

As Prepared for Delivery
Comments of Bryan Burton
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On
The U.S. Environmental Protection Agency
Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone
National Ambient Air Quality Standard
Docket ID No. EPA-HQ-OAR-2021-0668

April 21, 2022

Good morning,

My name is Bryan Burton and I am the advocacy manager for the American Lung Association's Healthy Air Campaign where I cover the Mid-Atlantic region. You will hear from a few of my colleagues as well at today's hearing, and our organization will be submitting written comments.

The Lung Association supports this ozone transport proposal, and strongly recommends strengthening it, including extending it to cover more sources in more areas and requiring them to comply more quickly.

Every state in the mid-Atlantic is among those identified in this current proposed rule. I mention this because NOx pollution is not something you can easily move away or hide from. It can form into ground level ozone, which can then lead to a myriad of health and developmental problems for extensive vulnerable populations.

Moving states or regions to avoid the worst health effects of air pollution becomes pointless without robust implementation and enforcement of the Clean Air Act, including strong rules to address interstate transport of air pollution.

Coincidentally, today the American Lung Association released its 23rd annual State of the Air Report. It shows the widespread impact of ozone pollution on the nation's health. Unhealthy ozone levels affect more than a third of the entire US population -- over 122 million people live in an area with unhealthy ground-level measurements. Individual state, county and tribal efforts to reach attainment will not be sufficient if those communities are impacted by transported NOx from upwind states.

First, we are glad to see that this proposal would not only require emissions reductions from power plants, but also from other industrial sources. We urge EPA to expand the covered sources even further to include all power plants and all major industry sources in both upwind and downwind areas.

Second, we urge EPA to require that sources comply more quickly in the final rule. The proposal gives far more time than necessary to start running their existing pollution controls or install new ones. If polluting sources have existing controls, they should be required to run them by the 2023 ozone season. If polluting sources do not have existing controls, they should be required to install and optimally run them by 2024.

EPA must condense their timeline for compliance and implementation considering the widespread use and feasibility of these decades-old existing technologies. Unnecessarily long

compliance timelines will lead to further health impacts from ozone pollution that could have been avoided.

My home state of Pennsylvania stands to see some of the biggest short-term emissions improvements, by power plants simply turning their existing emissions controls on year round. The current availability and wide-spread adoption of Selective Catalytic Reduction or SCR technology is but one reason why enforcement and expansion of this rule must be swift in order to realize immediate health benefits.

In addition to EGUs, we urge EPA to expand the covered industry sources required to install, modify, or adapt these established technologies and optimally run them, given that this is already long-overdue.

The Lung Association's State of the Air 2022 report shows that overall, the nation has made enormous progress in cleaning up ozone pollution, but there is still much work left to do. Local communities can create ambitious sustainability plans, add bike lanes, create comprehensive plans for walkable neighborhoods and energy efficient green construction, but they can't address interstate pollution from upwind sources on their own. Without a strong final rule to address transported pollution, we will not realize the full health benefits of the 2015 NAAQS for impacted communities due to substantial ozone caused by NOx from neighboring states.

In addition, EPA should require controls to be as stringent as technologically feasible, both to ensure compliance with the 2015 ozone standards and to avoid falling further behind when the next standards come out. The Lung Association is calling for stronger ozone National Ambient Air Quality Standards that reflect what the current science shows is safe to breathe. Given the long timeframe to implement new standards, we urge EPA to do everything possible to drive cleanup of transported pollution now. Set limits NOW that will drive polluting sources to continue their downward emission trajectory using the best available technologies, rather than delaying the inevitable and necessary clean-up process.

We urge EPA to maximize the potential health benefits of this action and quickly finalize it into law.