



Cleaning the Air:

A Selection of Public Comments on the EPA's New Ozone Rule

Compiled by the Minority Staff
For Democratic Members of the
Committee on Science, Space & Technology
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Background

On October 1, 2015, the Environmental Protection Agency (EPA) lowered the National Ambient Air Quality Standards (NAAQS) for ground-level ozone from 75 parts per billion (ppb) to 70 ppb to better protect the public's health. Ground level ozone is created by the chemical reactions between oxides of nitrogen (NO_x) and volatile organic compounds (VOC) when they are exposed to sunlight. Major sources of these two chemicals include industrial facilities, electric utilities, vehicles exhaust and gasoline fumes. Ozone is a key component in smog and scientific evidence that exposure to ozone harms the environment and human health, particularly those with respiratory illnesses, such as asthma, has been known for decades and has been accumulating steadily for years.

In 2008, under the George W. Bush administration, the ozone standard was lowered from 80-parts-per-billion (80 ppb) to 75 ppb. However, at the time, the 18 members of the Clean Air Scientific Advisory Committee's (CASAC's) Ozone Review Panel (composed of medical professionals and scientists) unanimously opposed this move, endorsing instead a National Ambient Air Quality Standard (NAAQS) for ozone of between 60 and 70 ppb. In a letter to the then EPA Administrator Stephen Johnson, they argued: "[T]he members of the CASAC Ozone Review Panel do not endorse the new primary ozone standard as being sufficiently protective of public health." Furthermore, they wrote: "It is the Committee's consensus scientific opinion that your decision to set the primary ozone standard [at 75-ppb] fails to satisfy the explicit stipulations of the Clean Air Act that you ensure an adequate margin of safety for all individuals, including sensitive populations."

The EPA's recent decision to further lower the ozone standard to 70 ppb was based on a review of nearly 2,300 studies, including more than 1,000 new studies published since the 2008 review. As would be expected, the EPA's decision was strongly criticized by the industries who release precursor ozone chemicals into the environment, including the National Association of Manufacturers, the American Petroleum Institute, and the American Chemistry Council. These industries have used tactics first employed by the tobacco industry in the 1960s to raise doubts about the scientific and medical evidence that supports a lowering of the ozone standard, and they claim that implementing the new standard will result in job losses and dire economic consequences.

In stark contrast, the vast majority of public health organizations support a lower ozone standard and believe the new rule will help reduce healthcare costs substantially, such as the \$56 billion spent on medical costs and lost productivity due to complications from asthma each year. The new rule should help diminish those costs. Many medical organizations have pushed for an ozone rule of 60 ppb, but believe any reduction in the amount of ground-level ozone will be beneficial. Unlike the for-profit industries opposed to the new EPA regulation, the public health community believes there is *no doubt* that reducing ozone is a necessary step to help better protect the public's health.

In its decision to reduce the ozone standard from 75-to-70 ppb the EPA received more than 430,000 written comments on the proposed standard. The report below includes excerpts of those comments, divided into three key sections: 1) Public Health; 2) Environmental Justice; and 3) Economics. These public comments were accessed from www.regulations.gov.

The excerpts included here are from well-established national medical organizations, such as the American Lung Association, and other organizations that were supportive of the EPA's efforts to reduce the levels of ozone pollution in the environment. To see the levels of ground-level ozone in your location visit www.airnow.gov or the American Lung Association's www.stateoftheair.org.

Public Health Consequences of Ozone Pollution

The public health consequences from ozone pollution are significant. This is particularly true for large segments of our society who suffer from respiratory illnesses, including nearly 26 million Americans with asthma, including 10 percent of all children, who are most at risk from high levels of ozone. Asthma is a complicated multifaceted disease that has genetic roots and is exacerbated by environmental factors, such as exposure to ozone. In the U.S. alone, each year asthma accounts for almost 2 million emergency room visits, 439,000 hospitalizations, more than 14 million doctor visits, 14 million lost work days, more than 10.5 million lost school days and 3,600 deaths.

The American Heart Association, American Lung Association, American Medical Association, American Public Health Association, American Thoracic Society, Asthma and Allergy Foundation of America and American Academy of Pediatrics, among many other public health organizations, have supported an EPA ozone rule as low as 60 part-per-billion (ppb), which they believe is truly protective of the health and safety of *all* individuals. These organizations argue that an ozone level of 60 ppb would prevent up to 7,900 premature deaths annually, 1.8 million asthma attacks in children and 1.9 million missed school days nationwide. They believe the EPA move to push the ozone standard down from 75 ppb to 70 ppb is a good step, but does not go far enough.

Why smog is harmful

Ozone, the main ingredient in smog, is one of the most widespread air pollutants and among the most dangerous.

Effects on health

How ozone forms

- 1 Oxygen in the atmosphere O2
- 2 Nitric oxide, byproduct of combustion NO
- 3 Sunlight breaks up nitric oxide
- 4 Ozone formed by three oxygen atoms O3

U.S. ozone limits

In parts per billion

• 1997-2008	84
• 2008-present	75
• New EPA proposal	60-70

© 2010 MCT
 Source: American Lung Association, State of the Air 2008, AP Graphic: Staff
http://www.knowabouthealth.com/wp-content/uploads/2010/07/20100107_SMOG_effects-89_large_prod_affiliate_91.jpg

The text which follows includes public comments submitted to the EPA prior to October 1, 2015, on the “Proposed Rule: National Ambient Air Quality Standards for Ozone.” The comments were submitted by public health organizations, medical associations and environmental justice groups.



Physicians Caring for Texans

<http://www.texmed.org/>

Mission

Texas Medical Association was organized by 35 physicians in 1853 to serve the people of Texas in matters of medical care, prevention and cure of disease, and the improvement of public health. Today, with more than 48,000 physician and medical student members, TMA is the nation's largest state medical society.



