

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

**Subcommittee on Environment, Manufacturing, and Critical Materials Ranking Member
Paul D. Tonko**

Hearing on “Protecting American Manufacturing: Examining EPA’s Proposed PM2.5 Rule”

September 19, 2023

Thank you, Mr. Chair. Today’s hearing is an opportunity to examine EPA’s ongoing efforts to protect public health from dangerous air pollution, specifically fine particulate matter, also known as PM2.5. We know that despite decades of progress to improve air quality in the United States, over 100 million Americans continue to live in areas with unhealthy levels of air pollution. We can do better, and EPA has a legal obligation to do so. Particulate matter is one of six criteria air pollutants regulated under the Clean Air Act. The National Ambient Air Quality Standards, or NAAQS, are special because EPA must set them at levels to be protective of health without consideration of costs. EPA does this by conducting a rigorous review of the latest scientific evidence every five years to determine whether new standards are necessary to protect public health.

Unfortunately, the previous administration, despite the recommendations from EPA’s staff and the broader scientific and public health communities, failed to conduct a thorough consideration of the latest science when it chose not to update the standard in 2020. This is just one of many examples of the previous administration’s failure to carry out its regulatory agenda based on sound science. I know developing environmental protection is an incredibly difficult task, but for the agency to succeed in its mission, it must build its regulatory agenda on strong scientific integrity. So, in January of this year, EPA announced that it would strengthen the annual PM2.5 standard from 12 micrograms per cubic meter to within a range of 9 to 10 micrograms per cubic meter.

This decision was not made lightly. It was based on an extensive scientific record in consultation with EPA’s independent scientific advisors on the Clean Air Scientific Advisory Committee. A majority of the members of this advisory board recommended a standard between 8 and 10 micrograms per cubic meter. This more stringent standard will provide significant public health benefits, including avoiding 1,700 premature deaths and 110,000 lost workdays in 2032. And the benefits of strengthening the annual standard will far outweigh the costs, resulting in an estimated \$17 billion in net benefits in 2032.

Now of course, NAAQS does allow EPA’s co-regulators—the states—to take costs and technical feasibility into account when implementing these standards. And that is one of the great strengths of the Clean Air Act. Each state has flexibility to achieve the standard using strategies and pollution control technologies best suited for its unique circumstances. I truly believe that growing the economy and protecting the environment are not at odds, and certainly our manufacturing sector is a critical pillar of our economy. In fact, the linchpin of our national

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energy transition strategy is our ability to develop the domestic manufacturing capacity for the clean energy technologies that will be deployed here and around the world. But I also believe it is critical that these industries manufacture their products as sustainably and efficiently as possible to avoid putting additional health harms on already overburdened fence line communities.

Mr. Chairman, I appreciate today's hearing, but I want to stress from the outset that I strongly support EPA's decision to move forward with strengthening the annual standard for particulate matter. The scientific evidence is clear that the current standard is too weak to adequately protect public health, and for EPA to follow the law and the science, the agency was obligated to pursue this more protective standard.

Thank you. I yield back.