



COMMITTEE ON DEMOCRATS  
**ENERGY & COMMERCE**  
RANKING MEMBER FRANK PALLONE, JR.

**FOR IMMEDIATE RELEASE**

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**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery  
Committee on Energy and Commerce  
Subcommittee on Energy and Power  
Hearing on “EPA’s Proposed Ozone Standard”**

Thank you, Chairman Whitfield and Ranking Member Rush for holding this hearing on EPA’s proposed ozone standard. I also want to welcome EPA Acting Assistant Administrator Janet McCabe and thank her for testifying before the Subcommittee again.

Since 1970, the cornerstone of the Clean Air Act has been a set of health based air quality standards, which help to ensure that all Americans can breathe healthy air. EPA must set each air quality standard based on science and medical evidence alone. Essentially, the standard sets the level of pollution that is “safe” to breathe. This structure has been extraordinarily effective in cleaning the air and protecting public health, including the health of children and seniors.

But the current, 75 parts per billion ozone standard has fallen short. Since 2008, the ozone standard has been weaker than the facts would allow. As such, the independent Clean Air Scientific Advisory Committee made crystal clear that in order to adequately protect public health, EPA must strengthen the ozone standard to ensure an adequate margin of safety for all individuals. But these recommendations were ignored by the Bush Administration.

To correct this flagrant disregard for the facts, EPA has now proposed, based on yet another exhaustive review of the scientific evidence, to revise the standard to fall within the range of 65 to 70 parts per billion, as recommended by the scientific advisory committee.

EPA’s decision is fully consistent with the law and the scientific evidence, and there are a litany of adverse health impacts that will be avoided with the stronger standard-- nearly a million asthma attacks in children, millions of missed school days, and thousands of premature deaths.

These are meaningful, real world benefits, but I have little doubt that today we will hear much more about costs. Yet, a unanimous United States Supreme Court opinion, written by Justice Scalia no less, made it clear that EPA’s approach for determining a safe level of air pollution is correct, and cost may not be considered. That is the way Congress designed the

Clean Air Act—the standard is set based on the health science, and economic costs are only considered later when determining the best way to implement the standard. In other words, EPA sets the goal for clean air and the states develop the lowest cost way to meet it.

Although EPA may not consider costs in setting the standard, EPA has, nevertheless worked with the Office of Management and Budget to prepare a careful analysis of the projected costs and benefits associated with reducing ozone. EPA estimates that the benefits associated with the new ozone standards would range from \$13 to \$38 billion dollars annually- outweighing the costs by approximately 3-to-1.

Industry has prepared dubious and grossly inflated estimates of the projected costs, but they fail to consider any of the benefits. That paints a completely one sided picture of the costs of cleaning our air, one that ignores the real costs that are borne by those who breathe, especially children whose lungs are developing and who breathe greater volumes of air for their size.

We will also hear that EPA's proposed ozone standard will have dire consequences for economic growth. These doomsday claims about the costs of clean air are nothing new. The history of the Clean Air Act is a history of exaggerated claims by industry that have never come true. The reality is that over the past 40 years, the Clean Air Act has produced tremendous public health benefits while supporting America's economic growth.

EPA's ozone standard is long overdue. We need to let EPA do its job, to reach the goal of the Clean Air Act—clean air for all Americans.

I look forward to Ms. McCabe's testimony.

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