<http://www.dallas-cms.org/>

Mission

Established in 1876, the mission of the Dallas County Medical Society is to advocate for physicians and their patients, to promote a healthy community and to enhance professionalism in the practice of medicine.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-2792>

Robert W. Haley, MD, FACE, F ACP
Dallas County Medical Society & Texas Medical Association
Before the
U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”
Arlington, Texas

January 29, 2015

“... I'm a specialist in internal medicine at Parkland Hospital in Dallas and a medical epidemiologist with 40 years' experience doing epidemiologic research and teaching epidemiology and statistics. ... In my testimony today I represent the 7,000 physicians of the Dallas County Medical Society and the 45,000 physicians of the Texas Medical Association.”

“The physicians of our state ... are very concerned about the effects of air pollution on the health of our patients, especially the effects of high ground-level ozone

[T]he 7,000 physicians of the Dallas County Medical Society, supported by the 45,000 physicians of the Texas Medical Association, strongly endorse lowering the ozone standard 10 ppb to 65 ppb, or lower.

concentrations on asthma attacks in children, chronic lung disease exacerbations, and heart attacks in our older patients, and premature deaths in all age groups. Our reading of the scientific literature finds compelling evidence for the adverse effects of ozone on human health down to ozone levels of around 40 ppb.”

“We've heard recent arguments by state environmental officials claiming that ozone levels below 75 ppb do not harm human health and may even be beneficial, based on the fact that asthma rates are highest in the winter when ozone levels are the lowest. However, every physician knows that colds and influenza infections and cold temperatures, which occur mostly in the winter, are the main cause of the high rates of asthma and chronic lung disease exacerbations in the winter, just as high ozone levels are an important contributor in the summer.”

“As physicians who care for these patients and see the asthma attacks, respiratory failure, hospitalizations and premature deaths ... the 7,000 physicians of the Dallas County Medical Society, supported by the 45,000 physicians of the Texas Medical Association, strongly endorse lowering the ozone standard 10 ppb to 65 ppb, or lower.”



American Academy of Pediatrics
DEDICATED TO THE HEALTH OF ALL CHILDREN™

<https://www.aap.org/>

Mission

The mission of the American Academy of Pediatrics is to attain optimal physical, mental, and social health and well-being for all infants, children, adolescents and young adults. The AAP is a professional membership organization of 64,000 primary care pediatricians, pediatric medical sub-specialists and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents and young adults.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-0671>

Samantha Ahdoot, MD, FAAP
On behalf of the
American Academy of Pediatrics
Before the

U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

January 29, 2015

“My name is Dr. Samantha Ahdoot; I am here representing the American Academy of Pediatrics (AAP), a non-profit professional organization of 62,000 primary care pediatricians, pediatric medical sub-specialists, and pediatric surgical specialists.... The AAP supports the EPA’s proposed ozone pollution limits of between 65 and 70 parts per billion (ppb) as a critical and overdue first step. There is clear and compelling scientific evidence that supports the need for an even stricter standard of 60 ppb, or even lower, but bringing down the allowable ozone pollution below the current limit of 75 ppb will help children’s health.

For children who already have asthma, the health consequences of ozone pollution are even more pronounced than in children without asthma, often

As a pediatrician, I can prescribe inhalers and treat asthma attacks, but unfortunately I cannot reduce the risk that ozone pollution poses to my young patients. ... The solution to air pollution is not to keep children inside. The solution is to clean the air.

requiring trips to the emergency room or intensive care unit for treatment. On high ozone days, many of these children are forced to stay home or to see their pediatrician, missing school or

other recreational activities. Their parents are forced to miss work, which puts a significant economic drain on middle-income families and on the economy as a whole.

In my region of Northern Virginia, which ranks 9th for the worst ozone pollution in the United States, more than 200,000 children are diagnosed with asthma. As a pediatrician, I can prescribe inhalers and treat asthma attacks, but unfortunately I cannot reduce the risk that ozone pollution poses to my young patients. The EPA’s proposed new lower standard is a step in the right direction to help limit the amount of ozone our children are exposed to on a daily basis, whether during their walk to the bus stop or their outdoor sports activity. The solution to air pollution is not to keep children inside. The solution is to clean the air.



<http://medicaladvocatesforhealthyair.org/>

Mission

Medical Advocates for Healthy Air is a group of health professionals who educate their patients and other practitioners about the connection between poor air quality and disease. MAHA members also advocate for stronger policies that will restore clean and healthy air to North Carolina. Using in-person and written testimony to government agencies, articles, and sign-on letters, MAHA is committed to reducing the impact of ozone pollution, fine particulates and air toxins.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-1985>

Lawrence W. Raymond, MD, ScM
On behalf of undersigned members of the
Medical Advocates for Healthy Air
Before the

U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 17, 2015

“As medical and health professionals who work and live in North Carolina, we are writing to express our strong support of the EPA’s proposed revisions to the ... national ambient air quality standards for ground level ozone. [Our] members urge the EPA to adopt a standard of 60 parts per billion which according to the Clean Air Scientific Advisory Committee, corresponds to the lowest exposure concentration at which pulmonary inflammation has been reported. ...

[North Carolina] data currently indicates more than 138,000 cases of pediatric asthma, a disease known to be exacerbated by poor air quality. Such exacerbations have been directly and

Scientific studies indicate a positive association between chronic exposure to ground level ozone formation and childhood asthma, other respiratory hospital admissions, missed school and work days and increased decrements in health adult lung function.

indirectly associated with high levels of ground level ozone. Effects of ozone pollution have already taken a significant toll on children, older adults, people who are active outdoors, and people suffering

from lung and heart disease, chronic obstructive pulmonary disease and diabetes....

Scientific studies referenced in the EPA’s Proposed Rule published in the December 17, 2014 Federal Register ... indicate a positive association between chronic exposure to ground level ozone formation and childhood asthma, other respiratory hospital admissions, missed school and work days and increased decrements in health adult lung function.

