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6 PROTECTING AMERICAN MANUFACTURING:

7 EXAMINING EPA'S PM2.5 PROPOSED RULE

8 TUESDAY, SEPTEMBER 19, 2023

9 House of Representatives,

10 Subcommittee on Environment, Manufacturing,

11 and Critical Materials,

12 Committee on Energy and Commerce,

13 Washington, D.C.

14

15

16 The subcommittee met, pursuant to notice, at 10:32

17 a.m., in Room 2123, Rayburn House Office Building, Hon. Bill

18 Johnson, [chairman of the subcommittee] presiding.

19 Present: Representatives Johnson, Carter, Palmer,

20 Joyce, Weber, Allen, Balderson, Fulcher, Pfluger, Miller-

21 Meeks, Obernolte, Rodgers (ex officio); Tonko, Schakowsky,

22 Sarbanes, Clarke, Ruiz, Peters, Barragan, Pallone (ex

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23 officio).

24 Also Present: Representative Pence.

25

26 Staff Present: Sarah Alexander, Professional Staff
27 Member; Kate Arey, Digital Director; Sarah Burke, Deputy
28 Staff Director; Sydney Greene, Director of Operations;
29 Rebecca Hagigh, Executive Assistant; Nate Hodson, Staff
30 Director; Tara Hupman, Chief Counsel; Sean Kelly, Press
31 Secretary; Peter Kielty, General Counsel; Emily King, Member
32 Services Director; Mary Martin, Chief Counsel; Kaitlyn
33 Peterson, Clerk; Karli Plucker, Director of Operations
34 (shared staff); Carla Rafael, Senior Staff Assistant; Emma
35 Schultheis, Staff Assistant; Olivia Shields, Communications
36 Director; Peter Spencer, Senior Professional Staff member;
37 Michael Taggart, Policy Director; Dray Thorne, Director of
38 Information Technology; Timia Crisp, Minority Professional
39 Staff Member; Waverly Gordon, Minority Deputy Staff Director
40 and General Counsel; Tiffany Guarascio, Minority Staff
41 Director; Anthony Gutierrez, Minority Professional Staff
42 Member; Caitlin Haberman, Minority Staff Director,
43 Environment, Manufacturing and Critical Minerals; Emma
44 Roehrig, Minority Staff Assistant; Kylea Rogers, Minority

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45 Policy Analyst; and Cornell Harris, Minority Intern.

46

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47 *Mr. Johnson. The subcommittee will come to order.

48 The Chair now recognizes himself for an opening

49 statement.

50

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51 STATEMENT OF THE HON. BILL JOHNSON, A REPRESENTATIVE IN
52 CONGRESS FROM THE STATE OF OHIO

53

54 *Mr. Johnson. I want to thank our witnesses for being
55 here today for this really important hearing on protecting
56 American manufacturing, examining EPA's proposed PM2.5 Rule.

57 For the health of our constituents, the environment,
58 and the economy, it is vital that the EPA set balanced
59 standards for air quality. The EPA has a long history of
60 regulating fine particulate matter, referred to as PM2.5.

61 Under the National Ambient Air Quality Standards, or
62 NAAQS, the Clean Air Act directs the EPA to review these
63 standards every five years, and the last review of PM2.5
64 standards was completed in 2020.

65 However, the Biden EPA decided to reconsider the PM2.5
66 standards just six months after the previous review was
67 finalized, a discretionary decision that will have
68 significant negative impacts across the entire country.

69 In January of this year, EPA announced a proposal to
70 lower PM2.5 primary standards from the current 12 micrograms
71 per cubic meter to somewhere in the range of nine to ten
72 micrograms per cubic meter.

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73 Now, this does not sound like very much, but as I will
74 explain in a minute, this can have drastic negative effects
75 that would stifle manufacturing in our country and run
76 counter to an administration that claims to have an
77 industrial policy.

78 Even worse, the EPA is considering dropping the
79 standard to as low as eight micrograms per cubic meter, a
80 level that is approaching natural background levels in many
81 areas of the Nation.

82 To my colleagues on both sides, this is not what the
83 Clean Air Act was designed to do. Lowering the standard to
84 eight or nine micrograms per cubic meter would put hundreds
85 of counties in economically active areas around the Nation
86 into nonattainment.

87 And a standard of ten is not much better. Ultimately,
88 the EPA's proposal locks these areas into a host of
89 compliance obligations and oversight that extends years,
90 even if they come back into compliance.

91 What is more troubling and a central reason why this
92 administration should reuse its discretion and go back to
93 the drawing board is that vast regions of the Nation will be
94 so close to nonattainment that they will be unable to permit

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95 new and expanded manufacturing and other industrial
96 activities.

97 The map behind me from the EPA docket and testimony
98 this morning shows the problem. Virtually every
99 economically active area of the Nation would be negatively
100 impacted by these proposed standards. You can take a look.

101 Here is where they want to go to, and that is the
102 current on the left-hand side.

103 So, friends, we have heard from Republicans and
104 Democrats about the importance of securing our supply chains
105 and reshoring manufacturing. And we all agree we want to do
106 that.

107 But this will not get us there. When manufacturers
108 seek permits to build and operate, they will have to show
109 their modeled emissions will not tip an area into
110 noncompliance. And as this map shows, vast areas of the
111 Nation would risk tipping into noncompliance.

112 The National Association of Manufacturers commissioned
113 a study which indicated that lowering PM2.5 standards to
114 eight would threaten 87.4 billion in economic activity per
115 year.

116 The study also showed that lowering the PM2.5 standard

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117 would lead to the loss of over 300,000 manufacturing jobs
118 annually.

119 The harmful economic impacts of EPA's proposal are
120 staggering not just for manufacturing but for all sectors of
121 the economy, from energy to agriculture to transportation.

122 Today we will hear from a panel that can help the
123 committee understand the impacts of implementing these
124 proposed standards.

125 Bryce Bird, the State Air Director for Utah, would be
126 responsible for implementing the EPA standards, and State
127 air regulators are critical to implementing these standards.
128 So Mr. Bird's perspective on the practical challenges States
129 will face to design regulatory and permitting programs and
130 the impacts of lower standards, like problems mitigating
131 wildfires, will be critical to our examination today.

132 I would also like to welcome Glenn Hamer, who is
133 involved in business development in Texas and can provide a
134 regional economic perspective.

135 And Tim Hunt will help us understand what industries
136 will confront as they seek the permits to operate.

137 And finally, I would like to welcome Almeta Cooper of
138 Moms Clean Air Force to share her perspective today with us

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139 as well.

140 It is critical that our hearing today uncovers the real
141 world impacts of EPA's proposed discretionary tightening of
142 PM2.5 standards. We have a very knowledgeable panel, and I
143 look forward to hearing from all of our witnesses.

144 In closing, let me emphasize that the United States has
145 decreased PM2.5 emissions by 42 percent over the past 20
146 years. We can and will continue to decrease air emissions,
147 but we cannot do so under overly burdensome regulations that
148 are impossible to implement.

149 And with that I yield back.

150

151 [The prepared statement of Mr. Johnson follows:]

152

153 *****COMMITTEE INSERT*****

154

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155 *Mr. Johnson. And I am pleased now to recognize the
156 ranking member from New York, the gentleman from New York,
157 Mr. Tonko, for his five-minute opening statement.
158

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159 STATEMENT OF THE HON. PAUL TONKO, A REPRESENTATIVE IN
160 CONGRESS FROM THE STATE OF NEW YORK

161

162 *Mr. Tonko. Thank you, Mr. Chair.

163 And welcome to our panelists.

164 Today's hearing is an opportunity to examine EPA's
165 ongoing efforts to protect public health from dangerous air
166 pollution, specifically fine particulate matter, also known
167 as PM2.5.

168 We know that despite decades of progress to improve air
169 quality in the United States, over 100 million Americans
170 continue to live in areas with unhealthy levels of air
171 pollution.

172 We can do better, and EPA has a legal obligation to
173 guide us in that manner.

174 Particulate matter is one of six criteria air
175 pollutants regulated under the Clean Air Act. The National
176 Ambient Air Quality Standards, or NAAQS, are special because
177 EPA must set them at levels to be protective of health
178 without consideration of costs.

179 EPA does this by conducting a rigorous review of the
180 latest scientific evidence every five years to determine

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181 whether new standards are necessary to protect our public
182 health.

183 Unfortunately, the previous administration, despite the
184 recommendation from EPA staff and the broader scientific and
185 public health communities, failed to conduct a thorough
186 consideration of the latest science when it chose not to
187 update the standard in 2020.

188 This is just one of many examples of the previous
189 administration's failure to carry out its regulatory agenda
190 based on sound science. I repeat that. It is just an
191 example again of the previous administration's failure to
192 carry out its regulatory agenda based on sound science.

193 I know developing environmental protections is an
194 incredibly difficult task, but for the agency to succeed in
195 its mission, it must build its regulatory agenda on strong
196 scientific integrity.

197 So in January of this year, EPA announced that it would
198 strengthen the annual PM2.5 standard from 12 micrograms per
199 cubic meter to within a range of nine to ten micrograms per
200 cubic meter. This decision was not made lightly. It was
201 based on an extensive scientific record in consultation with
202 EPA's independent scientific advisors on the Clean Air

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203 Scientific Advisory Committee.

204 A majority of the members of this advisory board
205 recommended a standard between eight and ten micrograms per
206 cubic meter. This more stringent standard will provide
207 significant public health benefits, including avoid 1,700
208 premature deaths and 110,000 lost work days in 2032.

209 And the benefits of strengthening the annual standard
210 will far outweigh the cost, resulting in an estimated \$17
211 billion in net benefits in 2032.

212 Now, of course, NAAQS does allow EPA's co-regulators,
213 the States, to take costs and technical feasibility into
214 account when implementing these standards, and that is one
215 of the great strengths of the Clean Air Act. Each State has
216 flexibility to achieve the standard using strategies and
217 pollution control technologies best suited for its unique
218 circumstances.

219 I truly believe that growing the economy and protecting
220 the environment are not at odds, and certainly our
221 manufacturing sector is a critical pillar of our economy.
222 In fact, the linchpin of our national energy transition
223 strategy is our ability to develop the domestic
224 manufacturing capacity for the clean energy technologies

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225 that will be deployed here and around the world.

226 But I also believe it is critical that these industries
227 manufacture their products as sustainably and efficiently as
228 possible to avoid putting additional health harms on already
229 overburdened fenceline communities.

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

238 With that I thank you, and I yield back.

239 [The prepared statement of Mr. Tonko follows:]

240

241 *****COMMITTEE INSERT*****

242

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243 *Mr. Johnson. The gentleman yields back.

244 The chair now recognizes the chair of the full

245 committee, Chair Rodgers, for five minutes for an opening

246 statement.

247

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248 STATEMENT OF THE HON. CATHY McMORRIS RODGERS, A
249 REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON
250

251 *The Chair. Thank you, Mr. Chairman.

252 Welcome, everyone.

253 For decades America has been the best place to do
254 business while also ensuring that we have the highest
255 environmental standards in the world. This has created
256 well-paying jobs for hardworking Americans, driven economic
257 prosperity, and made sure that people have safe and healthy
258 communities to raise a family.

259 America has done more to lift people out of poverty,
260 raise the standard of living more than any other nation in
261 the world, and that prosperity and opportunity is being
262 threatened today.

263 President Biden's radical rush to green agenda is
264 costing us across the board. People are suffering. Every
265 time you go to fill up your car with gas, feed your family,
266 try to keep the lights on, and now the EPA is attempting to
267 take this extreme agenda one step further by proposing
268 unattainable standards on fine particulate matter, or PM2.5.

269 This comes after EPA had already included that the

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270 current standards are protective of public health, and this
271 will be devastating for American businesses, people's
272 livelihood, and our economic leadership.

273 As we will hear from witnesses, if EPA finalizes these
274 unrealistic PM standards, there will be far-reaching
275 consequences, including pushing us further on the brink of
276 recession. These standards will make it nearly impossible
277 to build new manufacturing facilities, including the dreams
278 of EV and semiconductors in the USA.

279 It will undermine the work to expand America's
280 manufacturing base, making it impossible to secure our
281 supply chains and build products that people have come to
282 rely on every day.

283 The harm would extend to nearly every sector of our
284 economy as well, power, agriculture, construction, and
285 forestry. Studies indicate that this could jeopardize
286 hundreds of billions of dollars in U.S. economic activity
287 and millions of jobs.

288 The proposed standards could actually make it more
289 difficult to protect people from harmful air pollutants, a
290 fundamental responsibility of the EPA.

291 By all measures, the Nation's air quality has improved

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292 dramatically since the Clean Air Act was signed into law,
293 and the current standards are improving quality even more.
294 Overall emissions of pollutants regulated by air quality
295 standards have dropped 73 percent since 1980. Air quality
296 for this particular category today is more than 40 percent
297 better than just in 2000.

298 All told, U.S. air quality is the best in the world,
299 and it is getting cleaner. Just three years ago, the EPA
300 confirmed that the current standards for PM2.5 were
301 protectives of public health following a comprehensive
302 review required by law.

303 Despite this progress, the Biden's EPA is taking steps
304 to introduce these new, completely divorced from reality
305 standards. This will force investors in jobs out of the
306 United States and, again, benefit countries like China, the
307 largest polluter in the world with the worst environmental
308 standards, and could make air quality even worse for
309 Americans as the new limits would prevent the needed
310 management to prevent like wildfires which cause a lot of
311 the PM emission.

312 This is reckless, and it is a reckless agenda that is
313 going to crush American manufacturing. It is completely

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314 unworkable for States and local governments, making it
315 difficult to permit investments in their communities and
316 grow their local economies.

317 Behind me are the maps that show the current standard
318 and the counties that are open for manufacturing and then
319 what would be red is nonattainment, no permits, and the pink
320 would be very difficult.

321 A fifth of the U.S. counties would find that they are
322 not in compliance with these most radical levels that the
323 EPA is proposing. There will be gridlock with new
324 regulations and controls, losing opportunities to improve
325 the lives of people.

326 Even areas that meet standards will be unable to permit
327 expanded or new manufacturing and industry, and depending on
328 the levels of these new standards, these burdens could
329 extend across much of the Nation, including the most
330 economically active areas of the country.

331 What we see is that the regulatory burden, the
332 restrictions being put in place are crushing our economy,
333 making it impossible to create economic opportunity. It is
334 not how the Clean Air Act was meant to be used.

335 We need to stay focused on the real goal, and the real

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336 goal is continued American economic leadership, while
337 ensuring that we have clean and safe communities for all,
338 all people and their families.

339 This is how we have led for decades, and it is how we
340 will continue to be the world leader in reducing emissions,
341 improving air quality, lifting people out of poverty,
342 raising the standard of living.

343 I welcome our witnesses today who are going to provide
344 important testimony.

345 I yield back.

346

347

348 [The prepared statement of Mrs. Rodgers follows:]

349

350 *****COMMITTEE INSERT*****

351

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352 *Mr. Johnson. The gentlelady yields back.

353 I now recognize the gentleman from New Jersey, the
354 ranking member of the full committee, Mr. Pallone, for five
355 minutes.

