

Comments of Diana Van Vleet
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On
The U.S. Environmental Protection Agency Notice of Proposed Rulemaking
Increasing Consistency and Transparency in Considering Benefits and
Costs in the Clean Air Act Rulemaking Process

Docket ID No. EPA-HQ-OAR-2020-00044

July 1, 2020

Good afternoon. My name is Diana Van Vleet – spell name – and I am the National Director of Outreach & Engagement for the American Lung Association’s Healthy Air Campaign. Thank you for the opportunity to speak on this important topic.

While there are other speakers who will get into the more technical pieces of this proposal, today I just want to drive home this point: The proposal being discussed today is a wolf in sheep’s clothing.

While the proposal claims to “increase consistency in considering benefits and costs in the Clean Air Act rulemaking process,” there are many ways in which it could distort, skew, or impede future cost-benefit analyses for Clean Air Act rulemakings. This rule seeks to solve a problem that does not exist. EPA has a long history of examining the costs and benefits of proposed and implemented regulations using peer-reviewed and vetted guidelines. EPA itself recognized that these guidelines provide excellent, well-vetted and updated tools and in this proposal, it fails to identify any real problems that exist with the current system.

The purpose and aim of the proposal is vague at best.

We know that nearly half of Americans are still breathing unhealthy air, and we know that air pollution is harmful – leading to more asthma attacks, respiratory harm, heart attacks, strokes, even early death. As if that weren’t enough, emerging science is pointing to the fact that air pollution is even more harmful than we thought – being linked to dementia, reproductive harm, and increased death rates from COVID-19. Why is the EPA actively pursuing ways to discount the health benefits of pollution protections, especially when the health benefits of pollution reduction are already undervalued?

As one specific example, new studies out of Harvard University since the original Mercury and Air Toxics Standards cost-benefit analysis tell us that the benefits of reducing mercury from power plants are much greater than we thought, and that EPA greatly undercounted the benefits of reducing mercury emissions in their calculations.

The proposed rule would apply benefits as an average across societies instead of a distributional analysis. Because of systemic racism in our country, communities of color often share a greater burden of air pollution. Reductions in harmful emissions from power plants close to predominantly low-income communities of color would have greater health benefits than reductions in wealthier less-trafficked societies. The cost-benefit analysis of a rule should take those additional benefits into consideration.

EPA's proposal to change the process for calculating costs-benefit analyses for regulatory decision making will have dangerous implications for public health. The many benefits from regulating harmful emissions are already undervalued, and the proposed rule will place Americans at further risk for the harmful health effects of air pollution.

On behalf of the American Lung Association, I oppose this proposal and urge EPA to withdraw it. Furthermore, I urge EPA to extend the comment period for this proposal, to adequately allow the public – including health and medical professionals currently dealing with the COVID-19 pandemic – to weigh in on this dangerous proposal.