We believe it is critical for the federal government to take action to further limit ground level ozone pollution to 60 parts per billion ... We urge the EPA to adopt standards that result in the maximum positive impact on public health.”



Thomas Ferkol, MD
On behalf of the
American Thoracic Society

Before the
Senate Environment and Public Works Committee
“EPA’s Proposed Ozone National Ambient Air Quality Standard”

February 2, 2015

“My name is Dr. Tom Ferkol. I am a pediatric pulmonologist at the Washington University in St. Louis School of Medicine, and also the current president of the American Thoracic Society.

<http://www.thoracic.org/>

Mission

In 1905, a small group of physicians decided that the best way to improve care for tuberculosis patients was the share their experiences and discoveries. Now, ATS is an international society with more than 15,000 members, and it is the world’s leading medical association dedicated to advancing clinical and scientific understanding of pulmonary diseases, critical illnesses and sleep-related breathing disorders.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3235>

Ozone is a potent oxidant that damages the airways and lungs. The American Thoracic Society strongly supports EPA’s proposal to strengthen the National Ambient Air Quality Standard for ozone. If anything, we are disappointed EPA did not go further in recommending a stronger standard of 60 ppb.

For several years, the ATS has encouraged the EPA to issue a more protective ozone standard. The scientific evidence available seven years ago justifying this recommendation has been supplemented by an even greater understanding of the health effects of ozone exposure, including greater respiratory disease in infants and children, reduced lung function, and increased mortality in adults. Indeed, there is clear, consistent, and conclusive evidence that we believe should compel EPA to establish an ozone standard no higher than 60 ppb.

While the evidence on ozone and respiratory effects is comprehensive and compelling, recent studies have shown adverse health effects beyond the lung. ... The ATS strongly urges EPA and the Administration to finalize a more protective ozone standard of 60 ppb.

While the evidence on ozone and respiratory effects is comprehensive and compelling, recent studies have shown adverse health effects beyond the lung. ... The ATS strongly urges EPA and the Administration to finalize a more protective ozone standard of 60 ppb.”



CITY OF HOUSTON
Department of Health and Human Services

www.houstontx.gov/health

Mission

The Houston Health Department provides traditional public health services and seeks to use innovative methods to meet the community's present and future needs. Their mission is to work in partnership with the community to promote and protect the health and social well-being of all Houstonians. It is the first health department in Texas and the second in a large U.S. city to earn national accreditation

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3058>

Stephen L. Williams, M.Ed, MPA
On behalf of the

Houston Department of Health and Human Services

Before the

U.S. Environmental Protection Agency

“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 16, 2015

“The City of Houston Department of Health and Human Services has found adverse health effects associated with ozone at levels lower than the current National Ambient Air Quality Standard for ground-level ozone. The health department, in conjunction with academic partners, has conducted local health impact assessments to evaluate the association between air pollution and two acute health events in Houston: cardiac arrest and asthma attacks. These studies ... indicate that ozone is an

The City of Houston ... health department, in conjunction with academic partners, has conducted local health impact assessments to evaluate the association between air pollution and two acute health events in Houston: cardiac arrest and asthma attacks. These studies ... indicate that ozone is an important trigger for both types of events.

important trigger for both types of events.”

... Ozone and nitrogen dioxide are important triggers of ambulance treated asthma attacks in Houston with 20 and 8 ppb increase in ozone and nitrogen dioxide, respectively, in a multi-pollutant model. Both pollutants are simultaneously high

but below the EPA standard at certain times of the year. ...

An hourly average increase of 20 ppb ozone increase for the eight-hour average daily maximum was associated with an increased risk of [out-of-hospital cardiac arrest] on the day of the event of 3.9%. ... Effects were stronger for men, African Americans or those aged over 65.”



Serving District of Columbia, Delaware, Maryland, New Jersey, Pennsylvania, Virginia & West Virginia

www.lung.org/

Mission

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease through education, advocacy and research. Their goals are to defeat lung cancer, improve the air we breathe, reduce the burden of lung disease on afflicted patients and families, and eliminate tobacco use. The Mid-Atlantic chapter serves about five million people in the District of Columbia, Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-1461>

Kevin Stewart
American Lung Association of the Mid-Atlantic
Before the

U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

January 29, 2015

“I am Kevin Stewart and I serve as the Director of Environmental Health for the American Lung Association of the Mid-Atlantic. I am representing not only some five million people in our service area who suffer from chronic lung disease, but also the millions more who desire to breathe clean air and so protect their good health. ...

A truly immense body of evidence demonstrates that ambient ozone pollution significantly harms people’s health, and that it does so at levels commonly found in the United States. Adverse

Each year in the [U.S.], ozone causes on the order of a million lost school and work days, hundreds of thousands of asthma attacks, and thousands of premature deaths. Simply put, ozone ‘smog’ worsens and causes disease and even death for real people.

outcomes of this exposure range from acute symptoms to chronic inflammation, from greater

susceptibility to respiratory infections to lung disease episodes requiring medical treatment or hospitalization, from increased risk of asthma attacks to premature death. Each year in the United States, ozone causes on the order of a million lost school and work days, hundreds of thousands of asthma attacks, and thousands of premature deaths. Simply put, ozone ‘smog’ worsens and causes disease and even death for real people.

... [P]opulations at risk in our service area and known to be living with elevated ozone levels include at least the following: 7.4 million infants, children and teens under 18; 4.5 million persons aged 65 and above; 700,000 children with asthma; 2.4 million adults with asthma; 1.5 million adults with chronic bronchitis or emphysema; and some 2.1 million persons with heart disease....

Therefore, the American Lung Association of the Mid-Atlantic urges EPA to adopt as the primary standard the strongest value recommended for consideration by its own expert staff and by its own independent advisory panel ...”

