

Remarks for CASAC Teleconference March 28, 2008

This is Deborah Shprentz. I am a consultant to the American Lung Association. I'd like to commend this Committee for its persistence and diligence in holding EPA's feet to the fire by conducting this review of the final revisions to the National Ambient Air Quality Standards (NAAQS) for ozone.

Having reviewed hundreds of pages of the preamble and the response to comments, I am left wanting as to the rationale for departing from the strong, unequivocal, scientific consensus on the appropriate range for a primary standard, as unanimously recommended by CASAC. I am left wondering which safety factors have been incorporated in reaching a final decision.

The final standard, while an improvement, falls far short of the requirements of the Clean Air Act to protect public health with an adequate margin of safety to protect sensitive populations.

Given all that has transpired, we find the Committee's draft letter a bit tepid in its response.

We were also very troubled by the Administrator's call for legislative changes to the Clean Air Act's NAAQS standard-setting provisions.

Americans have a right to know if the air they breathe is safe or not. They need clear, unbiased, health-based National Ambient Air Quality Standards that are unalloyed by cost, risk, or other considerations.

The great value of the current approach is that the air quality standards, the goals, are strictly science-based. Some groups contend that the air quality standards should be based on cost to them, rather than on avoiding injury to breathers. There are obvious equity flaws with this approach, not to mention great analytical uncertainties. For instance, historically, cost estimates have proven to be wildly off the mark. The practice of benefits assessment is in its infancy.

The Administrator's principles seem to suggest that costs, risks, and feasibility be considered when setting the standards -- the goals that define when the air is safe to breathe.

Such an approach would tamper with the essential purpose of the Clean Air Act: the protection of human health.

The principles further suggest abandoning the requirement for prompt and regular reviews of the science to assess whether revisions to the standards are needed to protect public health. The five year review cycle is essential to ensure that the standards are based on current information.

The present Clean Air Act allows ample opportunity for cost, feasibility, timelines and other considerations to be taken into account -- during the implementation phases.

The Clean Air Act has been extremely effective in driving down emissions of air pollution, while accommodating economic growth. Its technology forcing provisions have been a great success story. The air quality standards are central to this process.

We urge this committee to continue to hold EPA accountable for its final decisions on the ozone NAAQS.