356

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357 STATEMENT OF THE HON. FRANK PALLONE, A REPRESENTATIVE IN
358 CONGRESS FROM THE STATE OF NEW JERSEY

359

360 *Mr. Pallone. Thank you, Mr. Chairman.

361 Today we will be discussing the Environmental
362 Protection Agency's proposed National Ambient Air Quality
363 Standards for fine particulate matter, or the PM2.5 NAAQS.
364 This proposal is a welcome update to outdated standards and
365 is critical to reducing dangerous air pollution and
366 protecting communities across the Nation.

367 Fine particulate matter poses a significant health risk
368 to communities, including increased rates of heart disease,
369 serious respiratory impacts, and even death. It can be
370 emitted into the air from power plants, industrial
371 facilities, and vehicles, but it can also come from
372 construction sites, unpaved roads, fields, smokestacks, or
373 fires.

374 Even short-term exposure for hours or days can cause
375 aggravated asthma attacks, acute bronchitis, and increased
376 susceptibility to respiratory infections. And we know that
377 these impacts are even more acute in sensitive populations,
378 like children, pregnant women, the elderly, and underserved

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379 communities.

380 Since 1970, the Clean Air Act has directed the EPA to
381 set health-based air quality standards based solely on the
382 latest science and medical evidence. NAAQS essentially sets
383 the level of pollution that is safe to breathe.

384 States then develop plans to control pollution and meet
385 these goals. Cost and technological feasibility are front
386 and center in this planning. States can identify which
387 pollution control measures are best suited to meeting this
388 standard in the most cost effective ways.

389 And this structure has been extraordinarily effective
390 for over 50 years in cleaning the air and protecting public
391 health, including the health of sensitive groups.

392 The Trump Administration shirked its duty to protect
393 public health by retaining the current outdated standard for
394 fine particulate matter. This decision went against the
395 recommendations of experts and the science.

396 When President Biden came into office, his
397 administration revisited the standard to ensure that the
398 health of American communities is protected. And this is
399 something the EPA is required to do.

400 Following careful review of the scientific evidence and

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401 consulting with the agency's independent scientific
402 advisors, EPA recently proposed to strengthen the fine
403 particulate matter, NAAQS. The proposal would prevent at
404 least 1,700 deaths and provide \$17 billion in new public
405 health benefits in 2032. This would be an incredible win
406 for the American people.

407 Unfortunately, committee Republicans want to keep the
408 status quo. They simply have no interest in protecting
409 people's health and instead want to protect industry and
410 polluters. Republicans are essentially saying that we must
411 choose between cleaner air and a strong economy and they are
412 wrong. We do not have to choose. We can have both.

413 In fact, we have achieved both under the Clean Air Act
414 which has shown time and again that strong environmental
415 safeguards and strong economic growth go hand in hand.
416 Between 1970 and 2022, air pollutant emissions dropped by 78
417 percent, while our Nation's gross domestic product has
418 nearly quadrupled.

419 While Republicans have failed to offer any practical
420 solutions to address the serious threat of air pollution,
421 Democrats are fighting for workers and families. While
422 Republicans are pushing their "just say no" policies,

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423 Democrats are making investments into clean technologies
424 that will grow our economy and foster a more sustainable
425 future.

426 And while Republicans are willing to let air pollution
427 go unchecked as part of their polluters-over-people agenda,
428 Democrats are advocating for strong, science-based standards
429 that put the health of Americans first.

430 Because let's be honest. A person's health is not and
431 should not be a bargaining chip. But House Republicans are
432 putting Americans lives at risk by supporting the status quo
433 on NAAQS and by proposing a 39 percent cut to EPA's budget.
434 Of course, they are finding it impossible to bring any
435 appropriation bills to fund the government to the floor
436 because they are repeatedly caving to the extreme elements
437 in their party.

438 And now they are threatening a government shutdown at
439 the end of this month that would hurt American families.
440 Instead of undermining the law and gutting the EPA, we
441 should provide adequate resources to the agency and to the
442 States to continue to give every American clean, healthy air
443 to breathe.

444 And I yield back with that, Mr. Chairman.

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445 [The prepared statement of Mr. Pallone follows:]

446

447 *****COMMITTEE INSERT*****

448

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449 *Mr. Johnson. The gentleman yields back.

450 And now let's welcome our panelists, our witnesses
451 today.

452 Mr. Bryce Bird is the Director at the Division of Air
453 Quality at the Utah Department of Environmental Quality.

454 Mr. Bird, welcome.

455 Mr. Glenn Hamer -- am I saying that right? Hamer or
456 Hamer? Hamer.

457 The president and CEO of the Texas Association of
458 Business.

459 Mr. Hamer, thank you.

460 Ms. Almeta -- do I have that correct? -- Cooper, the
461 National Manager of Health Equity at Moms Clean Air Force.

462 Welcome, Ms. Cooper.

463 And Mr. Tim Hunt, Senior Director of Air Quality
464 Programs at the American Forest and Paper Association.

465 Mr. Bird, you get to go first. You are now recognized
466 for your five minutes.

467

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468 STATEMENT OF BRYCE BIRD, DIRECTOR, DIVISION OF AIR QUALITY,
469 UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY AND PAST PRESIDENT,
470 ASSOCIATION OF AIR POLLUTION CONTROL AGENCIES; GLENN HAMER,
471 PRESIDENT AND CEO, TEXAS ASSOCIATION OF BUSINESS; ALMETA E.
472 COOPER, NATIONAL MANAGER, HEALTH EQUITY, MOMS CLEAN AIR
473 FORCE; AND TIMOTHY HUNT, SENIOR DIRECTOR, AIR QUALITY
474 PROGRAMS, AMERICAN FOREST AND PAPER ASSOCIATION AND AMERICAN
475 WOOD COUNCIL

476

477 STATEMENT OF BRYCE BIRD

478

479 *Mr. Bird. Good morning, Chair Johnson, Ranking Member
480 Tonko, Chair Rodgers, and Ranking Member Pallone.

481 As mentioned, my name is Bryce Bird. I am the Director
482 of the Utah Division of Air Quality and the current past
483 President of the Association of Air Pollution Control
484 Agencies.

485 I am here to provide a State perspective on EPA's
486 recently proposed revisions to the annual national Ambient
487 Air Quality Standard for fine particulate matter, PM2.5. I
488 will also provide some context about the impacts of those
489 changes on how we must regulate businesses and manufacturing

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490 within our potential nonattainment areas in the near future.

491 Particulate air pollution is a major health concern in
492 Utah. The foundational correlation studies that linked
493 particulate pollution levels with health outcomes began in
494 Utah.

495 It is clear that the burden of particulate air
496 pollution should be reduced, and it is also clear that past
497 regulatory actions in Utah have resulted in lower pollutant
498 concentrations and corresponding health benefits.

499 Air pollution has been a focus of regulatory actions in
500 Utah since the early 1900s. Utah has unique challenges with
501 topography and meteorology that it has that traps
502 particulate pollution in the mountain valleys that contain
503 the population centers of the State.

504 Despite these challenges, the State has successfully
505 attained each of the past particulate standards. Because of
506 this long history of addressing multiple National Ambient
507 Air Quality Standards, the strategies in Utah have resulted
508 in levels of control that are beyond those required in many
509 other areas of the country.

510 Recent State implementation planning rulemaking has
511 required the insulation of retrofit controls on existing

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512 industrial sources that cost the companies in excess of
513 \$40,000 per ton of emissions reduced.

514 Despite these past efforts, EPA's proposed new
515 standards for annual PM2.5 will require looking again to
516 develop a new state plan to address this new standard.

517 Once under the scope of nonattainment, the permitting
518 of major sources of emissions becomes infeasible due to the
519 requirements for offsetting new emissions through retirement
520 of credits under emission trading programs.

521 Transportation improvements are at risk of failing to
522 conform with new air quality requirements that will impact
523 the ability of a State to respond to the demands for roads
524 resulting from growth.

525 In short, the mandatory requirements of the Clean Air
526 Act for an area that has a long history of emissions
527 reductions result in more costly and less effective controls
528 that target a very small portion of the remaining inventory
529 that States can directly regulate.

530 I will provide a few examples to highlight the need for
531 adjustments to these requirements that EPA has in place.
532 The requirement should address the sources that can actually
533 be regulated under a State implementation plan.

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534 Sources of air pollution that are beyond the regulatory
535 control of the State, such as forest fires and transported
536 background emissions, overwhelm the emission sources that
537 Utah has the authority to regulate.

538 As has been evident throughout the country this year,
539 the drying West and forest fuel loading has resulted in
540 lengthy wildfire impacts and increased impacts from
541 prescribed fires that are necessary to reduce the fuel load.
542 Past forest management decisions have increased the rate and
543 scope of wildfires on federally managed forests.

544 Monitored levels of air pollution during wildfire smoke
545 events are tens to hundreds of times higher than are
546 typically attributable to local regulated sources in Utah.

547 The inability to effectively control sources also
548 occurs within the nonattainment areas. Utah is preempted
549 from requiring controls on mobile sources under the Clean
550 Air Act. This represents the largest component of the
551 emissions that are responsible for our nonattainment within
552 these counties.

553 The second largest category are the area sources that
554 includes consumer and commercial activities of homes,
555 institutions, and businesses. There are few reasonable

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556 available controls that are effective at reducing area
557 source emissions beyond what Utah is already required.

558 And the remaining major source industries, the
559 smokestack industry, represent only about 13 percent of the
560 inventory and have already been subject to many years of
561 regulatory controls.

562 At the same time, there are pollutant reduction
563 requirements for some national air quality standards that
564 the State must implement even if the reduction of that
565 pollutant does not help the air shed to attain the standard.
566 Naturally, a law that underwent its last major revisions
567 over 30 years ago needs to be updated periodically to fit
568 the current regulatory landscape.

569 In closing, the Utah Department of Environmental
570 Quality is committed to protecting the health of our
571 citizens through attaining air quality standards. We work
572 closely with our communities and impacted businesses to
573 reduce emissions while providing the goods and services
574 necessary for a vibrant and growing economy.

575 Again, thank you for the opportunity to testify today.
576 I look forward to any questions or comments you have
577 regarding my testimony.

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578 [The prepared statement of Mr. Bird follows:]

579

580 *****COMMITTEE INSERT*****

581

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582 *Mr. Johnson. Thank you, Mr. Bird.

583 The gentleman yields back.

584 Mr. Hamer, you are recognized for five minutes.

585 Mr. Hamer, I am sorry. Could you check your microphone

586 there? Thank you very much. And pull it as close as you

587 can.

588

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

589 STATEMENT OF GLENN HAMER

590

591 *Mr. Hamer. My apologies, Mr. Chair.

592 *Mr. Johnson. I am probably the only one up here
593 wearing hear aids and I cannot hear you.

594 *Mr. Hamer. I am the guy that puts the mute on when we
595 are on Zoom. So my apologies.

596 I appreciate the chance to speak here today, Chairman
597 Johnson, Ranking Member Tonko, and members of the committee.
598 This is a very important committee hearing on protecting
599 American manufacturing.

600 And I really appreciated the opening remarks of the
601 Chair, of Chair Rodgers. I believe that those were right on
602 the mark, and she really identified the stakes that we are
603 facing today.

604 And I appreciate the chance to be here to discuss the
605 effects on the broader manufacturing community, working
606 closely with the National Association of Manufacturers as
607 its official State partner.

608 You probably all know for the last 25 years or so, the
609 Texas economy has been on a tear. We have a \$2.3 trillion
610 GDP. We officially surpassed Italy as the eighth largest

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611 economy in the world if you were ranking us as a country,
612 and Texas is really a country.

613 Not only are we number one for corporate headquarter
614 relocations. We now have more Fortune 500 companies than
615 any other State. We are up to 55.

616 We are also the top exporting State. We export more
617 energy and semiconductors and technology goods than any
618 other State.

619 And I say all of these things because the health of the
620 Texas economy is vitally important for the health of the
621 American economy, and because of the health of the economy,
622 we boast a \$33 billion budget surplus which is now being
623 invested in broadband, clean water, roadways, and other
624 vital infrastructure components that could be negatively
625 impacted by more stringent EPA rules.

626 Our members are facing a regulatory onslaught which
627 includes numerous proposed Federal environmental regulations
628 that, if finalized in their current form, can cause serious
629 harm to our economy.

630 Manufacturers have worked with the EPA and their State
631 partners to significantly lower PM2.5 and other pollutants.
632 Yet EPA has proposed a discretionary regulation on PM2.5

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633 that could put nearly 40 percent of the U.S. population in
634 areas of nonattainment, putting jobs and livelihoods at
635 risk.

636 And those two charts that were originally behind you,
637 Mr. Chairman, they were scary. I saw pink and red over the
638 entire State of Texas, as well as more of California and New
639 York as well.

640 EPA's most recent data shows that PM2.5 concentrations
641 have declined by 42 percent since 2000. We have been making
642 a ton of progress, and this is driven by major emissions
643 restrictions or reductions from both mobile sources and the
644 power sector.

645 This is driven by the free market economy, by our great
646 manufacturers across this great country that are doing
647 everything possible to lower emissions.

648 The data also shows, as was just mentioned, that the
649 vast majority of remaining PM2.5 emissions in the U.S., 84
650 percent now come from wildfires, road dust, and other non-
651 point sources. And as we have seen this year, wildfires
652 have a demonstrable effect on air quality in the U.S.

653 I am going to close by reading a couple of quotes from
654 our partners. The Greater Houston Partnership, just to see

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655 how some of what the EPA is doing really could hurt some
656 other goals that I believe many on this committee share.

657 The Greater Houston Partnership, in discussing its
658 opposition to the new EPA proposed rules, I say and quote,
659 "Houston companies are investing billions in clean
660 technology and climate tech. It is estimated that around 15
661 billion of energy transition-related investment floated into
662 Houston in 2021. However, the proposed standards could
663 jeopardize momentum in the energy transition by demeaning
664 our regional competitiveness and diverting capital
665 investment into costly permitting procedures.'"

666 The North Texas Commission, which represents the North
667 Texas area which has an economy right now that exceeds
668 Virginia by itself, also registered its concern.

669 Mr. Chairman, I will close by saying we all share
670 similar goals. We want clean air. We want good jobs. We
671 want to be more competitive in the great power competition
672 with China.

673 I commend you, Mr. Chairman, for this important
674 hearing. We need to protect American manufacturing, and the
675 direction the EPA is going would unfortunately do just the
676 opposite.

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677 Thank you.

678 [The prepared statement of Mr. Hamer follows:]

679

680 *****COMMITTEE INSERT*****

681

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682 *Mr. Johnson. Thank you, Mr. Hamer.

683 The gentleman yields back.

684 Ms. Cooper, you are now recognized for five minutes.

685

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686 STATEMENT OF ALMETA E. COOPER

687

688 *Ms. Cooper. Thank you.

689 Good morning, Chair Rodgers, Chair Johnson, Ranking
690 Member Tonko, and Ranking Member Pallone. Thank you for the
691 opportunity to be here today.

692 My name is Almeta Cooper. I am the National Manager
693 for Health Equity for Moms Clean Air force. We are a
694 national organization of one and a half million moms, dads,
695 and caregivers who are dedicated to protecting clean air and
696 children's health.