Ozone and Environmental Justice

Minority communities are often most at risk from the deleterious health effects of environmental pollution. They often live in neighborhoods adjacent to industrial sites or key transportation routes, such as highways or railway lines and are frequently exposed to high levels of toxic contaminants. Because of their economic status they are often unable to afford key medicines to help them cope with illnesses that are either linked to environmental pollution or exacerbated by exposure to environmental pollutants, such as ozone, that are known to worsen respiratory illnesses.

The EPA's decision to reduce the levels of ozone to 70-parts-per-billion will benefit many of the individuals in these communities significantly. It will improve their health, reduce hospitalizations, prevent premature deaths and reduce the costs they expend on medications and their time away from work due to the human health effects of exposure to ozone pollution.

The EPA has developed a web-based tool called the "Environmental Justice Screening and Mapping Tool" or EJSCREEN that allows individuals to combine demographic and environmental data to highlight specific geographic areas combined with environmental data, such as ozone levels. To search for data in your location go here: <http://www2.epa.gov/ejscreen>. The maps below highlight minority populations and ozone levels in Washington, D.C., indicating that some of the highest concentrations of ozone are located in minority neighborhoods.

Washington D.C.'s minority population



Ozone levels in Washington D.C.





www.thoracic.org/

Mission

In 1905, a small group of physicians decided that the best way to improve care for tuberculosis patients was the share their experiences and discoveries. Now, ATS is an international society with more than 15,000 members, and it is the world's leading medical association dedicated to advancing clinical and scientific understanding of pulmonary diseases, critical illnesses and sleep-related breathing disorders.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3235>

Gibbe H. Parsons, MD
On behalf of the
American Thoracic Society

Before the
Senate Environment and Public Works Committee
“EPA’s Proposed Ozone National Ambient Air Quality Standard”

February 2, 2015

“I am Gibbe Parsons, MD, a Pulmonary/Critical Care Professor Emeritus at University of California Davis Health System. I have been at U.C. Davis for 44 years, volunteered with the American Lung Association, and been a member of the American Thoracic Society for most of those years. ...

Ozone is a potent oxidant that damages airways and lungs, especially in asthmatics, young children and other susceptible populations. The most recent standard for ozone is ... 75 ppb. ... [In] the 7-8 years since that level was established by EPA, many scientific studies have shown the deleterious effects of ambient air levels of ozone in the health of children, asthmatic adults, the elderly and normal adults. ...

A long term study of air pollution and health has been ongoing in Atlanta, Georgia since 1993, monitoring daily ozone and other

Ozone is a potent oxidant that damages airways and lungs, especially in asthmatics, young children and other susceptible populations. ... Children born pre-term and among children born to African American mothers had especially high rates of ED [Emergency Department] visits for asthma and wheeze.

pollutants levels and taking daily counts of emergency department visits for asthma or wheeze among children age 5-17. ...

Children born pre-term and among children born to African American mothers had especially high rates of ED visits for asthma and wheeze. ...

In sum there is evidence that ozone pollution, at levels permitted by the current standard, is damaging to the human lung and contributes to disease. We strongly encourage the EPA and the Administration to move forward with a strong standard of 60 ppb to protect our nation’s health from the known health effects of ozone.”



<http://cuer.law.cuny.edu/>

Mission

The Center for Urban Environmental Reform is a social justice initiative of the City University of New York School of Law. The goal is to expand participation in public decision-making and to increase transparency and overall access to information in order to enhance both the legitimacy of environmental decision-making processes and the fairness of the decisions reached.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3303>

Rebecca Bratspies
On behalf of the
CUNY Center for Urban Environmental Reform
Before the

U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 17, 2015

“I am writing on behalf of the CUNY School of Law Center for Urban Environmental Reform to express strong support for the agency proposal to revise the primary National Ambient Air Quality Standard for Ozone downward from its current 75ppb level to a more protective 60 ppb level.

... [S]etting the standard at 60ppb will achieve the public health protections at the heart of the Clean Air Act – preventing up to 7,900 premature deaths in 2025 alone, as well as avoiding 1.8 million childhood asthma attacks and 1.9 million missed days of school each year.

Moreover, the impacts of ozone pollution are not distributed equally across all communities. Poor and minority communities are much more exposed to ozone pollution, and thus bear a disproportionate share of the ill health effects from the current, inadequate ozone NAAQS. ... EPA must set the ozone NAAQS at a level that protects all Americans, including those most vulnerable to the effects of ozone pollution, and those currently most exposed to the pollution.

[T]he impacts of ozone pollution are not distributed equally across all communities. Poor and minority communities are much more exposed to ozone pollution, and thus bear a disproportionate share of the ill health effects from the current, inadequate ozone NAAQS. ... EPA must set the ozone NAAQS at a level that protects all Americans, including those most vulnerable to the effects of ozone pollution, and those currently most exposed to the pollution.

... For these reasons, the CUNY Center for Urban Environmental Reform urges EPA to adopt a stronger, more protective standard of 60 parts per billion.”



<http://www.psr.org/>

Mission

Physicians for Social Responsibility has been working for more than 50 years to create a healthy, just and peaceful world for both the present and future generations. PSR uses medical and public health expertise to address issues such as prevention of nuclear war and proliferation, reversing the trajectory towards climate change, and protecting the public and the environment from toxic chemicals. In 1985, its international affiliate, International Physicians for Prevention of Nuclear War, was the recipient of the Nobel Peace Prize.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-1173>

Physicians for Social Responsibility

Before the

U.S. Environmental Protection Agency

“Proposed Rule: National Ambient Air Quality Standards for Ozone”

February 17, 2015

“[Physicians for Social Responsibility’s] mission is to protect human life from the gravest threats to health and survival. It is in this context that we submit our comments on the proposed changes in the [NAAQS Rule] for ozone.

