

Opening Statement
Ranking Member Eddie Bernice Johnson
Committee on Science, Space, and Technology
EPA's 2015 Ozone Standard: Concerns over Science and Implementation
Thursday, October 22, 2015, 10:00 a.m.

Thank you, Mr. Chairman. Good morning and welcome to our witnesses. First, I'd like to thank the Chairman for agreeing to postpone this hearing to try and accommodate our witness who suffered a medical emergency. Unfortunately, Dr. Mark Mitchell is still not well enough to travel, but I appreciate the consideration showed by the Chairman.

Now, as someone who worked in the public health field before I entered politics, I am very sensitive to the impact poor air quality can have on the health of individuals, especially the young, the infirm, and the poor. Unfortunately, those of us from the Dallas-Fort Worth region are very familiar with the negative effects of smog and are accustomed to seeing health alerts warning us that the air outside is too polluted for us to breathe safely. This year, Dallas has already experienced 32 days where ozone levels exceeded 75 parts-per-billion for more than 8 hours.

For the millions suffering from respiratory diseases, including the 26 million Americans with asthma, which impacts 10-percent of *all* children, ozone pollution has a real and destructive effect on them and their families. It also negatively impacts the entire economy, resulting in both high healthcare costs and significant lost economic productivity. Reducing ozone levels from 75 parts per billion to 70 parts per billion will have positive human health and economic impacts throughout the country.

And while those of my colleagues and the industries who are opposed to virtually all environmental regulations often forget this point, the Clean Air Act requires that the ozone standard be based on science alone. It explicitly prohibits the EPA from considering economic costs when setting the standard, and rightfully puts the health and well-being of Americans first. The new rule is not as ambitious as health professionals had hoped for, but it will still have a real and meaningful positive impact on the health of all Americans. The scientific evidence supporting the benefits of reduced levels of ozone is clear, consistent, and growing.

Some will likely argue that implementing a lower ozone standard will kill jobs and the economy. Some of my colleagues may also suggest that we wait, and not, as they say, "shift the goal posts" with this new rule because ozone levels have dropped by 33 percent since 1980. In short, they will use our current success as an excuse to stop trying to do better. They will also attempt to raise doubts about the scientific evidence justifying the new standard and will exaggerate the costs of its implementation.

These kinds of tactics have been used before. Back in the 1960's, the tobacco industry devised a strategy to counter a growing body of scientific and medical evidence that tobacco products unquestionably caused harm. Publically available tobacco industry documents lay out a detailed strategy that reads in part:

“Doubt is our product since it is the best means of competing with the “body of fact” that exists in the mind of the general public. It is also the means of establishing a controversy.”

Thus, in any forum they could, tobacco industry scientists attempted to raise *doubts* about the science, *doubts* about the medical harm from cigarettes, and *doubts* about the scientific models used by government scientists that highlighted the negative health effects of tobacco and second-hand smoke. In addition, tobacco industry executives emphasized concerns about the economic impact of proposed tobacco regulations on their industry and the economy at large.

This strategy served the tobacco industry well, postponing effective action for years. The profits enabled by these public relations-based attacks on science went to the companies, but the American public paid the price in a lower quality of life, increased medical costs, lost earnings, and shortened lives. This same strategy has been mimicked by the oil and gas industry in its attempt to question the scientific evidence pointing to climate change. Unfortunately, this Committee has become a favorite forum for rolling out these tactics during consideration of federal regulation of harmful chemicals that harm the environment and endanger the public's health.

We will hear today, for the fourth time in five years, from Dr. Michael Honeycutt, from my home state's office of environmental regulation, the Texas Commission on Environmental Quality or T-C-E-Q; which appears to be employing the tactics that I've just described. Instead of following the science supporting a reduction in the levels of ozone pollution, TCEQ along with industry has waged a public media campaign geared to raising doubts about the science and alleging dire economic consequences of implementing these new health based standards. Recent news stories have questioned why the agency spent nearly \$2 million hiring a scientific organization that previously did substantive work for the tobacco industry to help TCEQ raise doubts about the EPA's ozone rule. As a Texas resident, I have questions about why my tax dollars would be used that way too. I hope that in her testimony Dr. Elena Craft from the Austin office of the Environmental Defense Fund can help describe the body of scientific data on which the new ozone rule is based and also explain the criticisms of both TCEQ and the tactics used by industry to oppose the new ozone rule.

Americans are not fooled by these tactics any more. Time and again, the evidence shows that on balance, jobs are created and the economy expands following the passage of major environmental reforms. Stricter pollutions limits force innovation and create new technologies. With a fair national regulatory system that protects the public, companies can do well by doing good. As it relates to this new ozone rule, EPA estimates its benefits to be more than double the costs – that is, benefits of \$2.9 to \$5.9 billion annually compared to costs of \$1.4 billion. Such a return on investment should prove the obvious: that when the environment is healthy, the economy is healthy too.

The American Heart Association, American Lung Association, American Medical Association, and many other public health organizations have all supported lowering the ozone standard to 60 parts-per-billion, which they argue would prevent up to 7,900 premature deaths annually, 1.8 million asthma attacks in children and 1.9 million missed school days nationwide. But they believe *any* lowering of the ozone standard is a good first step. The community of medical and public health professionals does not believe there is *any doubt* that reducing ozone levels is a necessary step to help better protect the public's health from the real effects of ozone pollution.

I am attaching to my statement a short compilation that includes a small segment of the 430,000 written comments on the ozone rule by health professionals and others supportive of the EPA's efforts to do their job and protect the environment and the public's health.

Mr. Chairman, a strong economy and a healthy environment are not mutually exclusive. We can have both, and we should strive to continue to improve the environment and the air we breathe. I believe EPA's new ozone regulations will help take us in the right direction.

Thank you, Mr. Chairman, and I yield back.