697 As an African American, a mother, and a member of Moms
698 Clean Air Force, I am here today because nothing is more
699 important than the health of our families and communities.
700 Under the Clean Air Act, the Environment Protection Agency
701 is required to use the best available science to set air
702 quality standards that are protective of human health.

703 Moms Clean Air Force believes it is imperative that the
704 EPA follow the science and enact strong safeguards. It is a
705 legal duty and we believe that everyone has a right to
706 breathe clean air.

707 Particle pollution is produced by, among other things,

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708 the burning of fossil fuels for energy. Major sources
709 include industrial smokestacks and vehicle exhaust, and
710 because these particles are so tiny, they can be inhaled
711 into our lungs and into our blood stream where they can
712 cause serious health effects, including heart disease,
713 cancer, compromised immunity, asthma, and even adverse
714 pregnancy and birth outcomes.

715 Particle pollution, or PM2.5, is also a leading cause
716 of premature death. In the U.S., researchers estimate that
717 PM2.5 is responsible for well over 100,000 deaths each year,
718 a staggering toll for families and communities around the
719 country.

720 And the public burden of PM2.5 is not distributed
721 evenly. In the U.S., people of color, particularly Black
722 and Latino communities, are disproportionately exposed to
723 this dangerous pollutant. People of color are more than six
724 times more likely to visit the emergency room for asthma-
725 related issues. Black children are more than seven times
726 more likely to die from asthma than White children, and
727 Black Americans 65 years and older are three times more
728 likely to die from exposure to soot than White Americans
729 over 65.

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730 These inequities are patently unjust. I ask the
731 members of the committee to remember that the statistics
732 that you hear today are tied to real people all over this
733 country.

734 Particle pollution hurts families everywhere. Real
735 people like Hazel Chandler have shared their real life
736 experience with Moms Clean Air Force. She is a great
737 grandmother in Arizona who has lived in cities with failing
738 grades for air pollution throughout her adult life. The
739 cumulative impacts are threatening to cut her life short as
740 she now experiences asthma, immune dysfunction, and Stage 4
741 cancer.

742 And Shana Oliver, an indigenous mom in Colorado who was
743 born in the Navajo Reservation surrounded by pollution
744 sources like coal plants and oil and gas operation. Like
745 other children on the reservation, she was born prematurely
746 and low birth weight, and as an infant she was diagnosed
747 with asthma and struggled to breathe when the air quality
748 was poor.

749 And Mercedes McKinley is a Latina mom who lives in
750 Nevada whose home is located near a major highway. Her air
751 filters have to be replaced monthly instead of the typical

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752 three months because soot and other particles build up, and
753 if she does not wipe it down, a black film is on her air
754 vents.

755 And Patrice Tomcik who lives in Pennsylvania, a State
756 with the highest rate of particle pollution deaths per
757 capita. Her community is located near many polluting
758 sources, an interstate connector, a steel plant, and now a
759 Shell petrochemical plant. She worries about the dirty air
760 that her son, a pediatric cancer survivor, is breathing.

761 Hazel, Shana, Mercedes, and Patrice's stories represent
762 the stories of millions of real people whose everyday lives
763 are impacted by particle pollution. Children with asthma
764 who struggle to breathe when the air quality is poor,
765 mothers whose pregnancies and babies are endangered by
766 unhealthy air, and older adults whose families grieve when
767 they die before their time.

768 In closing, I urge the members of the subcommittee to
769 remember the children, neighbors, friends, and families who
770 are being harmed by unhealthy air.

771 Also, I urge members to remember that the law mandates
772 that the EPA set standards that are protective of public
773 health. The mandate specifies public health because

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774 safeguarding the health of our families and communities is
775 of the utmost importance.

776 Again, I appreciate the opportunity to testify, and I
777 welcome your questions.

778 Thank you.

779 [The prepared statement of Ms. Cooper follows:]

780

781 *****COMMITTEE INSERT*****

782

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783 *Mr. Johnson. Thank you, Ms. Cooper.

784 The gentlelady yields back.

785 Mr. Hunt, you are now recognized for your five-minute

786 statement.

787

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788 STATEMENT OF TIMOTHY HUNT

789

790 *Mr. Hunt. Thank you, Chairman Johnson, Ranking Member
791 Tonko, and distinguished members of the committee.

792 My name is Timothy Hunt, and I am the Senior Director
793 of Air Quality Programs, the American Forest and Paper
794 Association and the American Wood Council. Thank you for
795 hearing our concerns about EPA's proposed NAAQS for fine
796 particulate matter.

797 AF&P represents manufacturers of paper products, and
798 AWC represents manufacturers of structural wood products
799 made in America.

800 The forest products industry employs about 925,000
801 hardworking Americans producing five percent of our Nation's
802 GDP. Our mills support the American workforce, produce
803 carbon neutral bioenergy, and provide essential products
804 that support recycling and sequester carbon in the built
805 environment.

806 Each day the paper and wood products industry works
807 hard to be a leader in sustainability and good stewards in
808 communities across our Nation. We recognize that all
809 Americans benefit when EPA crafts achievable rules.

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810 Our shared goal is sustainable regulation that
811 satisfies legal requirements, supports environmental and
812 economic progress, and will stand the test of time.

813 To that end, Congress enacted the Clean Air Act to
814 enhance air quality with dual purposes: to promote public
815 health and welfare and to promote the productive capacity of
816 our Nation. Unfortunately, EPA's proposed premature
817 tightening of the PM NAAQS without a workable implementation
818 plan does not fulfill those dual purposes. It is a recipe
819 for permitting gridlock.

820 It threatens modernization projects in manufacturing
821 sectors across the U.S., especially in areas with cleaner
822 air, and it would undermine the President's promise to grow
823 and re-shore U.S. manufacturing jobs.

824 EPA is rushing this rulemaking process. The agency
825 wants to tighten the current PM standard close to ambient
826 air background levels without a clear path to achieve it.
827 This is a discretionary rule, two years ahead of the normal
828 statutory review cycle. This would mean many more
829 nonattainment areas.

830 But in even clear attainment areas, there would be
831 insufficient permit headroom. That is the margin between

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832 the NAAQS standard and ambient background concentrations for
833 permits to be approved.

834 It is alarming that EPA has not developed an
835 implementation plan in advance to avoid this permitting
836 gridlock. We have asked and continue to ask the agency to
837 develop a practical plan.

838 We need an achievable plan, providing realistic
839 modeling and permitting tools to accurately reflect real
840 world conditions and address all PM sources, industrial and
841 nonindustrial.

842 Our industry faces an EPA Catch-22. Paper and wood
843 products mills often are located in cleaner attainment
844 areas, and ironically, EPA's practice is the tougher NAAQS
845 applies in those areas immediately when issued.

846 This will hurt facilities that want to make major
847 upgrades, that could provide lower emissions per ton of
848 production, including productions in PM, greenhouse gases,
849 and other emissions.

850 A premature NAAQS will hurt U.S. manufacturing global
851 competitiveness. It will stifle innovation for our industry
852 and lead to unintended outcomes for our environment. We are
853 asking the EPA once again to work with us on an achievable

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854 and credible implementation plan.

855 We also must recognize that a cumulative regulatory
856 challenge now faces the U.S. manufacturing sector. Many
857 rulemakings disregard unintended outcomes and stray beyond
858 the bounds of the law. We are deeply concerned that an
859 undisciplined regulatory deluge threatens our workforce.

860 If we do not change our trajectory, ultimately what is
861 at stake are American jobs, men and women with high paying,
862 high skilled union jobs, both rural and urban, in Red and
863 Blue States. These are proud, hardworking people who only
864 ask for the right to compete. This requires bipartisan
865 work.

866 There is no better place than America for a robust
867 manufacturing sector. We respectfully submit that EPA
868 should not finalize the NAAQS until it develops a workable
869 implementation plan that has been fully vetted, a sentiment
870 the United Steel Workers expressed in their comments to EPA
871 as well.

872 Thank you for the opportunity to be heard. I look
873 forward to your questions.

874 [The prepared statement of Mr. Hunt follows:]

875

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876 *****COMMITTEE INSERT*****

877

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878 *Mr. Johnson. Thank you, Mr. Hunt.

879 The gentleman yields back.

880 We will now begin our questioning, and I will begin by
881 yielding myself five minutes.

882 And let me thank our panelists again for being here
883 with us today.

884 You know, the impacts of the EPA's proposed PM2.5
885 standards, they are going to be harmful for many of the most
886 economically active areas in our Nation, from Texas, across
887 the South, and up through the industrial centers of the
888 Midwest, including my State of Ohio, the very areas that are
889 helping to restore and re-shore American manufacturing and
890 industry.

891 And we should all recognize that setting a new air
892 quality standard does not immediately equal cleaner air.
893 Even if they were reasonable standards, they must be
894 implemented by the States and by the facilities responsible
895 for emissions.

896 This is difficult for facilities that have already
897 implemented the best available controls and made even more
898 difficult when emission standards are set so close to
899 background levels.

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900 So, Mr. Bird, let me start with you, if I might.

901 As a State official who must implement any new
902 standards, would you briefly outline the implementation
903 actions and rough timelines for States like yours when the
904 EPA issues new standards like this for PM2.5?

905 *Mr. Bird. Well, thank you.

906 The Clean Air Act and the implementing regulations are,
907 of course, a robust set of laws that the States must comply
908 with. They outline the timing. So the Clean Air Act
909 defines some of the mandatory requirements, the timing. So
910 once an area is designated as nonattainment, we have 18
911 months to go through the planning process.

912 Of course, there is an initial step there as well that
913 identifies the States provide information about which areas
914 should be declared nonattainments and the boundaries based
915 on the error missions inventory, the political subdivisions
916 that are impacted there.

917 Once the area is designated as nonattainment, we have
918 18 months to create a plan, and then we bring the area back
919 into compliance.

920 The permitting process is a part of that. So we
921 develop control requirements for sources that are impacting

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922 that nonattainment, and of course, I think as has been
923 mentioned here, one of the challenges is that it is not tied
924 to the actual sources of air pollution that are responsible
925 for that nonattainment. It is often what we have the
926 ability to regulate and then regulating those over and over
927 again.

928 Ultimately it is a 20-year process to bring the area
929 back into attainment with increasing controls if you are not
930 meeting the standard over time.

931 *Mr. Johnson. You know, Ohio's officials responsible
932 for implementing the standards have raised concern to the
933 EPA about incomplete data problems and biases in the air
934 monitoring and other issues that the EPA has failed to
935 resolve before moving forward.

936 Mr. Bird, do you share my State, Ohio's concerns that
937 the EPA should update its modeling and identify
938 implementation options more completely for the States to be
939 able to implement any new limits?

940 *Mr. Bird. Yes. For a particular former monitoring,
941 there are Federal reference monitors that do not achieve the
942 same reliability as the Federal reference methods standards.
943 And so EPA is going through the process of reviewing those.

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944 It was something that was required of the States to use
945 these equivalent methods, and they seem to be over
946 reporting.

947 And so EPA needs to address that as part of this effort
948 to validate the data and make sure that we are able to
949 attain the standard.

950 *Mr. Johnson. Okay. The EPA produced its proposal
951 without doing this work. It also was actually unable to
952 identify all the controls that would give you and other
953 States the ability to come into compliance with those
954 standards.

955 Just a yes or no. Do you agree with that?

956 *Mr. Bird. That is correct.

957 *Mr. Johnson. Okay. Mr. Hunt, in your testimony, you
958 provided maps and estimates of how permitting, which is
959 already complex, lengthy, and overly burdensome, will be
960 stifled across the Nation.

961 Would you walk us through the maps and what they tell
962 us?

963 *Mr. Hunt. Sure. The maps, the areas of green on
964 those maps are areas where investment opportunities are
965 still available and welcome. And as was pointed out, the

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966 red areas are the nonattainment areas.

967 And the interesting aspect of those maps is the large
968 amount of areas that are pink. These are the areas, the
969 cleaner areas, that meet the standard but there is
970 insufficient headroom. There is insufficient room for many
971 projects to be able to be permitted and move forward.

972 We have done a lot of analysis, and a typical project
973 takes, according to current procedures, about three
974 micrograms per cubic meter of emission. So if the standard
975 gets lowered to even ten, you know, any area with background
976 levels of seven would find it very challenging to permit
977 those projects.

978 And those are important modernization projects. They
979 are projects that could actually reduce emissions and are
980 already putting on best emission control. So they are very,
981 very clean relative to current control standards.

982 *Mr. Johnson. Thank you, Mr. Hunt. I would like to
983 continue this but my time has expired. I do have some other
984 questions, and I will either get some time yielded to me to
985 go back to those or I will send those to you for further
986 consideration.

987 I yield back and now recognize the gentleman from New

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988 York, the ranking member, Mr. Tonko, for five minutes.

989 *Mr. Tonko. Thank you, Mr. Chair.

990 Ms. Cooper, I mentioned in my opening statement that it
991 appears that the previous administration really did not
992 follow the science when they chose not to revisit the annual
993 fine particulate matter standard. There was significant
994 scientific literature that the existing standard was not
995 adequately protective, and the public health and scientific
996 communities, as well as EPA's own career staff, had
997 suggested as much.

998 So, Ms. Cooper, can you talk about the importance of
999 EPA's public health regulations being based on the best
1000 available science, especially the NAAQS, which are not
1001 supposed to consider non-health factors?

1002 *Ms. Cooper. Thank you, Ranking Member Tonko.

1003 The EPA needs to rely on the science because we are
1004 talking about the public health and we are talking about
1005 families. We are talking about our friends and neighbors.

1006 The kinds of stories that I have shared with you this
1007 morning are real stories of how people's health has been
1008 exacerbated by pollution, and you do not want to take that
1009 lightly because of the seriousness of the matter.

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1010 And also it is very clear that under the Clean Air Act
1011 that the EPA is required to take into consideration
1012 protecting human health. I do not know how I can say that
1013 any more clearly, but that is why it is important. And that
1014 is why it has to be a scientific basis.

1015 *Mr. Tonko. Thank you.

1016 And I know you work with many, many moms that care
1017 about public health. You have been active in a number of
1018 efforts to achieve those goals. Many of these people are
1019 not scientists themselves, but should they have an
1020 expectation that EPA's decisions on whether or not to move
1021 forward with environmental protections are, indeed, based on
1022 sound science?

1023 *Ms. Cooper. Yes, yes.

1024 *Mr. Tonko. And so what does the average American
1025 think when they hear that the EPA's career staff or the
1026 independent Scientific Advisory Board has been ignored?

1027 *Ms. Cooper. Well, what we hear from the many people
1028 across the country who are members of Moms Clean Air Force
1029 is that they expect to be able to rely on the EPA to protect
1030 human health, to make sure that the standards are
1031 protective.

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1032 And also, I just want to point out that the standards
1033 relate to health and not to other types of factors. So that
1034 is the reason why, especially if like me you are over 65 and
1035 you know that that is a high risk area. You want to be able
1036 to rely on the EPA to make sure that our health is
1037 protected.