On the basis of the scientific evidence as put forth in the peer-reviewed medical and scientific literature it is clear to use that the current primary standard of 0.075 ppm or daily maximum 8 hour concentration averaged over 3 years ... fails to protect the health of Americans, particularly sensitive populations.

The history of NAAQS for ozone is troubled by excessive political influences that have blocked or delayed establishing a primary standard that protects health with what the

Agency itself refers to as an ‘adequate margin of safety.’ ...

... [W]e call on the Agency to establish a primary 8-hour standard that is no higher than 60 ppb.”

We recognize that the Agency is and will continue to be under enormous pressure by some vested interests to maintain the present standard. The Agency must remain steadfast in its mission to protect human health and the environment. Americans of all persuasions breathe the same air and that air must not be a threat to our health, particularly the health of vulnerable populations who are least able to speak for themselves.

We recognize that the Agency is and will continue to be under enormous pressure by some vested interests to maintain the present standard. The Agency must remain steadfast in its mission to protect human health and the environment. Americans of all persuasions breathe the same air and that air must not be a threat to our health, particularly the health of vulnerable populations who are least able to speak for themselves.



Environmental Justice Leadership Forum on Climate Change

<http://www.ejleadershipforum.org/>

Mission

The Environmental Justice Leadership Forum on Climate Change comprises over 45 organizations working to develop just policies and mechanisms that equitably reduce carbon emissions in all counties. These environmental justice advocates interact with scientists and representatives of environmental groups to inform state and federal political and legislative action.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-2267>

Environmental Justice Leadership Forum on Climate Change Before the

U.S. Environmental Protection Agency

“Proposed Rule: National Ambient Air Quality Standards for Ozone”

“The Environmental Justice Leadership Forum on Climate Change is led by racially diverse people who are community organizers, public health experts, healers, youth leaders, environmental and social scientists, lawyers, and policy advocates dedicated to a healthy and just environment and economy. Across the United States and tribal lands, Forum members live in and work in Environmental Justice communities, where residents are overburdened with dirty air due to both stationary and mobile pollution sources ... [that] negatively impact our health and fuel climate change. ...

The evidence is clear that in the United States, economically disadvantaged and minority populations share a disproportionate burden of air pollution exposure and risk, specifically higher residential exposure to traffic and traffic-related air pollution.

According to the American Lung Association’s 2014 State of the Air Report, [44.8% of] people in the United States live in areas with unhealthy levels of O₃ ... Inequality in average NO₂ concentration is disproportionate to the inequality in average income,

nonwhites experience 4.6ppb (38%) higher residential outdoor NO₂ concentrations than whites, and within individual urban areas, after controlling for income, nonwhites are, on average, exposed to higher outdoor residential NO₂ concentrations than whites; and, after controlling for race, lower-income populations are exposed to higher outdoor residential average NO₂ concentrations than higher-income populations.

The evidence is clear that in the United States, economically disadvantaged and minority populations share a disproportionate burden of air pollution exposure and risk, specifically higher residential exposure to traffic and traffic-related air pollution.

In conclusion, on behalf of the millions of people across this country that are living everyday with ‘bad air’, we hope you ... adhere to the Agency’s theme and your pledge to ‘keep environmental justice a priority’. Give us the strongest standard at 60 ppb for Ozone – we deserve it.”



<http://livingwellblack.org/>

Mission

Living Well Black is a non-profit organization dedicated to improving health, wealth, and success in the Black community through outreach, empowerment, and advocacy. They advocate for policies that support their efforts to improve Black lives.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-2735>

Janell Mayo Duncan
On behalf of
Living Well Black
Before the

U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 17, 2015

“LWB is an organization formed in 2012 to bring consumer health and safety information to the African American community. In addition, in many areas of life, African Americans face a disproportionate burden of diseases.... There are critical actions that can be taken to narrow this gap. ...

African Americans suffer disproportionately from asthma and other diseases and conditions worsened by air pollution. Rates of hospitalizations and deaths due to asthma are both three times higher among African Americans than among whites. Black children visited the emergency department for asthma at a rate 260% higher [than] white children, had a 250% higher hospitalization rate, and had a 500% higher death rate from asthma than white children. Because African Americans suffer higher rates of asthma, stronger ozone standards are expected to reduce the symptoms of those suffering from asthma. In addition, strong standards are likely to provide an added benefit to African American communities often overburdened by air pollution.

African Americans suffer disproportionately from asthma and other diseases and conditions worsened by air pollution. ... Because African Americans suffer higher rates of asthma, stronger ozone standards are expected to reduce the symptoms of those suffering from asthma. In addition, strong standards are likely to provide an added benefit to African American communities often overburdened by air pollution.

In its Final Rule, we urge the EPA to adopt O₃ limits of 60 ppb. We believe that this stronger standard is more appropriately protective of vulnerable populations, and will better reduce the disproportionate health burden suffered by African Americans from asthma and other lung diseases and conditions.”



<http://www.movingforwardnetwork.com/>

The Moving Forward Network is a nationwide coalition of community-based organizations, advocates, scientists and researchers committed to improving the freight transportation system in the areas of environmental justice, public health, quality of life, the environment and labor. They facilitate information sharing, funding research, peer-to-peer training, facilitating workshops, and creating national campaigns.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-1807>

Angelo Logan
On behalf of the
Moving Forward Network
Before the

U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 16, 2015

“In the United States, more than 13 million Americans (3.5 million of whom are children) live near major marine ports or railyards. Freight transportation activity ... exacts a heavy toll on human health. Communities near freight transportation facilities and busy truck routes are often low-income communities of color, and suffer higher rates of asthma, premature death, and risks of lung cancer than the general population. Our Network represents these communities.

Communities near freight transportation facilities and busy truck routes are often low-income communities of color, and suffer higher rates of asthma, premature death, and risks of lung cancer than the general population. ... [T]he Network highly encourages EPA to set the standard consistent with the recommendations to the Clean Air Scientific Advisory Committee and the many scientific studies indicating that adverse health [effects] are associated with very low levels of ozone.

