

Oral Comments of Emily Thompson, Manager of Nationwide Policy for Clean Air at the  
American Lung Association to EPA on Proposed Revision to New Source Review

May 28, 2026

Hello, my name is Emily Thompson, I am the Manager of Nationwide Policy for Clean Air at the American Lung Association. Thank you for the opportunity to testify today on EPA's Proposed Revision to New Source Review. The American Lung Association is the nation's oldest voluntary health organization, representing more than 34 million people in the United States living with lung disease. The Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease through research, education and advocacy.

We oppose the proposed revision to the New Source Review and urge EPA to withdraw this proposal and preserve strong pre-construction permitting protections.

The Clean Air Act requires industries to obtain clean air permits before beginning construction on major facilities to ensure that plants can and will comply with clean air requirements, and that potential impacts and alternatives are fully considered before construction begins. These protections are critical because they ensure pollution controls, monitoring systems and other safeguards are incorporated into facility design from the outset, before communities are exposed to harmful pollution.

But EPA's proposal would allow companies to spend millions on plant construction before obtaining a permit. That would put the thumb on the scale in favor of more pollution before health impacts are even considered and before the public has any meaningful opportunity to learn about, comment on or challenge a proposed facility.

Among other things, the requirement for pre-construction permitting is designed to prevent the permitting process from becoming biased toward approval after a company has already invested substantial time and money into a project. It also ensures consideration of health protections and provides communities with transparency and a voice before construction begins.

These permitting requirements apply to existing and proposed major industrial facilities that can emit more than 100 tons per year of dangerous air pollutants. Facilities subject to New Source Review can emit criteria pollutants including particulate matter, nitrogen oxides, sulfur dioxide, volatile organic compounds and hazardous air pollutants such as benzene and formaldehyde. These pollutants pose serious risks to human health. Some of them also react with each other and produce more pollutants such as ozone and acid rain.

Exposure to these pollutants is linked to asthma attacks, reduced lung function, respiratory infections, heart attacks, strokes, cancer, adverse pregnancy outcomes and premature death. Particle pollution and ozone pollution are especially harmful for children, older adults, people with asthma or COPD, outdoor workers and people living with cardiovascular disease. Even short-term exposure can trigger emergency room visits and hospitalizations, while long-term exposure increases the risk of chronic disease and premature death.

The people hurt most by weakening these protections would be children, older adults and people with existing disease burden. The American Lung Association's 2026 "State of the Air" report found that nearly half of children in the United States live in areas with unhealthy levels of air pollution. In communities already struggling with poor air quality, there is an especially strong need to ensure EPA and permitting agencies follow the law fully and do not cut corners during the permitting process for new or expanded pollution sources.

Communities deserve the opportunity to understand the risks posed by major industrial projects before construction begins, not after decisions have effectively already been made. Weakening New Source Review undermines one of the Clean Air Act's vital safeguards for public health and public participation. We urge EPA to withdraw this proposal and preserve strong pre-construction permitting protections that help ensure cleaner air and healthier communities.

Thank you for your time.