1038 *Mr. Tonko. Well, I hear you and I agree. I think it
1039 is important to remember that EPA's decisions to strengthen
1040 this standard now was done with the support of the agency's
1041 career experts as well as the Clean Air Scientific Advisory
1042 Committee.

1043 This issue of improving scientific integrity at our
1044 Federal agencies is not unique to one party or one
1045 administration. There are, sadly, too many examples of
1046 regulatory decisions made for political and special interest
1047 rather than being driven by what we believe is sound
1048 science.

1049 So that is why I think all agencies should adopt
1050 stronger and enforceable scientific integrity policies and
1051 heed the advice of their independent science advisory
1052 boards. It is how it should function.

1053 So with that, I thank you, Mr. Chairman, and I yield

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1054 back.

1055 *Mr. Johnson. Mr. Tonko yields.

1056 Now I would like to recognize the chairman of the full
1057 committee, Chairman Rodgers. I recognize her for five
1058 minutes for questions.

1059 *The Chair. Air quality today has improved
1060 dramatically in levels since 1990. That was when Congress
1061 last amended the Clean Air Act to direct EPA on how to
1062 address air quality issues.

1063 And our air quality keeps improving as States continue
1064 to implement existing standards and permit new manufacturing
1065 and as manufacturers themselves continue to innovate and
1066 produce goods more efficiently and with the latest emissions
1067 technology.

1068 This is the good news. The bad news, as the testimony
1069 shows today, is that EPA is rushing a proposal for radical
1070 PM2.5 standards closer to background levels, at risk of
1071 destroying economic growth across regions of our Nation.

1072 What is clear from the testimony is that EPA knows it
1073 has not done all the work States and businesses would need
1074 to successfully meet a new standard, whatever the level.
1075 Yet it rushed the proposal anyway.

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1076 That is irresponsible, and it is unacceptable.

1077 Mr. Hunt, the data you use in your testimony and these
1078 maps, I had maps here.

1079 [Laughter.]

1080 *The Chair. They are pretty dramatic.

1081 These maps that I referenced earlier, yes, here we go.
1082 That is today and this is -- I am taking time, but anyway,
1083 okay. They are getting the maps. Okay.

1084 This is EPA modeling. Mr. Hunt, is that correct?

1085 *Mr. Hunt. These maps are looking at the monitors that
1086 are out there across the United States, and we do not have
1087 monitors unfortunately in all the counties. So trying to
1088 project what the background level would be, and so what
1089 these maps show is that as the standard gets lower with our
1090 current implementation strategies, many projects would not
1091 be able to be permitted.

1092 We have looked at about --

1093 *The Chair. Thank you. Thank you.

1094 To illustrate the economic harm, would you briefly
1095 explain what would have happened to your industry numbers if
1096 EPA set this standard at current proposed levels five or six
1097 years ago?

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1098 *Mr. Hunt. A lot of the projects, we have looked at
1099 about 36 permits that have recently gone through the
1100 process, and at eight micrograms or even at ten, half to 80
1101 percent of those projects would fail. They would not be
1102 able to be permitted --

1103 *The Chair. Thank you.

1104 *Mr. Hunt. -- under the procedures that EPA currently
1105 use.

1106 *The Chair. Thank you.

1107 How would the EPA PM2.5 proposal impact forest and
1108 paper facilities in Washington State, my home State?

1109 *Mr. Hunt. Any modernization project at mills in your
1110 State or across the country would find it very challenging
1111 to invest, modernize, compete in the global marketplace,
1112 support the high paying union jobs that we are very proud
1113 of, and make the environment in our communities cleaner
1114 because as we modernize our facilities, we are also
1115 improving the air quality because we are putting on best
1116 available control technologies.

1117 *The Chair. Thank you, Mr. Hunt.

1118 *Mr. Hunt. So we share that goal.

1119 *The Chair. Thank you.

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1120 Mr. Bird, another harmful effect of these proposals
1121 concerns the ability to manage forests and other areas with
1122 prescribed burns to reduce wildfire risk, which account for
1123 almost half of the PM2.5 emissions.

1124 This is a problem under the current structure of the
1125 Clean Air Act and with existing PM2.5 standards. How do the
1126 EPA proposals to further ratchet down PM2.5 standards make
1127 wildfire management even harder?

1128 *Mr. Bird. As you pointed out, one of the best ways to
1129 manage fire is actually with fire, and that is prescribed
1130 fires, making sure that you are doing it in a cold time of
1131 the year under the right prescription so that they will not
1132 become wildfires.

1133 That becomes a regulatory activity for the States, and
1134 with the new standards approaching it right now in our
1135 decision making, we look at the current air quality. We
1136 look at the potential impacts on the regulatory monitors,
1137 and that is part of our decision making whether or not to
1138 approve those prescribed fires for forest management now.

1139 *The Chair. Thank you.

1140 Mr. Bird and Mr. Hunt, I would like to ask you both.
1141 If the EPA Administrator uses his discretion to withdraw the

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1142 proposed PM2.5 standards like he did with the ozone three
1143 weeks ago and conducts a thorough review and completes EPA's
1144 work on implementation, would that provide a better outcome
1145 for air quality, very quickly please, Mr. Bird?

1146 *Mr. Bird. Yes.

1147 *The Chair. Mr. Hunt?

1148 *Mr. Hunt. Yes, and it would give EPA time to develop
1149 a realistic and workable implementation plan that would not
1150 result in this permitting gridlock.

1151 *The Chair. Yes. Thank you.

1152 Thank you, everyone, for being here.

1153 At a time when America leads the world in clean air
1154 standards, I am very, very concerned. We want to build more
1155 manufacturing plants. We want to build more electric
1156 vehicle plants right now, semiconductor plants.

1157 This is just one more example where that is not going
1158 to happen in the United States. It will not be possible. It
1159 only is an advantage to China.

1160 I urge the EPA to pull back on this radical proposal.

1161 I yield back.

1162 *Mr. Johnson. Chairman Rodgers yields back.

1163 I now recognize Ranking Member Pallone for his

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1164 questions for five minutes.

1165 *Mr. Pallone. Thank you, Mr. Chairman.

1166 Some of my colleagues are quick to argue that EPA's
1167 proposed fine particulate matter standard will hurt the
1168 economy, but history tells us that is a false choice. Since
1169 its enactment in 1970, the Clean Air Act provides a perfect
1170 example of how we can make steady progress in cleaning up
1171 the air while enjoying economic growth.

1172 So, Ms. Cooper, do we have to choose between clean air
1173 and economic growth?

1174 *Ms. Cooper. No, I do not believe we do. And, in
1175 fact, when you think about it, there is a lot of
1176 documentation in the scientific reports about how many
1177 people are required to go to emergency rooms and get medical
1178 care because of the impacts of poor air quality, and any
1179 time that our workforce is not healthy, they are not at
1180 work, and if they have to be in the emergency room with
1181 their loved one or themselves to get care.

1182 So I do not believe that we have to choose. I believe
1183 that whatever choice we do make, however, that it has to
1184 take into consideration the many, many people who are
1185 impacted.

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1186 And, in fact, without stronger standards, some of the
1187 scientific reports suggest that there will be even a higher
1188 death rate. We are already talking about 100,000 deaths per
1189 year related to PM2.5.

1190 *Mr. Pallone. Well, obviously, I agree with you, and
1191 that is the success story of the Clean Air Act.

1192 When we are talking about air pollution regulation, my
1193 Republican colleagues often focus on cost, specifically the
1194 cost to polluters of cleaning up their act, but they ignore
1195 the cost associated with exposures to unsafe air faced by
1196 communities across the country.

1197 And I believe this concentration on polluters' cost is
1198 misguided. Over the history of the Clean Air Act, industry
1199 has consistently exaggerated the potential cost of
1200 controlling pollution while downplaying the legitimate cost
1201 that air pollution puts on communities.

1202 So let me ask you again, Ms. Cooper. Could you shed
1203 some light on the cost of air pollution to communities?

1204 *Ms. Cooper. Again, the cost to the health of our
1205 communities, to our most vulnerable people within our
1206 communities, to children, children unfortunately because of
1207 their developing bodies are at greater risk than adults are.

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1208 They are not little adults. They are developing their
1209 lungs, and therefore they are more susceptible.

1210 Pregnant women, there is documented evidence related to
1211 the birth outcomes, related to pregnant women, and there are
1212 recent studies that even link breast cancer to particle
1213 pollution.

1214 So all of those costs, those human health costs, are
1215 very dramatic. I do not know many people who would trade
1216 their loved one for dollars.

1217 *Mr. Pallone. Well, thank you again.

1218 I mean, these costs are real and have significant
1219 impacts on our families and our children across the Nation.
1220 It comes as no surprise to me that a majority of Americans
1221 on a bipartisan basis support clean air.

1222 According to recent polling by the American Lung
1223 Association, 74 percent of Americans generally support EPA
1224 updating standards with stricter limits on air pollution.

1225 So I wanted unanimous consent to enter the polling from
1226 the American Lung Association into the record, Mr. Chairman,
1227 if I could.

1228 *Mr. Johnson. Without objection, so ordered.

1229 [The information follows:]

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1230

1231 *****COMMITTEE INSERT*****

1232

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1233 *Mr. Pallone. And let me ask Ms. Cooper again.

1234 In your work have you found that the idea of cleaner
1235 air is popular with communities?

1236 *Ms. Cooper. The idea of cleaner air is very popular.
1237 And, in fact, when the EPA held its hearings, there were
1238 over 62 members of Moms Clean Air Force volunteers across
1239 the country who testified.

1240 So it is very popular, and as you mentioned, through
1241 research and documentation by the American Lung Association
1242 and others, it has been shown that voters believe that clean
1243 air is important.

1244 In my immediately past home State of Georgia, the
1245 Atlanta Journal Constitution did a study that showed that 70
1246 percent of the voters in Georgia supported clean air
1247 irrespective of party.

1248 *Mr. Pallone. Well, look. I think we can all agree
1249 that no one should have unhealthy air, and that is why I
1250 support EPA's efforts to set stronger science-based fine
1251 particulate matter NAAQS.

1252 I mean, we know this pollution is dangerous for public
1253 health, and EPA must ensure that the NAAQS are health
1254 protective. It is clear that the science indicates that the

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1255 current standard is inadequate, and I think we owe it to the
1256 American people to ensure there is a strong standard in
1257 place.

1258 So thank you again.

1259 And with that, Mr. Chairman, I yield back.

1260 *Mr. Johnson. The gentleman yields back.

1261 The chair now recognizes Mr. Carter from Georgia for
1262 five minutes.

1263 *Mr. Carter. Well, thank you very much, Mr. Chairman.

1264 And thank all of you for being here.

1265 Ms. Cooper, it is good to see you. I think we are
1266 neighbors in Atlanta, and I appreciate you being here. It
1267 is very important that we have advocates and we have input
1268 from all of you.

1269 You know, we have some of the cleanest air in the world
1270 right here in the United States. Even the EPA says that,
1271 and we are very fortunate.

1272 Yet I am troubled by this because, Ms. Cooper, you know
1273 Georgia and you know South Georgia. We are very rural. In
1274 fact, Georgia is the number one forestry State in the
1275 Nation. A lot of trees that serve as carbon sinks.

1276 In fact, we have got a saying in South Georgia. We say

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1277 whenever you breathe fresh air, get down on your knees and
1278 thank the farmer who planted the trees, and it is true.
1279 They serve as carbon sinks, and it is extremely important.

1280 But I am concerned because we need economic
1281 development, too. I am concerned about the fact that this
1282 is pretty extreme and the impact that it is going to have on
1283 development, particularly in the rural areas, particularly
1284 in South Georgia.

1285 And I am concerned, too, about, you know, how smart we
1286 are being about this. I mean, for example, California, we
1287 know California has imposed some of the strictest emission
1288 limits in the world and some of the strictest environmental
1289 standards in the Nation. Yet a recent study found that
1290 wildfire emissions in 2020 essentially negated 18 years of
1291 reductions in GHG emissions from other sectors by a factor
1292 of two.

1293 It would appear that we would concentrate our efforts
1294 on that more so if we were going to be able to really
1295 address this issue.

1296 I want to ask. Mr. Hunt, I will start with you. What
1297 would be the impact on rural areas that become a
1298 nonattainment because of these proposed standards?

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1299 I mean, if you look at the map behind me, you see we
1300 have already got some areas of nonattainment. If these
1301 standards come in place, what is going to be the impact on
1302 rural areas, particularly on a district like mine in South
1303 Georgia?

1304 *Mr. Hunt. The irony with the way the EPA program is
1305 set up is in those cleaner areas, the impacts hit
1306 immediately. So one of our concerns is having a time frame
1307 for implementing any new standard that is sufficient to
1308 allow for transition to have a plan to let economic growth
1309 continue.

1310 So mills and other facilities would find it very
1311 challenging to modernize, expand, you know, make new
1312 products in those areas.

1313 *Mr. Carter. Well, what about the areas that are
1314 already in nonattainment? Are they going to see
1315 improvements?

1316 *Mr. Hunt. Any facility that is built or expanded in
1317 those areas will have already the top of the line air
1318 pollution controls. So the air quality from those
1319 facilities will improve or will be addressed as a result of
1320 those controls.

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1321 Our facilities already have a lot of particulate matter
1322 controls already. We have made substantial progress over
1323 the decades in reducing emissions. So, you know, we are
1324 wanting to be responsible citizens within our own
1325 communities, making sure that air quality is well protected.

1326 *Mr. Carter. Well, what about the impact?

1327 You said in your testimony that these standards
1328 threaten modernization projects that would already improve
1329 operations. What about the impact on manufacturing in the
1330 U.S.?

1331 You know, we just recently had announced and it is
1332 under construction now the largest single economic
1333 development project in the history of the State of Georgia
1334 in my district, and that is an EV factory. And we have got
1335 EV battery factories in Georgia. We have really embraced
1336 this.

1337 And what is going to be the impact on them? Will the
1338 Federal support that they have received in recent years be
1339 sure that they meet the stringent permitting requirements?

1340 *Mr. Hunt. If the standard goes down to eight or
1341 certainly even down to ten, a lot of those projects would be
1342 in jeopardy. We have looked at several dozen facilities,

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1343 and a large percentage of them would not be able to
1344 demonstrate attainment, again, because the standard goes
1345 into effect immediately and there is no sort of transition
1346 plan.

1347 *Mr. Carter. You know, this is the concern that a lot
1348 of us in Congress have, is we have got so many different
1349 agencies making so many different -- and look. We all want
1350 clean air. Of course we do, and, Ms. Cooper, you talked
1351 about the impact it has on our health and the health of our
1352 children.

1353 And, you know, we want to make sure that that is right,
1354 but we have got to be smart about these things. I mean,
1355 here we are pumping all of this money into battery plants
1356 and EVs and now you are telling me it is going to be
1357 jeopardized by another rule that another agency is making.

1358 *Mr. Hunt. And the emissions these days are very small
1359 percentages from traditional industrial stationary sources.
1360 Wildfires are a huge source of emission. So we want, you
1361 know, EPA to come up with a much more holistic plan to look
1362 at sources as we address air quality issues and we face,
1363 again, you know, a global competition where other countries
1364 do not have the same environmental standards that we do.