The Clean Air Act is abundantly clear – NAAQS must be set at a level “requisite to protect the public health” with “an adequate margin of safety.” 42 U.S.C. § 7409(b)(1). Given this mandate, the Network highly encourages EPA to set the

standard consistent with the recommendations to the Clean Air Scientific Advisory Committee and the many scientific studies indicating that adverse health [effects] are associated with very low levels of ozone. To ensure compliance with the law, EPA must set the NAAQS at a level of 60 ppb.

... Attached to this letter are statements from Network members who live, work and play in communities harmed by air pollution from the freight industry. These statements underscore the need for EPA’s swift action in this area.”



<http://www.naacp.org/>

Mission

The mission of the National Association for the Advancement of Colored People is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-4143>

Hilary O. Shelton
On behalf of the
National Association for the Advancement of Colored People
Before the
U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

July 23, 2015

“On behalf of the NAACP, our nation’s oldest, largest, and most widely recognized grassroots-based civil rights organization, I am writing to express our organization’s support for an updated, strong final ozone rule which mandates a standard of no more than 60 parts per billion. This rule is important to the NAACP and to the communities we serve and represent because air pollution is a serious problem which disproportionately affects too many racial and ethnic minorities.

Approximately 71% of African Americans live in areas in violation of air pollution standards.

Studies have determined that race, over income, is the #1 predictor of whether a person lives near a polluting facility.

...African American children have double the risk for asthma than white

children.... In 2009, African Americans overall were 3 times more likely to die from asthma related causes than the White population, and currently African Americans are hospitalized for asthma at 3 times the rate of White Americans.

The issue is sufficiently important to the NAACP, that in 2011 the delegates to our national convention passed a resolution ... calling for an updated strong final Ozone rule mandating a standard of approximately 60 ppb. ...”

This [ozone] rule is important to the NAACP and to the communities we serve and represent because air pollution is a serious problem which disproportionately affects too many racial and ethnic minorities. ... [I]n 2011 the delegates to our national convention passed a resolution ... calling for an updated strong final Ozone rule mandating a standard of approximately 60 ppb.



<http://www.weact.org>

Mission

West Harlem Environmental Action, Inc. (WE ACT for Environmental Justice) is a Northern Manhattan community-based organization whose mission is to build healthy communities by assuring that people of color and/or low-income participate meaningfully in the creation of sound and fair environmental health and protection policies and practices.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-2252>

Peggy Shepard, Cecil Corbin-Mark, and Jalonne White-Newsome
On behalf of

**West Harlem Environmental Action, Inc.
(WE ACT for Environmental Justice)**

Before the
U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 17, 2015

“According to the New York Department of Health and Mental Hygiene, in 2012, children aged 0 to 4 in Harlem visited the emergency room 280 times because of asthma. There is no doubt that children in Northern Manhattan are suffering disproportionately from asthma, which is exacerbated by the formation of Ozone and other social stressors. On behalf of the children, the adults and other susceptible populations that are subjected to breathing dirty air, WE ACT strongly urges the Agency to move forward with a more stringent 8-hour ozone standard of 60 ppb.

WE ACT is respectfully asking the Agency to ... finalize a standard of 60 ppb for Ozone, to protect low income, and/or, communities of color, and Indigenous Peoples across the nation. Members of the public health community, as well as Clean Air Scientific Advisory Council ... agree that the current primary NAAQS for ozone is not

... Since Harlem is not ‘lacking’ in the ingredients that form Ozone, it is extremely important that we use all of the regulatory and non-regulatory mechanisms to protect the health of some

of our most overburdened, sensitive populations.

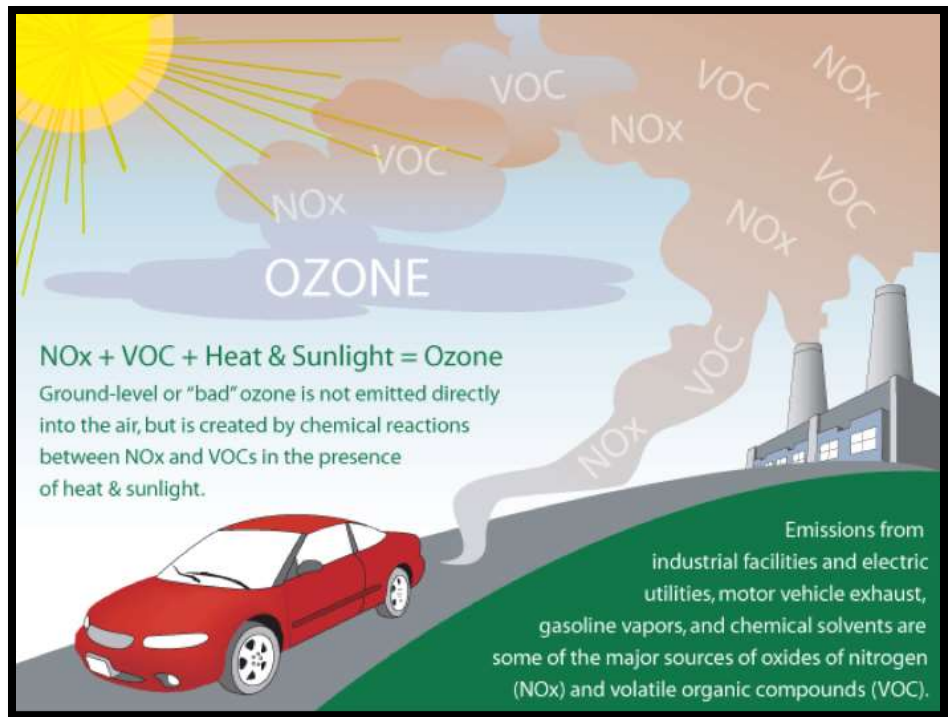
... WE ACT is respectfully asking the Agency to ... finalize a standard of 60 ppb for Ozone, to protect low income, and/or, communities of color, and Indigenous Peoples across the nation. Members of the public health community, as well as Clean Air Scientific Advisory Council ... agree that the current primary NAAQS for ozone is not protective of human health.

