Air Companies or ICAC. Today I would like to briefly highlight the fact that investments and efforts to clean the air we all breathe creates real jobs for real people in the U.S. economy – and saves lives. In these brief comments I hope to impart a few realities from the perspective of a mature manufacturing industry. For more than 50 years the Institute has been the nonprofit national trade association of companies working to equip stationary sources – generally power and large industrial facilities – with air pollution control and measurement technologies. The Institute’s members include 100 companies. We believe, and history affirms, that equipping these sources ensures industrial progress while cleaning the air we breathe.

Here are a few realities that I would like to highlight today. We know that investments in clean air technologies result in substantial returns in avoided health costs for the American public. We know that these same investments also are plowed back into the U.S. economy as real jobs in my industry and many related industries. We also know that many of the business interests testifying at these hearings also provide materials that are used in the manufacture of equipment in the air pollution control industry and as such, there is an innate need and desire to work toward sustainable solutions. I find that these

realities can be distilled down into a rather simple formula – the Clean Air Act spurs investments which create jobs, improved health, and a modernized and more sustainable fleet. This formula has worked well for more than 40 years and this is something we need now more than ever.

The principal function of clean air requirements is to clean the air we breathe. We are heartened that renewed interests in jobs has also reintroduced one of the most amazing aspects of air pollution control technologies – simply, for every dollar spent, as much as 40 dollars come back as avoided health costs. This fact has withstood the test of time and is a testimonial to the value of the Clean Air Act, the technology innovations in our industry, and the combined efforts of industries to clean the air while ensuring industrial progress. It is important not to lose focus that the safeguards are there to create cleaner air for all of us, helping to save lives and avoid or reduce illness. Fortunately, these safeguards are a win-win. To comply with them, companies will need to undertake construction projects – that means jobs in areas that are currently facing challenging times.

The clean air investments spurred by regulations and requirements create real jobs in our industry and the U.S. economy, while satisfying their principal goal of providing clean healthy air. Most air pollution equipment for large sources is constructed or fabricated on-site and requires high levels of engineering and design, labor, and depends on component equipment and materials. This means jobs for skilled craft labor such as boilermakers, and new upstream and downstream employment and economic benefits for a variety of industries and communities where they are located. For example, building this equipment requires construction materials such as steel plate, alloy steel, fabricated steel components, structural steel and concrete. In addition, these projects require engineered equipment and specialty materials such as slurry pumps, fans, motors and catalysts. And to sustain operation of these systems, reagents such as urea, ammonia, limestone, Trona, and activated carbon are needed as well as other consumables such as fabric filters used for particulate removal. While the focus of installing controls is on our industry, we rely upon many other industries and employers to get the job done. And that

is just what we have been doing with tremendous success for several decades – getting the job done where and when needed most.

As an industry, ICAC offers constructive comment on nearly every major requirement that relies on either air pollution control or measurement technologies. These comments are part of the public record and we believe demonstrate our desire to provide constructive insight based largely on industry experience on how the capabilities and technological innovations of our industry can be utilized to comply with requirements, but also ensuring industrial progress is being served. Once requirements are in place, we are the industry that works with affected industries to meet both the timing and limits of the requirements. In the more than 40 years of the Clean Air Act, including 20 years operating under the Amendments of 1990, our industry has met the challenges of the requirements and our customers, and delivered solutions. For example in recent years, we have installed a substantial number of large scrubbers to the power sector, that require on average hundreds of workers employed over several years, thousands of tons of steel and concrete, and a continuous supply of reagents such as limestone to ensure sulfur dioxide emissions are reduced by as much as 99 percent. In addition to the direct and indirect jobs created by these projects, the return on investments is significant – as much as a 40 dollar return in health savings for every dollar spent.

A similar story exists for industrial sources that can be based on a formula that is rather simple – the Clean Air Act spurs investments which create jobs, improved health, and a modernized fleet. We are at a juncture when necessary upgrades are long overdue, and an experienced workforce is fully available to complete the effort. In addition, The U.S. Environmental Protection Agency recently finalized a rule for the industrial boiler sector that is significantly less stringent and at a lower cost than was proposed last year. This is something we need now to get America back on the job and protect public health.

The reality is that my industry works constructively to help other industries comply with regulatory requirements. The air pollution control industry is highly competitive, often offering not just many examples of one technology as a solution, but rather, a suite of

technologies that can be used to comply with requirements. ICAC recognizes that both healthy air and jobs result from installation and maintenance of air pollution and measurement technologies. We know the jobs are there and we have an entire mature industry as proof.

In closing, President Obama's Executive Order 13563 issued on January 18, 2011 characterized a regulatory system that "protects public health, welfare, safety and our environment while promoting economic growth, innovation, competitiveness and job creation." I hope that I have been clear that is a shared vision within my industry where for more than 50 years ICAC and its members have existed, prospered, innovated, and made a significant contribution to the health of the U.S. economy, and look forward to continued efforts that create real jobs, for real people, and real health benefits.

Committee on Oversight and Government Reform
Witness Disclosure Requirement – “Truth in Testimony”
Required by House Rule XI, Clause 2(g)(5)

Name: David C. Fooster, Executive Director for the Institute of Clean Air Companies

1. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2008. Include the source and amount of each grant or contract.

None.

The Institute of Clean Air Companies (ICAC) does not accept or participate in any federal grants or contracts.

2. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.

*The Institute of Clean Air Companies (ICAC)
Executive Director*

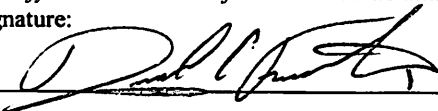
ICAC is the national trade association for manufacturers and service providers of air pollution control and measurement technologies for the stationary source sectors.

3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2008, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

None

I certify that the above information is true and correct.

Signature:



Date:

3-7-2011

David C. Foerter, Executive Director, Institute of Clean Air Companies (ICAC)

David Foerter has several decades of experience advising the public and private sector on environmental legislation, policy, rules, and technology issues with a focus on air pollution control for stationary and mobile sources. Mr. Foerter is the Executive Director of the Institute of Clean Air Companies (ICAC) since 2002, after starting at the Institute in 2000. He currently is a member of the EPA's Clean Air Act Advisory Committee (CAAAC) and the Department of Commerce's Environmental Technologies Trade Advisory Committee (ETTAC). During his tenure on the CAAAC, Mr. Foerter has participated in several broad stakeholder workgroups and subcommittees working on regulatory innovation and incentives issues including advanced coal technologies recommendations, climate change and BACT for GHG's, and multipollutant sectoral-based approaches. Prior to ICAC, Mr. Foerter was senior staff to the Ozone Transport Commission (OTC) working on issues including a regional petition and initiatives that ushered in the NOx Transport SIP Call as well as a multi-state and industry initiative that resulted in the National Low Emission Vehicle (NLEV) Program. Mr. Foerter managed the air and waste programs for the Metropolitan Washington Council of Governments (Wash COG), worked on U.S. EPA's Chesapeake Bay Program, and held positions in the Department of Agriculture and NIH. Mr. Foerter is a trained microbiologist ... that wandered away from the bench in pursuit of a cleaner environment.