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1365 *Mr. Carter. Well, I am just asking us to be practical
1366 and realistic.

1367 And thank you all for being here and thank you for your
1368 testimony.

1369 And I yield back.

1370 *Mr. Johnson. The gentleman yields back.

1371 The chair now recognizes the gentlelady, Ms.
1372 Schakowsky, for five minutes.

1373 *Ms. Schakowsky. Thank you, Mr. Chairman.

1374 According to a Harvard study, 350,000 people each year
1375 prematurely die in the United States of America because of
1376 the emissions that we have, fossil fuel emissions, and the
1377 study lists Illinois, my State, as one of the States that
1378 has the highest impact, the highest number of deaths per
1379 capita because of the air quality.

1380 And so I am really engaged personally because of my
1381 communities in making sure that we do better. And if you
1382 look at what the EU has done, it is now moving toward a five
1383 per what is it? Five mill -- what is it? Micrograms. I am
1384 sorry.

1385 Micrograms per cubic meter standard, five, and what we
1386 are talking about now in the United States of America is we

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1387 are at 12 right now, and what is being considered is
1388 somewhere between eight and ten, which seems to be very
1389 reasonable to me.

1390 Now, I want to thank you, Ms. Cooper, for what you are
1391 doing with Moms Clean Air Force, and I appreciate that very
1392 much. But also you have done some focus on what happens to
1393 communities of color and low income communities.

1394 And I know we are talking about this debate on whether
1395 or not we are going to be hurting jobs in the United States
1396 and that somehow the supply chain is not going to be there
1397 and the threats that we have. We heard some pretty strong
1398 threats about what industry is going to do and the terrible
1399 consequences.

1400 But I want to say that there are some real life
1401 consequences as well in lots of communities that also affect
1402 the economy. When people, 350,000 perhaps early deaths, and
1403 there are people that are getting sick, and, yes, it may
1404 have some effect because of the fires that they are seeing,
1405 but why would we not also, as industry and as consumers and
1406 as people, say we can do better to save lives?

1407 What happens in communities then is that the health
1408 care costs go up. People lose days at work. There is a

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1409 cost to the economy because of that, and I am just wondering
1410 if we can somehow in this conversation balance what we are
1411 hearing from industry with what we are also hearing from
1412 communities and care a bit more.

1413 And so I wanted to ask you, Ms. Cooper, to respond to
1414 that kind of balance that I would like to see.

1415 *Ms. Cooper. Well, one of the things I think is
1416 important to remember is that the EPA standards are not
1417 based on how many areas would already be in attainment. EPA
1418 sets its standards following the science and considering
1419 public health.

1420 There is also plenty of documentation, and I mentioned
1421 earlier about the number of deaths every year that are
1422 directly related to PM2.5. I think 100,000 deaths is an
1423 unsustainable and unacceptable cost.

1424 And we appreciate the fact that the EPA is moving
1425 forward to make standards that will continue to protect
1426 health and be even stronger.

1427 *Ms. Schakowsky. You know, this idea of gloom and doom
1428 that industry cannot accommodate, the jobs, that we are not
1429 going to have any construction going on, that they are going
1430 to give -- I think that pessimistic view of what happens if

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1431 we make our air cleaner is just overstated, and I just
1432 really feel strongly that we have to balance the ability for
1433 us to stay healthy, breathing in the atmosphere and making
1434 sure that we have industry able to make sure that our supply
1435 chain is working.

1436 I think we can do both, and I yield back.

1437 *Mr. Johnson. The gentlelady yields back.

1438 The chair now recognizes the gentleman from
1439 Pennsylvania, Mr. Joyce, Dr. Joyce, for five minutes.

1440 *Mr. Joyce. First, I want to thank Chair Johnson and
1441 Ranking Member Tonko for holding today's important hearing
1442 on EPA's proposed PM2.5 rule and the witnesses for appearing
1443 here today.

1444 There is a worrying trend in the EPA of extreme
1445 regulations and government overreach. We have seen this
1446 trend continue through different administrations, Supreme
1447 Court case losses, and congressional oversight.

1448 The EPA needs to stop acting like it operates in a
1449 vacuum and start to recognize the real world effects that it
1450 has on everyday American families. Sadly, I do not see that
1451 happening under the Biden Administration.

1452 Instead of working with businesses to provide

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1453 regulatory certainty so they can invest in new economic
1454 development, the Biden Administration has weaponized the EPA
1455 to go after job creators. The EPA's proposed PM2.5 rule is
1456 a great example of this pattern.

1457 I appreciate the witnesses, particularly Mr. Hunt from
1458 the paper industry, for attending the hearing to inform
1459 Congress about what this rule will mean for constituents.

1460 My home State of Pennsylvania and especially in my
1461 district, it is home to a strong paper industry, companies
1462 like Nittany Paper and American Eagle Paper Products are
1463 part of the bedrock of their communities.

1464 Pennsylvanians are proud of the steel, glass, aluminum,
1465 and coal that our State has produced for generations. Now,
1466 thanks to the Marcellus Shale revolution, Pennsylvania is
1467 providing reliable and affordable natural gas to the Nation.

1468 EPA's predatory regulations, like PM2.5, will put all
1469 of these industries at risk, illustrated in the maps behind
1470 me right now. This is why the Pennsylvanian Chamber of
1471 Commerce sent a letter to the EPA in 2019 opposing this
1472 rule.

1473 Instead of attacking businesses, we need to work with
1474 them so that they are able to continue to create the family

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1475 sustaining jobs across our Nation.

1476 My first question is for you, Mr. Hunt. I understand
1477 that for the first time in any National Ambient Air Quality
1478 Standards proceeding, EPA has not even attempted to model
1479 costs to fully attain its stringent standards. Instead, EPA
1480 only models to partial attainment.

1481 Why do you think the EPA was unable to assemble
1482 sufficient control options to demonstrate attainment with
1483 any of the proposed standards?

1484 *Mr. Hunt. One of the reasons is we are at a very
1485 different point in our air quality journey. We have made
1486 significant reductions in our traditional stationary
1487 sources. They represent about 16 percent of the total
1488 emissions.

1489 And so as a society we need to look more holistically
1490 at the emissions from wildfires, from road dust, other
1491 sources that are not part of our air quality reduction
1492 strategies.

1493 And so they are not the easy low-hanging fruit that
1494 there has been in the past. The paper industry, for
1495 example, has state-of-the-art air pollution controls on our
1496 facilities, and so there are very little additional

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1497 reductions that can be achieved there. The same with other
1498 manufacturing sectors.

1499 So we really need to be looking at much more different
1500 strategies, and that is part of what additional time would
1501 provide. EPA could look at other sources, look at it in a
1502 way that protects public health but also protects the
1503 productive capacity of our economy.

1504 *Mr. Joyce. And I think that is a balancing act that
1505 can definitely be attained.

1506 Mr. Hunt, how can other agencies or the public provide
1507 complete comments on a partial cost estimate?

1508 Does not EPA's failure to show how these areas can
1509 attain suggest EPA will be setting up States to fail?

1510 *Mr. Hunt. It will mean that a lot of our country will
1511 be in nonattainment areas for a long time and for the areas
1512 where the forest products industry operates, in the cleaner
1513 areas, the attainment areas, it is still going to be a
1514 major, major struggle for our projects, which as we invest
1515 in our facilities to stay globally competitive, also result
1516 in reductions in cleaner air.

1517 So we are missing opportunities to reduce our emissions
1518 by thwarting these modernization projects. So it would

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1519 definitely hurt.

1520 *Mr. Joyce. Mr. Bird, when areas are found to be in
1521 nonattainment, States are required to put together plans to
1522 provide a plausible strategy for achieving the emissions
1523 reductions, correct?

1524 *Mr. Bird. That is correct.

1525 *Mr. Joyce. And if States are unable to submit a
1526 plausible plan, what happens?

1527 Would an EPA denial of a State plan lead to Federal
1528 control or would the transportation sanctions be levied?

1529 What would be the follow-up?

1530 *Mr. Bird. Those are the options under the Clean Air
1531 Act, is EPA could create a Federal implementation plan and
1532 also impose sanctions requiring the State to put forth more
1533 effort.

1534 Of course, it is a challenge where the strategies that
1535 are available to States represent a very small portion of
1536 the inventory. As I mentioned in my initial testimony, many
1537 of the sources are outside of our regulatory control.

1538 International sources contribute to air pollution in
1539 Utah. Other State and natural sources contribute to air
1540 pollution in Utah. But the only authority that we have is

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1541 to regulate the permitted sources, the manufacturing
1542 industries that we actually regulate in the State.

1543 So we have a very narrow ability to control the
1544 pollution, and it leads to that perpetual nonattainment.

1545 *Mr. Joyce. Mr. Chairman, my time has expired.

1546 Again, I thank all of the witnesses for being here, and
1547 I yield.

1548 *Mr. Johnson. The gentleman yields back.

1549 The chair now recognizes the gentleman from Maryland,
1550 Mr. Sarbanes, for five minutes.

1551 *Mr. Sarbanes. Thanks very much, Mr. Chairman.

1552 Thanks to our witnesses today.

1553 As you know, we are discussing EPA's proposal to reduce
1554 the annual fine particulate matter National Ambient Air
1555 Quality Standards. That is a mouthful so we use NAAQS to
1556 abbreviate it, which EPA has developed based on the best
1557 available science and technical information.

1558 As we talk about the implementation of these standards,
1559 it is important to understand that NAAQS are not
1560 prescriptive. So they do not impose specific requirements
1561 on businesses.

1562 Instead, NAAQS provide a general flexibility for States

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1563 to choose how they will comply, and to help States make
1564 informed decisions when developing their implementation
1565 plans, EPA provides very important technical assistance and
1566 guidance, along with more than \$200 million in grant funding
1567 annually, to help the States reduce air pollution and meet
1568 these standards.

1569 Mr. Bird, would you agree, speaking from your position,
1570 that adequate EPA funding and staffing are important and
1571 critical for your State's ability to effectively implement
1572 any National Ambient Air Quality Standards, whatever they
1573 may be?

1574 *Mr. Bird. I would probably extend that also to State
1575 funding. We rely on grants through EPA to conduct the State
1576 programs so we can do analysis at the State level monitoring
1577 the State level, and that is an important part of the
1578 regulatory strategy that we have at the State.

1579 *Mr. Sarbanes. I appreciate that.

1580 I mean funding for that kind of assistance through
1581 grants, otherwise, is really important to make sure that
1582 standards can be adhered to across the country.

1583 Despite though, unfortunately though, the Republicans
1584 are proposing to cut EPA's budget by nearly 40 percent for

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1585 fiscal year 2024, which is shocking really. It would
1586 diminish the resources that EPA can provide to States to
1587 help them implement NAAQS and other standards, for that
1588 matter, and thus undermine States' ability to efficiently
1589 achieve healthy air for their residents. It is certainly
1590 moving in the wrong direction from a budget standpoint.

1591 Ms. Cooper, how important is it for EPA to have the
1592 resources necessary to assist States in implementing NAAQS,
1593 these fine particulate matter standards, especially when it
1594 comes to addressing the impacts of poor air quality on our
1595 most vulnerable populations?

1596 *Ms. Cooper. Congressman, it is very important that
1597 EPA have the resources to provide technical assistance, as
1598 you mentioned, because although implementation of clean air
1599 is heavily emphasized at the local level, many States do not
1600 have the resources, the staff, to really address some of the
1601 technical issues and they rely heavily upon EPA.

1602 So if EPA does not have an adequate budget to provide
1603 those resources, it is harming us at the local level as
1604 well.

1605 *Mr. Sarbanes. I mean, I do also want to observe or
1606 register my disappointment that my Republican colleagues are

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1607 objecting to following the science in this instance to
1608 protect the public through an updated expert informed fine
1609 particular matter NAAQS, and I find it hard to square their
1610 arguments that a new standard would be too burdensome for
1611 States to implement with how they are simultaneously
1612 advocating for legislation that would cut the very resources
1613 States rely on to successfully implement the NAAQS standard.
1614 It does not really square with basic logic here.

1615 And the problem that they are speaking of is really a
1616 problem of their own making. I urge my colleagues to
1617 actually prioritize the health and wellbeing of all
1618 Americans. Ensure EPA has the resources necessary to carry
1619 out its mission to do so.

1620 And I will just make the other observation. Number
1621 one, I think that the public expects to be protected against
1622 air pollution by the EPA. It understands that is the
1623 critical role EPA plays.

1624 The public would also concede that when standards come
1625 from the Federal Government, from the Federal level, even
1626 ones that are not particularly prescriptive but just set
1627 goals and then allow flexibility at the State level for
1628 those goals to be met, that it is reasonable to expect that

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1629 resources will come behind those standards in order to
1630 assist States and localities in meeting them. That is a
1631 fair expectation.

1632 And that is an expectation that we tried to meet and
1633 build into the budgets that we pass here. So if you are
1634 going to go cut an EPA budget by 40 percent with predictable
1635 consequences for the kind of technical assistance and
1636 guidance that your office can provide, that is really going
1637 against the expectation and will of the broad public in
1638 terms of the protections that it expects the EPA to provide.

1639 So I really hope my Republican colleagues in that
1640 larger context will be supportive of the resources you need
1641 to do your job.

1642 And with that, I will yield back, Mr. Chairman.

1643 *Mr. Johnson. The gentleman yields back.

1644 The chair now recognizes the gentleman from Georgia,
1645 Mr. Allen, for five minutes.

1646 *Mr. Allen. Thank you, Mr. Chairman, for holding this
1647 important hearing.

1648 And I want to thank our witnesses for your expertise in
1649 this important matter.

1650 Biden's EPA is prematurely proposing to revise the

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1651 current fine particulate matter standards that will have
1652 disastrous effects on manufacturers, especially those in my
1653 State and in my district in Georgia.

1654 Furthermore, these heavy handed, top-down regulations
1655 often do not weigh the compliance and implementation that
1656 oftentimes lies in the hands of States and the business
1657 community.

1658 Mr. Bird, let's talk about the science for a moment
1659 here. Mr. Bird, you note in your testimony that States are
1660 co-regulators with the EPA in implementing the fine
1661 particulate matter standards; is that correct? Yes or no?

1662 *Mr. Bird. Yes.

1663 *Mr. Allen. Additionally, you mention the Clean Air
1664 Science Advisory Committee, C-A-S-A-C or CASAC -- I do not
1665 know -- is required to have a voice from State regulators,
1666 but in the Biden EPA review, only one State regulator was on
1667 the panel, and that panelist's views were considered the
1668 minority view; is that correct, sir?

1669 *Mr. Bird. That is correct, and overwhelmingly so. It
1670 was one versus 20.

1671 *Mr. Allen. Yes. Considering that States are the ones
1672 tasked with implementing these standards and are responsible

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1673 for compliance in these standards from the EPA, does it make
1674 sense that States' voices should be the minority view when
1675 it comes to assessing how to establish new standards or the
1676 science?

1677 *Mr. Bird. It does not.

1678 *Mr. Allen. What is the value of balanced views for
1679 people who actually have to implement standards and design
1680 compliance programs?