... On behalf of WE ACT and the 1000s of residents in Northern Manhattan, we hope that you ... adhere to the Agency’s ... pledge to “keep environmental justice a priority.”

Ozone Economics

The industries and industry groups impacted by the new ozone regulations, particularly the National Association of Manufacturers (NAM) launched a blizzard of television ads during the run up to the release of the EPA's final ozone rule publicly announced on October 1, 2015 that questioned the science supporting the proposed new rule and its economic impact. Industry has claimed the new rule will result in dire economic consequences. However, industry has a long track record of exaggerating the costs of environmental regulations.

In a report to Congress on the costs and benefits of federal regulations, the Office of Management and Budget (OMB) estimated that major rules promulgated by EPA from 2003 to 2013 created between \$165 billion and \$850 billion in benefits, compared to costs of \$38 billion to \$46 billion. Industry also claims the imposition of new regulations will kill jobs and stymie economic growth. But, since the adoption of the Clean Air Act in 1970, the economy has more than tripled in size at the same time that key pollutants have been reduced by over 70 percent.



Industry also neglects to mention the public health costs of ozone pollution, or, the fact that under the Clean Air Act the ground-level ozone rule is a health based standard that is supposed to be based solely on scientific evidence and not economic considerations. Reducing ozone levels in the environment is likely to decrease healthcare costs. Improved pollution control requirements often force innovation and create new technologies, new jobs and even entirely new industries. Current ozone levels hinder economic productivity. For adults, asthma leads to more than 14 million lost work days per year and for children more than 10.5 million lost school days per year. Reduced levels of ozone pollution are likely to lead to lower levels of lost productivity at school and work. The EPA estimates the benefits from this new ozone rule 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.

It is also important to acknowledge that the vast majority of the public has favored a new, stronger, ozone standard even in the face of arguments by industry groups that claim EPA's new ozone rule will have a negative impact on the economy. A poll conducted for the American Lung Association in August 2015 found that 73 percent of registered voters favored stricter limits on ozone, including 52 percent of registered Republicans.



uphe.org

Mission

Utah Physicians for a Healthy Environment is dedicated to protecting the health and well-being of the citizens of Utah by promoting science-based health education and interventions that result in progressive, measurable improvements to the environment. The organization encourages the development of renewable sources of energy, such as wind, as an essential step toward avoiding the unhealthy consequences of our excessive reliance on coal and petroleum.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3865>

Brian Moench, MD
Utah Physicians for a Healthy Environment

Before the
U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 17, 2015

“Many of the illnesses that our health professionals treat are caused by, or exacerbated by, environmental pollution. We therefore offer our expertise to inform the debate about how society should deal with these threats to human health.

Without evidence, business interests reflexively claim that the health benefits of virtually any tightening of air quality standards are uncertain, while the costs, in terms of lost jobs and reduced economic

output, are guaranteed.

We prefer to base our conclusions on evidence.

The evidence

shows that, with respect to

the tightening of

the current ozone

ambient air standards

that are

proposed in this rule, the opposite is true.

The health benefits of the lower range of the ozone standards proposed in this rulemaking are known with reasonable certainty.

We demonstrate that just a partial estimate of the economic benefits that would flow from their adoption are so large as to overwhelm any realistic estimate of compliance costs. ...

Without evidence, business interests reflexively claim that the health benefits of virtually any tightening of air quality standards are uncertain, while the costs, in terms of lost jobs and reduced economic output, are guaranteed. We prefer to base our conclusions on evidence. The evidence shows that, with respect to the tightening of the current ozone ambient air standards that are proposed in this rule, the opposite is true.

Our children need the tighter ozone standards on which EPA seeks public comment in this rulemaking. We urge the EPA to adopt a primary NAAQS ozone standard of 60 ppb.”



Central Illinois Healthy Community Alliance

Before the

U.S. Environmental Protection Agency

“Proposed Rule: National Ambient Air Quality Standards for Ozone”

<http://content.sierraclub.org/coal/illinois/healthy-community-alliance>

March 17, 2015

Mission

The Central Illinois Healthy Community Alliance is a coalition of individuals and organizations committed to creating a sustainable and healthy community for Central Illinois. CIHCA is concerned about the decades of air and water pollution created by local coal plants and is working to transition the region to a cleaner energy economy by reducing energy use and moving to renewables.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-1512>

“As the [EPA] considers updated protections from dangerous smog (ground-level ozone) pollution, protection of public health and peer-reviewed science must be the standards used in making this decision. Health experts, epidemiologists, and numerous medical organizations have clearly stated that the existing Bush-era standard of 75 parts per billion is not adequate to protect public health, particularly vulnerable populations such as children, the elderly and those with breathing ailments like asthma. These same experts report that smog pollution at levels as low as 55 or 60 ppb can trigger asthma attacks and send children to the hospital. A 12-city EPA analysis showed that reducing the level of smog pollution to 60 parts per billion would save 4-5 times as many lives compared to a weaker standard of 70 parts per billion.

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Since the Clean Air Act was enacted into law more than 40 years ago, big polluters have tried at every turn to mislead the public and elected officials with doom and gloom economic scenarios. While they continue to cry wolf, the reality is that the Clean Air Act has been one of the most successful statutes every signed into law. Their claims of economic catastrophe have never materialized.

In order to best protect our public health, particularly children’s health, I strongly urge you to set the standard at 60 ppb....

