

Comments of Liz Scott – As Prepared for Delivery  
National Director, Advocacy, Healthy Air  
American Lung Association  
To  
White House Environmental Justice Advisory Council Public Meeting  
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Thank you for the opportunity to provide comments to you all today. My name is Liz Scott and I'm the National Director of Advocacy for the American Lung Association's Healthy Air Campaign. I wanted to use my time today to talk about various regulatory actions that this Administration needs to take to protect health and to deliver on environmental justice commitments.

I'll start with a rule that has been held up in bureaucratic process for going on 6 months. The former Administration rescinded the appropriate and necessary finding that allowed EPA to set standards for the emissions of mercury and air toxics. Those standards were popular and already fully implemented at the time the finding was rescinded. Mercury is a potent neurotoxin that can cause devastating birth defects, including brain damage. Other toxic chemicals emitted from power plants also threaten the air nearby communities breathe. These pollution controls that were, again, already implemented, were estimated to prevent up to 11,000 premature deaths annually. Due to systemic racist practices, the communities living within the radius of a power plant are disproportionately communities of color. Further, elevated levels of mercury in fish can have a disproportionate impact on specific populations, including Native Americans.<sup>1,2</sup> The reinstating of the appropriate & necessary finding is a justice issue.

Despite the President calling for this rule "as soon as possible" in his day one Executive Order 13990, the proposed rule appears to be stuck at the White House Office of Management and Budget and the broader health community is very disappointed that we are still waiting for the proposal. The Biden Administration needs to propose this rule, finalize it, and then follow the science and the Clean Air Act to set even stronger mercury and air toxics standards. We urge this Administration to quickly finalize the appropriate and necessary finding and begin the process of setting stronger standards.

Another regulation currently under consideration is a rule setting stronger nitrogen oxide and other pollutant standards for heavy-duty vehicles. The transportation sector is a significant source of air pollution. With communities of color often located near highways, ports and transportation hubs, people of color bear a disproportionate burden of some of the most visible and dangerous pollution. Setting stronger standards for trucks and other heavy-duty vehicles will yield health benefits across the board but especially in those areas hardest hit. It is critical that the Administration quickly propose this rule so it can be finalized before the end of 2022 so it can be implemented in 2027.

The Lung Association also encourages EPA to swiftly move through reviewing the 2020 particulate matter and ozone national ambient air quality standards. The 2020 review discounted key science and ultimately finalized standards that were not adequate to protect public health. A study out today from the Health Effects Institute found that if the particulate matter standards were even slightly stronger, as

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<sup>1</sup> <https://scholar.harvard.edu/hawk/publications/mercury-concentrations-columbia-river-basin>

<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3222496/>

many as 143,000 deaths could have been prevented over a decade.<sup>3</sup> The American Lung Association's 2021 State of the Air report found that over 4 in 10 Americans are living in areas with unhealthy levels of particulate matter or ozone pollution. People of color were also three times more likely than whites to live in areas with the most polluted levels. We appreciate that this Administration is reviewing the science and we urge the swift yet robust finalization of these standards.

And finally, we appreciate the Administration finalizing new greenhouse gas standards and mileage standards for light-duty vehicles. Reducing emissions from passenger cars will provide immediate health benefits, long-term climate benefits and will accelerate the transition to zero-emission electric vehicles. The recently finalized standards are an important step towards cleaning up the air for those communities most vulnerable, but they must be followed with a proposal for the next round of model years if we are to continue that progress.

Everyone's health is impacted by air pollution, but some communities have continued to be left behind in the quest for clean air. We appreciate the Administration's commitments to environmental justice and look forward to holding it accountable to meeting those commitments.

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<sup>3</sup> <https://www.healtheffects.org/publication/assessing-adverse-health-effects-long-term-exposure-low-levels-ambient-air-pollution-0>