1681 *Mr. Bird. I think in the case of this standard
1682 looking with an eye to implementation and understanding
1683 where the sources of the emissions are that are actually
1684 leading to the health impacts, if you cannot tie the sources
1685 to a plan that you can develop to address that standard,
1686 that needs to be addressed in the standard setting process.

1687 And also, understanding that the projected improvements
1688 cannot be attained if there is not a path to get you to
1689 attainment.

1690 *Mr. Allen. Also, this is very one-sided. I
1691 understand that EPA has repeatedly failed to ensure the
1692 advisory panel examine the economic impacts of
1693 implementation, which is required in the law. Would that be
1694 of value to the States?

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1695 *Mr. Bird. It absolutely would be because it is, under
1696 this cooperative federalism, the burden is put on the States
1697 for them to create a plan that works for them, and without
1698 that thoughtfulness in the standard setting process, it does
1699 put a burden on the States.

1700 *Mr. Allen. So this is very top-down administration
1701 minority in the House requirement basically without input
1702 from other States or from scientists who really know what
1703 they are doing in this area.

1704 Mr. Hunt, you demonstrated with your graphics that my
1705 State of Georgia is currently in compliance with the
1706 standards as they are set at the 12 micrograms per cubic
1707 meter. Now, again, you know, we mentioned Texas. I will
1708 just ask this question. He is going to concentrate on
1709 Texas, but let me tell you. Texas is growing and Georgia is
1710 growing, and there is a reason for that. Okay? Because
1711 these manufacturers have found a friend, and we have great
1712 leadership in our States, and they are complying with the
1713 standards as they currently exist.

1714 But if these standards are lowered, guess who it is
1715 going to hurt. The States that are growing the fastest. So
1716 tell me what is going on here.

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1717 The Georgia Department of Natural Resources has data
1718 showing that the Augusta area, which is my district, would
1719 not be in compliance with these proposed standards. So what
1720 we are talking about today is going to affect the very
1721 people that I represent and their ability to provide for
1722 their families, their country, and their church, and their
1723 communities.

1724 Is that a correct statement, Mr. Hunt?

1725 *Mr. Hunt. Yes. No, we need achievable regulations
1726 that allow for those jobs to be created, those manufacturers
1727 to thrive, and to make the products that Americans demand.

1728 We make wood products that store carbon in the built
1729 environment. We do a lot of recycling of paper and making
1730 that into new products, and so we feel ourselves are a very
1731 sustainable industry, and we just hope that the regulations
1732 can also be sustainable.

1733 *Mr. Allen. And we have the cleanest air on the face
1734 of the earth. In fact, in my district of Georgia, you know,
1735 welcome to the 12th District of Georgia. We have got the
1736 cleanest air available anywhere in the world. Okay?

1737 Now, there are some problems in this country, maybe New
1738 York, maybe Atlanta, some areas like that. But do not

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1739 penalize my district because of the problems with other
1740 cities.

1741 And that is the same thing with the climate change
1742 issue. It is the cities, these large, populous cities that
1743 are causing this data supposedly out there on climate
1744 change.

1745 So with that, my time is up, and I yield back.

1746 *Mr. Johnson. The gentleman yields back.

1747 The chair now recognizes the gentlelady from New York,
1748 Ms. Clarke, for five minutes.

1749 *Ms. Clarke. Let me thank you, Chairman Johnson and
1750 Ranking Member Tonko, for holding this hearing today.

1751 I also want to thank our witnesses as well for being
1752 here to testify on the important rule which would update the
1753 long overdue NAAQS standard.

1754 It has been over a decade since this standard was
1755 strengthened. Since then study after study has shown how
1756 fine particulate matter is much more harmful in the short
1757 term as well as over time than we had previously understood.

1758 Over 100 million Americans live in counties with
1759 unhealthy air pollution, and over 18 million people live in
1760 counties that receive, fairly, grades for year round

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1761 particulate pollution.

1762 I agree with the point Ranking Member Pallone made
1763 earlier. The cost of not updating this standard in lives,
1764 in lost work days, in public health spending is
1765 unacceptable.

1766 I know many of my Republican colleagues like to speak
1767 about the cost this rule places on polluters, but we must
1768 recognize the cost of inaction.

1769 The EPA estimated that through updating this standard,
1770 the public health benefits of fewer hospitalizations, lives
1771 lost could total as much as \$43 billion over the next
1772 decade.

1773 So my first question is for Ms. Cooper.

1774 Ms. Cooper, I want to emphasize a point you made in
1775 your testimony. Black Americans 65 and older experience
1776 three times as many deaths attributed to exposure to this
1777 type of pollution compared to all other races.

1778 So when we consider the hundreds of thousands of deaths
1779 per year from poor air quality, we must recognize who is
1780 harmed the most by government's failure to act.

1781 Ms. Cooper, what would failing to update these
1782 standards mean for older Black Americans and communities of

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1783 color?

1784 *Ms. Cooper. Congresswoman Clarke, failing to update
1785 the standards would mean that there would be more Black
1786 Americans, Black and Brown Americans, people in low wealth
1787 communities who would suffer the harms of particulate matter
1788 pollution and also unfortunately death.

1789 *Ms. Clarke. Thank you.

1790 Ms. Cooper, what other groups are disproportionately
1791 harmed by particulate matter pollution and how does this
1792 standard take vulnerable populations' exposure into account?

1793 *Ms. Cooper. Congressman Clerke, children are
1794 affected, pregnant women. Unborn children are also
1795 affected, and again, there is research that shows the
1796 correlation between particulate pollution and these
1797 vulnerable classes of individuals.

1798 *Ms. Clarke. Let me thank you for your response.

1799 It is incomprehensible to me that Republicans point to
1800 increased wildfire smoke, which is driven by climate change,
1801 but throw up their hands whenever we want to work together
1802 on concrete policies to reduce emissions and combat climate
1803 change.

1804 Almost every hearing this committee has held this year

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1805 has been an attempt to gut the bedrock environmental laws
1806 and open up our lands to fossil fuel exploitation. Just
1807 last week, we voted on a bill that would reverse decades of
1808 progress made on cleaning up pollution from our
1809 transportation sector.

1810 Well, I remain committed to ensuring my constituents
1811 have clean air to breathe and clean water to drink while
1812 also sponsoring equity and protecting the most vulnerable
1813 among us.

1814 With that, Mr. Chairman, I yield back.

1815 *Mr. Johnson. The gentlelady yields back.

1816 The chair now recognizes the gentleman from Ohio, Mr.
1817 Balderson, for five minutes.

1818 *Mr. Balderson. Thank you, Mr. Chairman, my fellow
1819 Ohioan.

1820 Thank you all for being here today, going into the
1821 afternoon now.

1822 My first question is for Mr. Hunt and Mr. Hamer and Mr.
1823 Bird.

1824 If the EPA withdraws the PM2.5 reconsideration, will
1825 those standards not be reviewed in about two years anyway
1826 under the normal review cycle?

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1827 Mr. Hunt, you can start.

1828 *Mr. Hunt. Yes. This rule is a discretionary
1829 reconsideration of a standard. So if EPA were to follow the
1830 normal five-year review cycle, you would have to make a
1831 decision two years hence. So yes.

1832 *Mr. Balderson. We would hope the EPA would do just
1833 that and take a more holistic, practical, balanced view.

1834 Mr. Bird?

1835 *Mr. Bird. Yes, that is my understanding as well.

1836 *Mr. Balderson. Thank you very much.

1837 For the next three, again, do you believe there are any
1838 concerns that need to be addressed this urgently?

1839 If so, what seems to be the rush from the EPA?

1840 Go ahead, Mr. Hunt.

1841 *Mr. Hunt. I certainly feel that EPA has got the cart
1842 before the horse here as they lower these standards very
1843 close to background.

1844 We have been working with the agency and pointing out
1845 the gridlock that would happen if this standard was lowered.
1846 There are a lot of more scientific, more accurate modeling
1847 tools and inputs to these assessments that could change a
1848 lot of these pink areas back to green if EPA were to work

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1849 with other stakeholders and vetted their plans to be able to
1850 get our air quality improving but also providing an
1851 environment for business opportunities and growth.

1852 *Mr. Balderson. Mr. Hamer?

1853 *Mr. Hamer. It is far more urgent that we make the
1854 United States more competitive for manufacturing when we are
1855 engaged in a great power competition with China, and we do
1856 this country no favor; we do our people no favor when we
1857 move manufacturing out of the United States and have it go
1858 into a far more polluting country like China.

1859 You could take it to the bank. If you have a facility
1860 that is going up in China, there are a lot more emissions.
1861 There is a lot more greenhouse gas emission, and that causes
1862 far more planetary harm than having it placed in the country
1863 with the cleanest water, the cleanest air on the planet, and
1864 that is the United States.

1865 *Mr. Balderson. Thank you.

1866 Mr. Bird?

1867 *Mr. Bird. Representing an environmental agency, of
1868 course, clean air is important to us. We have demonstrated
1869 that through our past planning efforts, being able to
1870 achieve attainment with the standard and, I think, with my

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1871 neighboring States that are represented here, with a very
1872 growing and vibrant economy as well.

1873 We are attracting businesses. We are growing, and our
1874 concern is not maybe challenging the health data or the
1875 impacts to that but how you achieve the standard and the
1876 fact that if you do not have a pathway or a plan to get
1877 there, perhaps some of the narrative at least in my area is
1878 perhaps inconsistent because the benefits will not be
1879 achieved unless you have a plan to get there.

1880 *Mr. Balderson. Okay. Thank you.

1881 My next question is for Mr. Hamer and for Mr. Hunt.

1882 In 2011, President Obama withdrew an EPA proposal to
1883 reconsider ozone standards, citing, in his words, "the
1884 importance of reducing regulatory burdens and regulatory
1885 uncertainty, particularly as our economy continues to
1886 recover."

1887 Over the past two years, my constituents have dealt
1888 with record inflation and rising energy costs.

1889 Mr. Hamer and Mr. Hunt, do you believe it is just as
1890 important now as it was in 2011 that we work to reduce
1891 regulatory burdens and uncertainty?

1892 *Mr. Hunt. Yes, there are a lot of regulatory

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1893 requirements that are facing the forest products industry.
1894 This is one of them. So it is very important to be careful
1895 as one contemplates additional requirements to make sure
1896 that the benefits outweigh the costs.

1897 *Mr. Balderson. Mr. Hamer?

1898 *Mr. Hamer. It is more important today. Again, to
1899 sound like a broken record, given the great power of
1900 competition with China, it is more important today to have
1901 sensible regulations.

1902 *Mr. Balderson. Okay. With all due respect, you may
1903 not be able to answer this, but I do want to ask the
1904 question. If we have time, we will do it.

1905 Mr. Hunt, in addition to nonattainable areas, EPA has
1906 proposed PM2.5 standards would significantly expand areas
1907 approaching nonattainment. You referenced this map earlier
1908 which is above me, and it is here.

1909 You mentioned the pink area meets the standard but
1910 leaves insufficient room for projects to be permitted and
1911 move forward.

1912 Can you expand on how this is counterproductive to
1913 improving the air quality when many of those projects
1914 actually lower emissions?

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1915 I am going to ask you to submit those answers.

1916 Thank you very much.

1917 Mr. Chairman, I yield back.

1918 *Mr. Johnson. The gentleman yields back.

1919 The chair now recognizes the gentleman from California,
1920 Mr. Peters, for five minutes.

1921 *Mr. Peters. Thank you, Mr. Chairman.

1922 Today we are discussing dangerous air pollution that is
1923 affecting over 100 million Americans. Specifically, we are
1924 talking about how to reduce fine particulate matter
1925 pollution that can affect the health of human's hearts and
1926 lungs. It can increase the risk of heart attacks and
1927 amplify existing medical conditions like heart disease and
1928 asthma.

1929 And while I support efforts to strengthen the standards
1930 for fine particulate matter pollution which could result in
1931 as many as 1,700 avoided premature deaths and 110,000
1932 avoided lost work days, I want to ask a few questions about
1933 the rule.

1934 But I first want to bring to the attention of the
1935 subcommittee the largest source of particulate matter air
1936 pollution in the Western United States, which is wildfire

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1937 smoke. Poor land management and climate change are fueling
1938 extreme wildfires in California and across the West, and
1939 these fires endanger our communities' wildlife and
1940 ecosystems and are releasing dangerous smoke into the
1941 atmosphere, as many of us on the East Coast experienced
1942 earlier this year from the Canadian wildfires.

1943 Researchers in my district from the University of
1944 California, San Diego and the Scripps Institute of
1945 Oceanography published research showing that particulate
1946 pollution from wildfire smoke is more harmful to human
1947 health compared to other pollution sources.

1948 Tens of millions of Americans are at risk of
1949 experiencing high levels of exposure to wildfire smoke and
1950 vulnerable populations like infants, the elderly, and people
1951 with preexisting health conditions, like respiratory or
1952 cardiovascular disease, are at higher risk of negative
1953 health effects from wildfire smoke.

1954 Extreme smoke events are already increasing emergency
1955 room visits and more people will be at risk as wildfires
1956 continue to grow in frequency and intensity.

1957 Congress needs to act to reduce the severity of
1958 wildfires by both addressing the climate crisis and better

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1959 managing our land. We also need a well-resourced, well-
1960 trained, and supported wildland firefighter force to reduce
1961 the severity of wildfires and help make our landscapes more
1962 fire resilient.

1963 Right now Congress is failing to live up to its
1964 responsibility to support wildland firefighters that are
1965 putting their lives on the line to protect our communities
1966 and natural resources, and if we fail to act in the next two
1967 weeks, Federal wildland firefighters could see their
1968 paychecks cut in half.

1969 The Federal Wildland Firefighters Union says that up to
1970 50 percent of the wildland firefighter force could walk off
1971 the job unless Congress provides more resources.

1972 Now, we are not talking about wildfires in this
1973 committee. We are talking about particulates, and it is one
1974 of those things about Congress, is that the conversation we
1975 are really having is about particulate air pollution. A big
1976 part of that will not happen in this committee, but we need
1977 to be aware of it, and we need to help Congress act on it.

1978 I am committing to work with my colleagues on both
1979 sides of the aisle and partners in the Senate to find a
1980 resolution.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1981 Now, back to this proposed rule. Ms. Cooper, can you
1982 speak to how the Clean Air Act and the National Ambient Air
1983 Quality Standards have reduced pollution in American
1984 communities without hurting the economy?

1985 *Ms. Cooper. Congressman, what I can tell you is that
1986 when there are lost work days because of the health effects
1987 and the impacts of particulate pollution, that affects the
1988 economy.

1989 And also in terms of wildfires, they are a threat to
1990 air quality, and that is one of the reasons why at Moms
1991 Clean Air Force we believe that the EPA should take action
1992 against that type of pollution that they can control and
1993 that we can identify, where there can be a contribution to
1994 cleaning the air because of these other problems that are
1995 also related to wildfires.

1996 *Mr. Balderson. Thank you.

1997 As I said, I support this rule, Mr. Chairman, but if we
1998 do not act on wildfires, we will see the severity of
1999 particulate pollution increase exponentially, whatever we do
2000 on this committee.

