



June 21, 2018

U.S. House Committee on Science, Space, & Technology
Subcommittee on Environment

Dear Chairman Biggs, Ranking Member Bonamici, and members of the Subcommittee on Environment of the House Committee on Science, Space, & Technology:

The undersigned public health, medical and nursing organizations strongly support the full implementation and enforcement of the Clean Air Act's protections from ozone pollution, including the 2015 standard. Ensuring the cleanup of ozone pollution is critical to protecting public health.

In 2015, our organizations strongly urged the U.S. Environmental Protection Agency (EPA) to update the National Ambient Air Quality Standard (NAAQS) for ozone to a level that protected human health, including for children, people with lung disease, and others who are at greater risk of health harms. The finalization of the 2015 ozone standard was an important step toward ensuring healthy air, with projected benefits of 230,000 childhood asthma attacks and 160,000 missed days of school prevented every year by 2025.

These benefits will not be realized without full implementation and enforcement. Our organizations are committed to ensuring that EPA work with communities in nonattainment for the 2015 ozone standards to make real pollution reductions, including with strong New Source Review requirements and without excessive exemptions of unhealthy ozone days.

The Clean Air Act requires that the NAAQS be set at the level necessary to protect human health, including for vulnerable populations, with an adequate margin of safety. In a unanimous decision in 2001, the U.S. Supreme Court underlined that the sole basis for setting the standard was the protection of public health. However, in a May 2018 memo, EPA Administrator Scott Pruitt called for the incorporation of other considerations that are clearly not applicable under the Supreme Court decision, such as potential economic and energy impacts, into the standard-setting process.

These considerations are not consistent with the statutory requirements in the Clean Air Act and could lead to standards that are not requisite to protect public health with an adequate margin of safety.

The memo further called for background ozone levels to be taken into account in setting the standard itself, an unnecessary request since the levels of background ozone have been discussed thoroughly in the last two reviews of the standard. These reviews examine ozone from all sources, as the human body needs protection from ozone regardless of the source.

Future ozone and other NAAQS must continue to be based solely on what the health science shows is necessary to protect human health. The law already allows economic considerations to be taken into account when the standard is being implemented, but they have no bearing on the scientific question of how much ozone is safe to breathe. Even background ozone is already addressed in implementation; days when background ozone is excessive can be treated as exceptional events that do not affect meeting the standard.

Our organizations oppose the changes proposed under EPA's memo, coupled with the agency's proposal to restrict the science it considers in its decisionmaking to exclude seminal health studies. Those changes will likely result in inadequate health protections from ozone pollution and other pollutants. EPA must follow the law and fully implement and enforce the 2015 ozone standards, and set any future standards based solely on what the best health science shows is necessary to protect the health of the communities we serve. We call upon this subcommittee to oppose any changes to these policies and procedures at EPA that would put public health at risk by blocking, weakening or delaying the cleanup of ozone pollution.

Sincerely,

Allergy & Asthma Network
Alliance of Nurses for Healthy Environments
American Academy of Pediatrics
American Lung Association
American Public Health Association
Children's Environmental Health Network
Health Care Without Harm
National Association of County and City Health Officials
Trust for America's Health