Since the Clean Air Act was enacted into law more than 40 years ago, big polluters have tried at every turn to mislead the public and elected officials with doom and gloom economic scenarios. While they continue to cry wolf, the reality is that the Clean Air Act has been one of the most successful statutes every signed into law. Their claims of economic catastrophe have never materialized.

Thank you for your consideration, the opportunity to comment and for all EPA’s work to protect communities from dangerous pollution.”



<http://e2.org>

Mission

Environmental Entrepreneurs (E2) is a nonpartisan, national community of business leaders who promote sound environmental policies that grow the economy. Its members are entrepreneurs, investors, and professionals from every sector of the economy who collectively have been involved in the financing, founding or development of more than 1,700 companies that have created more than 570,000 jobs.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3647>

Environmental Entrepreneurs
Before the
U.S. Environmental Protection Agency
“Proposed Rule: National Ambient Air Quality Standards for Ozone”

March 17, 2015

“As members of Environmental Entrepreneurs, we recognize that ... [proposed new ozone] standards will provide an opportunity for communities to innovate the energy, manufacturing, and transportation systems they rely upon to lower emissions, improve economic productivity, and provide a healthier, higher quality of life for Americans across the country.

... Avoiding [asthma attacks, missed school and work days and

Critics of strong ground level ozone standards have claimed that these standards are a death sentence for local economies... History has shown us that this is false. Populations have grown, economies expanded, and miles traveled by car have all continued to grow nationwide – all while new standards have cleaned up our air... Indeed, the Office of Management and Budget reviewed 32 major EPA rules and determined that their benefits were up to \$550.7 billion dollars, compared to a combined total of \$28.5 billion in costs. ...

premature deaths due to high ozone levels] would produce economic benefits of between \$6.4 billion to \$38 billion by 2025, significantly outweighing costs, ... estimated at \$3.9 billion to \$15 billion over the same time frame....

Critics of strong ground level ozone standards

have claimed that these standards are a death sentence for local economies... History has shown us that this is false. Populations have grown, economies expanded, and miles traveled by car have all continued to grow nationwide – all while new standards have cleaned up our air... Indeed, the Office of Management and Budget reviewed 32 major EPA rules and determined that their benefits were up to \$550.7 billion dollars, compared to a combined total of \$28.5 billion in costs. ...

These facts demonstrate that strong pollution standards are a net positive for the American economy as well as providing a cleaner environment and improved public health. ...”



<http://www.arb.ca.gov/>

Mission

The California Air Resources Board is a part of the California EPA. Its mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the effects on the economy of the state.



www.oehha.ca.gov

Mission

The Office of Environmental Health Hazard Assessment is California’s lead state agency for the assessment of health risks posed by environmental contaminants. It is one of five state departments within the California EPA.

For full statement, see here: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-3438>

Richard W. Corey
On behalf of the
California Air Resources Board,
George Alexeef
On behalf of the

Office of Environmental Health Hazard Assessment

Before the

U.S. Environmental Protection Agency

“Proposed Rule: National Ambient Air Quality Standards for Ozone”

“ARB and OEHHA ... agree with the U.S. EPA staff conclusion that the current 8-hour ozone standard of 0.075 ppm does not adequately protect public health. ...

Strengthening the ozone standard would provide health benefits for California, particularly in the South Coast Air Basin and the San Joaquin Valley, such as reductions in premature mortality, hospitalizations, emergency department visits for asthma, and lost work and school days. ...

Strengthening the ozone NAAQS will also provide significant economic benefits to California. These benefits are tied to reduced health care costs and fewer lost work days and school absences. ... [A] more stringent ozone NAAQS will result in reduced damage to the State’s crops, as well as its forests, and ecosystems. The latter will, in turn, reduce tinder accumulation and will help to reduce risk of wildfires, which also affect air quality.

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... [It] will also provide significant economic benefits to California. ... [A] more stringent ozone NAAQS will result in reduced damage to the State’s crops, as well as its forests, and ecosystems. The latter will, in turn, reduce tinder accumulation and will help to reduce risk of wildfires, which also affect air quality.”



<http://earthjustice.org/>

Mission

Earthjustice is the largest nonprofit environmental law organization. It seeks to leverage its expertise to hold accountable those who break environmental laws.

For full statement, see here:
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2008-0699-4231>

Seth Johnson, On behalf of

Earthjustice

Before the

U.S. Environmental Protection Agency

“Proposed Rule: National Ambient Air Quality Standards for Ozone”

September 29, 2015

“Polluters’ opposition to any strengthening of the ozone NAAQS has focused on the costs of complying ... that is a legally irrelevant argument.

Polluters’ opposition to any strengthening of the ozone NAAQS has focused on the costs of complying ... that is a legally irrelevant argument.

...

In February 2015, NERA Economic Consulting issued a report for the National Association of Manufacturers making extreme claims about the cost and job impacts of meeting a 65 ppb standard. ... [That] report grossly overstates compliance costs, due to major flaws, math errors, and unfounded assumptions

... The [EPA] has proposed to strengthen the national clean air standard for ozone to protect public health.

In February 2015, NERA Economic Consulting issued a report for the National Association of Manufacturers making extreme claims about the cost and job impacts of meeting a 65 ppb standard. NERA’s cost estimates are more than ten times higher than those made by EPA....

The NERA report grossly overstates compliance costs, due to major flaws, math errors, and unfounded assumptions.... Among other things:

- NERA significantly inflated the emission reductions needed to meet the 65 ppb standard... [These] flaws led NERA to overstate compliance costs by more than 700 percent.
- Applying a more reasonable estimate of needed emission reductions to EPA’s cost estimation approach yields an annual cost figure \$1.4 billion/year lower than EPA’s projected cost...
- NERA’s analysis ... suffers from a math error of about \$70 billion – nearly half of NERA’s annualized cost estimate.
- NERA’s claims that a revised standard will lead to significant job losses and harm to the economy are unfounded and unsupportable.