

Comments of Paul G. Billings
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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 morning, I am Paul Billings – spell name - National Senior Vice President of Public Policy for the American Lung Association. I appreciate the opportunity to speak to you today. The American Lung Association is the oldest voluntary health organization in the U.S. Lung disease is the fourth leading cause of death in the United States and lung cancer is the leading cancer killer among women. Nearly 25 million people, including six million children, suffer from asthma. We advocate on behalf of everyone who breathes.

In April, we released the 21st annual State of the Air report. The report found that nearly five in ten people—150 million Americans—live in counties with unhealthy ozone or particle pollution. That represents an increase from last year’s report that showed 141.1 million living in counties with unhealthy air.

State of the Air highlighted that people of color bear a disproportionate burden from air pollution. Studies have found that Hispanics, Asians, American Indians/Alaska Natives and especially African Americans experienced higher risks of harm, including premature death, from exposure to air pollution. Approximately 74 million people of color, or nearly 6 in 10, live in counties that received at least one failing grade for ozone and/or particle pollution, compared to 4 out of 10 whites. Of the just over 20 million people who live in counties that getting failing grades for ozone, short-term and year-round particle pollution, 14 million are people of color.

Yet in the middle of the COVID-19 pandemic that has claimed the lives of more than 125,000, EPA is proposing a new rule to change and weaken the cost-benefit analysis of air pollution clean up rules. This doesn’t make sense.

First, the American Lung Association strongly opposes this proposal and urges the EPA to withdraw it.

Last month, the American Lung Association and 13 medical, nursing and health organizations requested an extension of this comment period of at least 30 additional days after the end of the national COVID-19 emergency, or 30 additional days after the close of the currently scheduled comment period, whichever is later. I reiterate this request today. Health and medical professionals are focused on fighting the pandemic and cannot fully participate in this rulemaking.

Cost-benefit analysis has many limitations, far too often the estimates of costs far exceed what the pollution cleanup actually costs, and frequently the calculation underestimates the benefits or cannot

calculate all the benefits. This rule does not address this fundamental weakness. Instead, it appears, that this proposed rule is designed to further reduce the quantification of the benefits by ignoring reductions of key pollutants.

I acknowledge that cost-benefit analyses, performed in a consistent way, do show significant benefits for cleaning up air pollution. I note the EPA found in its review of the benefits and costs of the 1990 Clean Air Act Amendments, the benefits exceeded the costs by a factor of more than 30 to 1.

Pollution reductions that save lives should be celebrated, especially at a time when we are reminded of the importance of lung health, and the connection between air pollution and COVID-19 death rates. Pollution cleanup strategies like the Mercury and Air Toxics Standards that achieve reductions of emissions of multiple pollutants should be praised for their efficiency. It is a win-win when the pollution controls installed and operated to reduce toxic air pollution from power plants also reduce particulate matter pollution. This reduces the burden of pollution on public health. It protects babies from methylmercury to damage to their developing nervous system, it reduces exposure to carcinogens, and it saves thousands of lives each year. This may be an inconvenient fact for the polluter who wants to avoid installing and operating pollution controls. And, it may make it impossible for EPA to justify rolling back these pollution cleanup rules. But I can assure you, for the many Americans living near power plants, whose children are healthier today expressly because of the success of the Mercury and Air Toxics Standards, this is much more than a matter of convenience and avoiding pollution control costs. These benefits are real. The benefits of reducing pollution that means that a child will not have an asthma attack, or an adult won't die prematurely. These benefits are important. EPA should not abandon past practice and promulgate a rule to ignore these benefits.

I note that new studies released since the original Mercury and Air Toxics Standards cost-benefit analysis tell us that the benefits of reducing mercury from power plants are much higher and that EPA greatly undercounted the benefits of reducing mercury emissions in their initial calculations.

I also note that compliance was much less expensive than estimated. In 2012, EPA estimated that the complying with MATS would be \$9.8 billion a year in 2015. The actual cost has been far less than that amount. More health benefits at a lower cost, that is a win.

In sum, we urge EPA to withdraw this rule and continue to follow past practice for calculating all the benefits, when conducting a cost-benefit analysis.

Thank you.