2001 And I yield back.

2002 *Ms. Cooper. Congressman, may I also add that since

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2003 the time that the Clean Air Act was enacted, our quality of
2004 air has improved and also GDP has quadrupled. So I believe
2005 we can say that we can have both.

2006 *Mr. Johnson. The gentleman yields back.

2007 The chair now recognizes the gentleman from Alabama,
2008 Mr. Palmer, for five minutes.

2009 *Mr. Palmer. I thank the chairman for holding this
2010 hearing.

2011 You know, it is amazing to me how these debates all
2012 turn into some kind of climate emergency and we start
2013 quoting things that are becoming more and more apparent even
2014 from the Intergovernmental Panel on Climate Change that
2015 climate change is not the cause of the wildfires.

2016 The interesting thing about this, Mr. Chairman, to me
2017 is that only 25 percent of the particulate matter in the air
2018 over Los Angeles on any given day originated in China, and I
2019 just wonder how the EPA plans to regulate particulate matter
2020 from China.

2021 I do not think there is an answer for that, and I just
2022 wonder, Mr. Hunt, is it fair to impose these standards on
2023 the States and local governments when, in fact, we have
2024 reduced fine particulate matter emissions by 41 percent,

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2025 even though our GDP is up over 270 percent.

2026 Is it fair to impose these standards on State and local
2027 governments when it does not even originate in the United
2028 States, much less in their States?

2029 *Mr. Hunt. Congressman, it is not fair. Pollution is
2030 complicated. It comes from many different sources. As has
2031 been noted, we have some of the best air quality in the
2032 world, and we compete against areas like Southeast Asia and
2033 China that have air quality that is six times worse than
2034 ours.

2035 *Mr. Palmer. Well, it is also reported that Asian air
2036 pollution contributes as much as 65 percent of the ozone
2037 increase in the Western United States, which out there they
2038 call it smog even though there has been a 50 percent
2039 reduction in U.S. emissions that cause smog.

2040 So we are going in the right direction, but it seems
2041 punitive to me, especially given how this is going to impact
2042 the forest industry, how it is going to impact cement, how
2043 it is going to impact steel production. About 35 percent of
2044 China's pollution comes from their industries. They
2045 produce, I think, 51 percent of the cement and 55 percent of
2046 the world's steel.

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2047 So it is interesting to consider that we are paying for
2048 the products that we get from China by breathing the
2049 pollution that they send across the Pacific.

2050 Again, I ask. I wish someone from the EPA was here,
2051 Mr. Chairman, to answer how they plan to regulate the
2052 particulate matter that is originating in China that is
2053 coming over here that they want to impose on us to further
2054 damage our economy, to reduce the number of jobs when we are
2055 already doing a really good job at this, but yet it seems
2056 like it is a political agenda to me to blame everything on
2057 climate change and to further do harm to our communities
2058 this way.

2059 Do you want to comment on that, Mr. Hunt?

2060 *Mr. Hunt. Thank you.

2061 No, it certainly penalizes us. The maps behind you are
2062 based on what is the background air quality in the United
2063 States, and so even though the average is eight micrograms,
2064 some of it, as you have noted, comes from overseas, whether
2065 that is China, from Mexico or Canada, but that penalizes us
2066 because that takes up some of the headroom, some of the
2067 opportunity for growth and new projects from our great
2068 industry in America.

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2069 So we are less able to compete because the way our
2070 system works in terms of how we permitted projects has to
2071 take into account that background emissions that is very
2072 challenging to control, even though we have made substantial
2073 reductions in our emissions over the decades and continue to
2074 do so regardless of whether this rule is finalized or not.

2075 *Mr. Palmer. Well, you know, we just saw a report
2076 where a leading climate scientist admitted that he
2077 manipulated his findings in order to be published. I think
2078 in specific it was one of Nature or one of these magazines,
2079 that he admitted that he exaggerated things in order to get
2080 published because if he said what was really true about the
2081 cause of wildfires, he would never get published. It does
2082 not fit the narrative.

2083 And it seems that we are doing the same thing on some
2084 of these, and we are doing harm to people with these
2085 policies. And it is amazing to me.

2086 Twenty-nine percent of the pollution above San
2087 Francisco on any given day originates in China. We have got
2088 to figure out a way to deal with that.

2089 And I yield back.

2090 *Mr. Johnson. The gentleman yields back.

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2091 And now the chair recognizes my friend and colleague
2092 from California, Dr. Ruiz, for five minutes.

2093 *Mr. Ruiz. Thank you, Mr. Chairman.

2094 Pollution is real. Climate change is real. We are
2095 starting to see extremes in weather. In fact, I live in the
2096 desert in the Coachella Valley, and all of you probably saw
2097 in the news the tropical storm Hilary. I can tell you I
2098 live in the desert. We have not seen a tropical storm in
2099 the desert, and you are starting to see more and more of
2100 these kind of phenomena.

2101 And pollution is a deadly threat to public health.
2102 Hundreds of studies and peer reviewed literature found that
2103 these microscopic particles, PM2.5, can reach the deepest
2104 regions of the lungs.

2105 In fact, it goes beyond the lungs. It goes through the
2106 lung-blood barrier and straight into the blood stream.

2107 Exposure to fine particles is associated with asthma
2108 exacerbation, asthma deaths, chronic bronchitis, decreased
2109 lung function, respiratory diseases, and even premature
2110 death.

2111 I have seen them in the emergency department, treating
2112 patients. I have seen them firsthand, the dangerous impacts

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2113 of these fine particle levels.

2114 So this deadly pollution disproportionately affects the
2115 most vulnerable amongst us. Like do not get me wrong. It
2116 affects everybody, but it disproportionately affects the
2117 most vulnerable amongst us, the children, seniors, those
2118 with chronic lung and heart diseases, and those with low
2119 income populations that do not have the resources to protect
2120 themselves.

2121 The western part of my district, the San Jacinto
2122 Valley, has seen an increase of warehouse development, for
2123 example, especially along the I-10 freeway. These increases
2124 in development have brought on an influx of trucking traffic
2125 causing more car exhaust and example of a fine particle
2126 pollutant to run through the streets and the neighborhoods.

2127 And this is happening in cities across my district like
2128 Banning, Beaumont, and Hemet. In fact, I just spoke with
2129 some constituents about the haze of dust and pollution over
2130 the Coachella Valley as well. With the winds and the
2131 tropical storm Hilary, it is kind of laying over there, and
2132 we have hazardous air quality in my district.

2133 In fact, Riverside County is one of the worst air
2134 qualities in the country. The American Lung Association has

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2135 graded the county an F grade for annual particle pollution.

2136 However, Congress has made some commonsense investments
2137 to help communities across the country reduce
2138 transportation-related pollution, including harmful
2139 particulate matter, through funding for the Diesel Emissions
2140 Reduction Act Program, also known as the DERA.

2141 So the DERA provides Federal funding for States and
2142 territories to replace dirty polluting diesel engines with
2143 cleaner, more efficient technologies. There is nothing
2144 wrong with that.

2145 My home State of California regularly takes advantage
2146 of this opportunity, as do many others across the country.

2147 So, Mr. Bird, it appears that your State received over
2148 \$2 million in DERA funding in 2021. Are programs like DERA
2149 an important tool for States as they work to reduce
2150 pollution in communities?

2151 *Mr. Bird. They are, and that is, of course, part of a
2152 comprehensive plan that States and EPA and Congress have put
2153 into place to reduce the burden of air pollution across the
2154 country that has been so effective.

2155 *Mr. Ruiz. Thank you.

2156 And, Ms. Cooper, as States implement air pollution

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2157 standards, how important is it that communities have access
2158 to resources in order to reduce pollution in their area,
2159 especially in communities that are disproportionately
2160 affected by pollution?

2161 *Ms. Cooper. It is very important. Unfortunately
2162 because of historical patterns of residential problems and
2163 systematic racism that has resulted in many Black and Brown
2164 and low wealth individuals being in communities that are
2165 closer to highways, closer to polluting plants, all of these
2166 things impact the quality of air more on these communities
2167 than others, although as has been stated, everyone is
2168 affected.

2169 *Mr. Ruiz. Thank you.

2170 You know as we approach this, we need to put people
2171 over politics and really put the health of individuals first
2172 and foremost.

2173 I am a public health expert. I put my blinders on. I
2174 work with anybody in a bipartisan way to make sure that the
2175 end result is better health for individuals, and this is
2176 something that is very clear. There are studies in the
2177 medical and in the public health literature that have a
2178 direct link between air quality and quantity of life.

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2179 And we have seen some studies that show a decrease on
2180 average by ten years of individuals who live in poor air
2181 quality areas.

2182 And so here we are addressing an EPA study that will
2183 help improve that even more. So these are rules that have
2184 real life impact. Now, how many of us want to live long
2185 enough to see our grandchildren graduate from high school?

2186 How many of us want to see our children get married and
2187 have a great life and start their career? I do.

2188 So if we all want to have better lives, then we all
2189 need to start working and having common sense and put people
2190 above institutions. And no matter how hard it is to address
2191 this issue, no matter how hard it is for States to come to
2192 compliance, the government needs to work for the people, be
2193 in compliance for the health of the people so that people
2194 can have better lives.

2195 I yield back.

2196 *Mr. Johnson. The gentleman yields back.

2197 The chair now recognizes the gentleman from Idaho, Mr.
2198 Fulcher, for five minutes.

2199 *Mr. Fulcher. Thank you, Mr. Chairman.

2200 And for the record, in your opening statement you made

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2201 a comment that by putting more pressure on these standards
2202 it would drive more and more business away and hurt us
2203 economically.

2204 And I want to just say I think you are absolutely
2205 right, and for a note here, we have been doing a little bit
2206 of homework. Our friends in China have stated that they
2207 hope that by the year 2035 in their population centers they
2208 can get to the same level of objectives, which is the 35
2209 level, that we put in place in 2006. And so somewhere
2210 around 30 years behind us is where they are.

2211 So I think your statement is absolutely correct. When
2212 we drive more and more business there, we just put more and
2213 more negative output on the planetary scale.

2214 And so, Mr. Bird, Mr. Hunt, I would like comments from
2215 both of you on this. Some of us are going down similar
2216 roads here, but, Mr. Bird, I will start with you.

2217 In a September 7 letter to EPA Administrator Regan,
2218 members of the committee noted that wildfires and unpaved
2219 roads contribute up to 84 percent of particulates and
2220 gaseous particulate matter precursors going into the air.
2221 Meanwhile only 16 percent of such particulates come from
2222 industrial sources and power plants.

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2223 So given that layout, will imposing more stringent air
2224 quality standards on that 16 percent of the alleged sources,
2225 is that going to help our overall situation or is that going
2226 hurt it?

2227 *Mr. Bird. So I think based on the context, that we
2228 have been doing this for many, many years. Of course, the
2229 controls are already in place on a number of those
2230 controllable sources, and what we are left with now is these
2231 more remote sources, forest fires.

2232 Utah is the second driest State in the Nation, a
2233 neighbor of yours. Of course, that is a concern for us as
2234 well. You know, the dust from the West desert that impacts
2235 the Wasatch Front is more of a factor than the local sources
2236 that we can regulate.

2237 *Mr. Fulcher. So can I understand from that that
2238 imposing more stringent air quality standards on that 16
2239 percent is not going to help our overall situation?

2240 *Mr. Bird. Yes, that is what we believe, that we have
2241 already put the controls that are reasonable. Additional
2242 controls will have an added burden but not have the
2243 corresponding --

2244 *Mr. Fulcher. Okay. Mr. Hunt, can you comment on that

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2245 please?

2246 *Mr. Hunt. Thank you, Congressman.

2247 Yes, as I stated earlier, we already have substantial
2248 pollution control equipment on our facilities. We have
2249 reduced our nitrogen oxide emissions by 50 percent and our
2250 sulfur dioxide emissions by over 80 percent.

2251 You know, we are less than one percent of the overall
2252 PM emissions. So focusing on the same sources again and
2253 again, you are squeezing the rock. There are not any
2254 additional reductions that can be achieved.

2255 And by creating this permitting gridlock by lowering
2256 the standard without a good implementation plan could even
2257 jeopardize opportunities for my mills to modernize and
2258 install more efficient equipment that, by definition, will
2259 mean less emissions per ton of product, and that product
2260 would be made in America.

2261 *Mr. Fulcher. Okay. You actually answered the second
2262 question I had for you, as well. So thank you for that.

2263 Mr. Bird, very quickly, several commenters on EPA's
2264 proposed rule suggest that the EPA authority under the Clean
2265 Air Act to classify and exempt prescribed burns as an
2266 exceptional event. However, Section 319 of the statute

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2267 states that to qualify for an exceptional event, any event
2268 must not be reasonably controlled or preventable and, if it
2269 is a human activity, no recurring.

2270 So given that context, would you worry that if there
2271 was a lawsuit, that EPA might have some problems in
2272 exceptional event determinations for prescribed burns?

2273 *Mr. Bird. That is a concern for us, and under the
2274 Retail Haze Planning Requirements, it looks like that is the
2275 way the future is going.

2276 *Mr. Fulcher. Thank you.

2277 Mr. Chairman, with that I would like to yield the rest
2278 of my time to the gentleman from Alabama.

2279 *Mr. Johnson. The gentleman yields back.

2280 The chair now recognizes the gentleman from -- oh, you
2281 yield back. Okay.

2282 Mr. Palmer.

2283 *Mr. Palmer. Yes. I just want to point out that
2284 Hurricane Hilary was not the first hurricane to make
2285 landfall in California. There were eight since 1850. The
2286 last one was 1939. It killed 100 people.

2287 I yield back.

2288 *Mr. Fulcher. Thank you, Mr. Chairman.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2289 I yield back.

2290 *Mr. Johnson. The gentleman yields.

2291 The chair now recognizes the gentleman from Texas, Mr.
2292 Pfluger, for five minutes.

2293 *Mr. Pfluger. I appreciate it, Mr. Chairman.

2294 I represent the Permian Basin, and this area is the
2295 largest and most important and most productive area for oil
2296 and gas and energy, quite frankly, in the United States. We
2297 are constantly facing different threats.

2298 The threat of the day right now is the threat of a
2299 nonattainment redesignation, and really the economic impact
2300 of this would be in the billions.

2301 But it is not just the economic impact. It is actually
2302 more the impact to citizens in this country, the 330 million
2303 people who depend on affordable and reliable energy
2304 production.

2305 And despite the administration's best efforts to kill
2306 the oil and gas industry, it still remains strong. And
2307 whether it is petrochemicals, whether it is plastics,
2308 whether going into an emergency room and see the PPE gear,
2309 it depends on feedstock that comes from a cleaner and more
2310 efficient area, and that is the area that I represent.

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2311 Mr. Hamer, you reference in your testimony the Oxford
2312 economic study on the cost of the EPA's newly proposed fine
2313 particulate matter standard. I know you talked about this
2314 here today and found that they could affect us to the tune
2315 of 160, maybe even close to \$200 billion in outputs.

2316 When you look at the costs that are in addition to the
2317 hundreds of billions of dollars in potential industry cost
2318 of the newly proposed standards, do you think these
2319 estimates sound reasonable?

