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## **Pallone Assails Deceptive Bill that Undermines Clean Air Act in Statement at Energy & Power Subcommittee Hearing**

*Energy and Commerce Ranking Member Frank Pallone, Jr. (D-NJ) today gave the following opening statement at an Energy and Power Subcommittee Hearing on H.R. 4775, the deceptively named “Ozone Standards Implementation Act of 2016.”*

Thank you, Mr. Chairman. The legislation that is the subject of today’s hearing -- the deceptively named “Ozone Standards Implementation Act” -- has very little to do with implementing EPA’s ozone standards and instead is focused on undermining the Clean Air Act. Make no mistake: H.R. 4775 is a broad attack on some of the most important and successful tenants of the Clean Air Act, including health-based standards and protections for all criteria pollutants.

Since 1970, the foundation of the Clean Air Act has been a set of health based air quality standards that EPA must set based solely on the latest science and medical evidence. Essentially, the standard sets the level of pollution that is “safe” to breathe. With these health-based standards as the goal posts, states then develop plans to control pollution and meet these goals. Cost and technological feasibility are front and center in this planning and states can identify which pollution control measures are best suited to meeting the standard in the most cost-effective way.

This structure has been extraordinarily effective for 46 years in cleaning the air and protecting public health, including the health of sensitive groups like children and the elderly.

H.R. 4775 would alter this proven approach. It would elevate cost considerations in the standard-setting process, not just for ozone, but also for carbon monoxide, sulfur oxides, nitrogen oxides, particle pollution and even lead. This would allow polluters to override scientists, leading to air quality standards based on profits rather than health, and reversing decades of progress in cleaning our air.

But H.R. 4775 goes even farther, delaying development and implementation of National Ambient Air Quality Standards – or NAAQS for all six criteria pollutants. The bill doubles the review period for all NAAQS, meaning any new evidence or science would only be considered every 10 years. That’s a dramatic move in the wrong direction on science-based decision-making.

This legislation also includes a provision to alter the way that air quality monitoring data is interpreted, discounting air quality measurements taken during normal weather and climate cycles – like heat waves and droughts. It’s an environmental “don’t ask, don’t tell” designed to make it appear that air quality is improving when it is not. We should eliminate pollution, not the record of its occurrence.

The bill actually does manage to address implementation of the new ozone standard directly by delaying implementation by up to eight years. When you combine this mandated delay with other features of this legislation, we virtually guarantee that people living in areas with poor air quality will continue to be exposed to air pollution indefinitely.

In fact, a number of the provisions in this bill impact the areas that have had the most persistent problems with air pollution. We have some of those areas represented on the panel today.

There are three fundamental things that we all need every day – food, water and air. When we enacted the Clean Air Act, we made a commitment to the public to make the air safe and healthy to breathe. H.R. 4775 breaks that commitment. It is simply a bad bill.

Thank you, Mr. Chairman.

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