



March 13, 2014

Dr. Holly Stallworth  
Designated Federal Officer

Dear Dr. Stallworth:

We write to express concern over aspects of the EPA's draft Risk/Exposure Assessment and Policy Assessment for the ozone NAAQS. In particular, we would highlight the following issues:

1. The 60 to 70 parts per billion (ppb) range of standards proposed by EPA includes background levels of ozone. Members of the Clean Air Scientific Advisory Committee (CASAC) have urged EPA to reconsider this as "this zone has little value since it cannot be influenced by the regulatory process." EPA should consider background when setting the level of the ozone NAAQS.
2. One of the main health effects EPA relies on lung function. Yet the effects cited are mild, transient, and reversible. Guidance issued by the American Thoracic Society in 2000 indicates that reversible loss of lung function is not adverse in the absence of respiratory symptoms. EPA should use only biologically plausible and clinically meaningful effects in its analysis.
3. According to the models used in EPA's analysis, some of the stricter alternative standards under consideration could result in higher mortality due to ozone in some areas of the U.S., including Houston. Such results call into question either the realism underlying assumptions in EPA's analysis, or the advisability of the alternatives standards themselves.
4. EPA relies primarily on one long-term study from Jerrett et al. 2009 to claim mortality benefits from reducing the ozone NAAQS, ignoring thirteen other studies involving seven different cohorts that show no significant association. See Abbey et al. 1999; Beeson et al. 1998, Chen et al. 2005; Dockery et al. 1993; Jerrett et al. 2005; Krewski et al. 2000; ; Lipfert et al. 2000 and 2006; Miller et al. 2007; Pope et al. 1995, and 2002, , Smith et al. 2009; and Wang et al. 2009. Further, the Jerrett et al 2009 study relies on the same database that has been the focus of recent Congressional action (the Secret Science Reform Act of 2014). EPA should not use the ACS cohort because the data are not publically available, and should take into account the totality of studies on this issue, rather than giving exclusive weight to a single study.

For these reasons, EPA should consider retaining the current ozone NAAQS.

Sincerely,  
Kathleen Hartnett White  
Josiah Neeley  
Texas Public Policy Foundation