2320 *Mr. Hamer. I do, Congressman. These estimates,
2321 unfortunately, are reasonable, and it would cost the Texas
2322 economy billions of dollars and thousands of jobs, and I
2323 just appreciate your great leadership.

2324 The Permian Basin is keeping this country going
2325 economically and is also helping our allies abroad through a
2326 very difficult period of time.

2327 *Mr. Pfluger. Well, let me say thank you for that.

2328 Do you believe the Biden Administration's proposal for
2329 lowering the standard recognizes and balances these economic
2330 risks with, you know, the other ball that is in the air,
2331 which is climate affordability?

2332 *Mr. Pfluger. It is absolutely not balanced, and we

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2333 heard earlier today how unbalanced it is. And, Congressman,
2334 we would like to see a holistic approach that balances out
2335 these different issues. Eighty-four percent of the
2336 remaining PM2.5 is from wildfires, road dust, and other
2337 nonpoint sources.

2338 *Mr. Pfluger. Does it leave enough headroom for
2339 businesses in attainment areas to obtain the permits they
2340 need to grow?

2341 I mean, now we are not even talking about the energy
2342 industry. We are talking about any manufacturing, any
2343 building, anything that we do in this country.

2344 *Mr. Hamer. That is exactly right. This rule would
2345 have a very broad negative effect on the competitiveness of
2346 the American economy.

2347 *Mr. Pfluger. Yes. The facts, despite not actually
2348 looking at the facts, you know, we are actually hurting
2349 ourselves in the national security of this country.

2350 You know, speaking of wildfires, Mr. Bird, if wildfires
2351 increase because of limitation of the prescribed burns,
2352 which we do in my area, manufacturing being driven to
2353 countries with less stringent environmental standards, the
2354 exporting of CO2 to places like China and the other impacts

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2355 we have talked about, is it possible that these standards
2356 could actually have an adverse effect on our air quality
2357 despite in name being something else?

2358 *Mr. Bird. Yes, Congressman. As we have looked at the
2359 air pollution impacts to our State, of course, international
2360 transport is part of that. There are provisions in the
2361 Clean Air Act that are available to let States address that
2362 in the planning process, but those have not been either
2363 allowed or approved by EPA in the past.

2364 And so that is a concern for us. We are seeing a
2365 greater contribution and a greater relative contribution to
2366 local emissions even from international emissions as far as
2367 China.

2368 *Mr. Pfluger. I am glad you brought that up. One of
2369 the most bipartisan issues on this committee is China. So
2370 let's talk about, Mr. Hamer, the competition with China, and
2371 if we go to this new proposed rule, what that does, and I
2372 have got one more question after this.

2373 What does it do with our competition to China?

2374 *Mr. Hamer. Well, I will say the Communist Chinese
2375 Party would be very happy because it will simply make them
2376 more competitive. It means for semiconductors, for energy,

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2377 for advanced auto manufacturing, all of those different
2378 areas will make China a more attractive place to do
2379 business.

2380 And that is obviously very negative.

2381 *Mr. Pfluger. When you look at the Clean Air Act, in
2382 the toxins like nitrous oxide and some of the others, I
2383 personally do not see CO2 as a toxin. In fact, when you
2384 look at the life expectancy, it has increased as a result of
2385 places that have clean energy.

2386 So, Mr. Bird, can you give us your opinion on CO2 as a
2387 toxin?

2388 *Mr. Bird. It is not a toxin, but it is currently
2389 regulated under the EPA regulations.

2390 *Mr. Pfluger. Mr. Chairman, my time has expired. I
2391 yield back.

2392 Thank you.

2393 *Mr. Johnson. The gentleman yields back.

2394 The chair now recognizes the gentleman from California,
2395 Mr. Obernolte, for five minutes.

2396 *Mr. Obernolte. Well, thank you very much, Mr.
2397 Chairman.

2398 Thank you to our witnesses on what is a very important

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2399 topic.

2400 Mr. Bird, in your testimony, I was astonished when I
2401 heard you say that when wildfires are burning in Utah, the
2402 particulate emissions from those wildfires are between ten
2403 and 100 times the amount of all of the other regulated
2404 sources put together.

2405 And I know other people here on the panel have
2406 testified that wildfires are the single largest causes of
2407 particulate emissions in the United States.

2408 So it would seem to me that a more realistic strategy
2409 for solving this problem with particulates would be to do a
2410 better job at managing our forests, to doing fuels
2411 reduction, and reducing the frequency and severity of these
2412 wildfires. Would you agree with that?

2413 *Mr. Bird. I would, and that was the reason I included
2414 it there. Of course, States do not have the ability to do
2415 that, but it is included in the data that was used to set
2416 the health standards.

2417 And so there is this disconnect. The largest source of
2418 emissions that is impacting public health is not able to be
2419 regulated under the context of the Clean Air Act, and of
2420 course, what the East Coast saw this summer with the

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2421 wildfire influences from Canada. In Utah and California, we
2422 call that summertime. That is every summer for us.

2423 *Mr. Pfluger. Right. Well, I mean the point is we
2424 should be taking a whole of government approach to solving
2425 this problem because everyone agrees that we want to
2426 prioritize the health of our communities and our children.
2427 If this is the single largest source of those particulates,
2428 my goodness, let's make a government commitment to reduce
2429 it.

2430 And we can do that perhaps not under the Clean Air Act,
2431 but we can certainly recommit to managing at least BLM and
2432 National Forest lands, which, you know, honestly as a
2433 representative from a Western State, I can tell you we do a
2434 terrible job at right now.

2435 Mr. Hunt, I would like to bring up something
2436 specifically that California has been struggling with. So a
2437 few months ago, the EPA proposed to disapprove of
2438 California's 2012 SIP for the San Joaquin Valley, and what
2439 they said I thought was really eye opening.

2440 They said that they want to disapprove it because it
2441 was unrealistic and did not produce a plausible strategy for
2442 achieving attainment.

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2443 And the reason why this resonated with me is that as
2444 someone from California, I can tell you that the agencies
2445 involved here are in complete lockstep with the
2446 administration and their prioritization of solving this
2447 problem.

2448 You know, they probably do not disagree with what the
2449 EPA is trying to do. So it is not that they do not want to
2450 achieve attainment. It is that there is no plausible
2451 strategy for achieving attainment. And this new proposed
2452 regulation would make that situation even worse.

2453 Can you talk a little bit about the impact on States
2454 like California that nonattainment would occur?

2455 And I am talking about things like loss of highway
2456 funds, you know, not minor things, not a slap on the wrist.
2457 Telling everyone in the San Joaquin Valley no more Federal
2458 funds for building roads for you because you failed to
2459 attain something that even your State agency has said is
2460 unattainable.

2461 Can you talk a little bit about that?

2462 *Mr. Hunt. I am not that familiar with the San Juan
2463 example, but I think it is illustrative of the fact that,
2464 you know, our air quality challenges are much more complex

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2465 than they have ever been.

2466 We have got, you know, cleaner vehicles, cleaner fuels.

2467 You know, we have heard about the diesel bus replacement

2468 program. Those are all making substantial strides.

2469 Yet we still cannot get ourselves into attainment, and

2470 that is a challenge. And so looking at a wider spectrum of

2471 emissions, obviously needing to manage our Federal lands to

2472 avoid those wildfires is of huge, huge importance.

2473 Obviously, as the forest products industry, we rely on

2474 the forest for our products. So we are making sustainable

2475 products, you know, that sequester carbon in the built

2476 environment. We are so excited about being able to expand

2477 those opportunities.

2478 But, yes, those impacts of penalties on highway funds

2479 are quite real when you get into these severe nonattainment

2480 situations.

2481 *Mr. Pfluger. All right. Well, I mean, it certainly

2482 would have a severe impact on the people that I represent.

2483 Ms. Cooper, I had one question for you. I want to

2484 thank you for being here. I know it is not easy to be the

2485 opposition witness, and your perspective is really valuable,

2486 which is why we try and balance the panel.

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2487 You said something in your testimony that I thought was
2488 really important. You said that nothing is more important
2489 than the health of our families and our communities. And I
2490 think that probably everyone here on the dais would agree
2491 with you, regardless of political party, regardless of what
2492 committees or subcommittees we serve on. I think everyone
2493 would agree.

2494 The problem is how do we prioritize that because health
2495 has so many different aspects. And some of the consequences
2496 of what the EPA is trying to do would have a negative impact
2497 on other aspects of health, like, you know, nutrition, for
2498 example, if you do not have food adequacy.

2499 So how do we balance as a society these competing
2500 demands?

2501 *Ms. Cooper. With respect to the Clean Air Act, the
2502 focus is on public health, and within the jurisdiction at
2503 least as I understand it of the EPA, they regulate that part
2504 of clean air that is based on science and how to reduce the
2505 pollutants that have been identified as the most critical
2506 ones.

2507 We have to always take a holistic view of trying to do
2508 the best that we can, but in order to be able to consider

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2509 these other aspects of health, we absolutely have to be able
2510 to breathe. So you have to start somewhere.

2511 And I believe that one of the best places to start is
2512 to start with the impacts on those variety of health
2513 conditions that I have mentioned about cardiovascular
2514 disease, pregnancy, birth outcomes, asthma, about protecting
2515 children, and the elderly.

2516 *Mr. Pfluger. Well, thank you.

2517 I know my time expired. I cheated by turning it over
2518 to you right as my time was up, but thank you very much for
2519 your perspective and for everyone on the panel.

2520 I yield back, Mr. Chairman.

2521 *Mr. Johnson. The gentleman yields back.

2522 The chair now recognizes the gentlelady from
2523 California, Ms. Barragan, for five minutes.

2524 *Ms. Barragan. Thank you, Chairman Johnson.

2525 And thank you, Ms. Cooper, for all your work with Moms
2526 Clean Air Force, and to our witnesses for being here today.

2527 Ms. Cooper, I want to direct my questions to you. You
2528 just said something that sounded like common sense, and that
2529 was the basic notion is health, that you have got to be
2530 alive. You have got to breathe.

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2531 And so I represent a district that is in South Los
2532 Angeles, the port. It is surrounded by the port, a lot of
2533 refineries, a lot of freeways, where air pollution is a huge
2534 issue, so much so that children have inhalers around their
2535 necks, and the doctors' offices stock up on the asthma
2536 inhalers.

2537 And there is nothing more heartbreaking than when you
2538 have children who cannot breathe, and you would do anything
2539 to help them breathe.

2540 So your advocacy and the work that you do helps to make
2541 sure that we are, as lawmakers, doing everything we can to
2542 make sure our communities have access to clean air and can
2543 breathe.

2544 Ms. Cooper, my first question is that the EPA's
2545 proposed rule to strengthen our national standard for
2546 particulate matter would provide 17 to \$43 billion in public
2547 health benefits through 2032.

2548 Can you describe and expand really on what those
2549 numbers mean for everyday people and what public health
2550 benefits we can expect from a stronger standard?

2551 *Ms. Cooper. Congresswoman, as I mentioned in my
2552 testimony, Moms Clean Air Force hears from families all

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2553 across the country. We have members in every State.

2554 We do know, and I know through my work as being the
2555 National Manager from Health Equity, that communities that
2556 have Black and Brown communities, communities of low wealth
2557 who are already in neighborhoods that are closer to the
2558 highways, closer to polluting plants, so they are starting
2559 from a compromised position in terms of the quality of air
2560 that they breathe.

2561 And what we are hoping for is that the EPA will adopt a
2562 standard that protects these communities especially but all
2563 communities, that protects their health.

2564 *Ms. Barragan. And can you expand on why Moms Clean
2565 Air Force has called for the EPA's final rule to be
2566 stronger?

2567 *Ms. Cooper. Well, we have called for the rule to be
2568 the strongest as possible because that is what the
2569 independent scientific committees have recommended and
2570 because if the stronger standard is adopted, it will also
2571 literally save the lives of more people.

2572 *Ms. Barragan. Well, thank you.

2573 And I agree with you, and I think a lot of my
2574 colleagues on this side of the aisle do.

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2575 In March 1985, members of Congress led by myself,
2576 Representative Rochester, and Senator Markey wrote to EPA in
2577 support of a final rule that follows the recommendation of
2578 the agency's Scientific Advisory Committee.

2579 Mr. Chairman, I would like to enter into the record
2580 that letter, into the record.

2581 *Mr. Johnson. Without objection, so ordered.

2582

2583 [The information follows:]

2584

2585 *****COMMITTEE INSERT*****

2586

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2587 *Ms. Barragan. Thank you.

2588 Ms. Cooper, Ecomadres is a group within the Moms Clean
2589 Air Force made up of parents and caregivers that work to
2590 protect Latino families from air pollution and climate
2591 change. They have advocated for a strong particulate matter
2592 rule.

2593 Can you describe? And I know you just talked a little
2594 bit about it. Can you describe why less particulate matter
2595 pollution would particularly benefit Latino and communities
2596 of color?

2597 *Ms. Cooper. Congresswoman, as I was just mentioning,
2598 because of the positioning of neighborhoods, particularly
2599 many Latino neighborhoods close to polluting sources, that
2600 exacerbates the impact of poor air quality on those
2601 communities, particularly where people basically live,
2602 learn, and play.

2603 There are many schools that cannot sometimes have
2604 outdoor activities because of poor air quality, and again,
2605 this is often related to particulate matter or particulate
2606 pollution.

2607 *Ms. Barragan. Right. Well, thank you.

2608 You know, 68 percent of Latinos in the United States

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2609 live in areas that do not meet the Federal air quality
2610 standard, and we believe a strong particulate matter rule
2611 can help address that disparity.

2612 Mr. Chair, I would also like to enter into the record
2613 this article from the Washington Post of April 28th,
2614 entitled, "Deadly Air Pollutant Disproportionately and
2615 Systematically Harms Americans of Color Study Finds."

2616 *Mr. Johnson. Without objection, so ordered.

2617 [The information follows:]

2618

2619 *****COMMITTEE INSERT*****

2620

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2621 *Mr. Johnson. And the gentlelady's time has expired.

2622 The chair now recognizes the gentlelady from Iowa, Dr.

2623 Miller-Meeks, for five minutes.

2624 *Mrs. Miller-Meeks. Thank you, Mr. Chair.

2625 When I think about the EPA's particulate matter 2.5

2626 reconsideration proposal, I have immediate concerns about

2627 the impact of the proposed rule on economic development in

2628 my district and in my State, especially in communities

2629 reliant on farming and steel production.

2630 EPA's particulate matter 2.5 reconsideration proposal

2631 threatens to adjust already rigorous standards for

2632 particulate matter 2.5 to levels even more difficult to

2633 attain.

2634 Mr. Bird, can you speak to the air quality improvements

2635 that have occurred in recent years or have there been none?

2636 *Mr. Bird. No, there have been dramatic improvements.

2637 Of course, the Clean Air Act has been very effective as

2638 States have created plans that found reasonable controls

2639 that were able to be put into place.

2640 The challenge now moving forward is to become more

2641 costly and more impactful as we go to lower and lower

2642 standards, and of course, can we achieve the standards?

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2643 Perhaps some of the benefits that have been mentioned
2644 are not achievable if we end up in perpetual nonattainment
2645 versus actually improving air quality.

2646 *Mrs. Miller-Meeks. And how should EPA consider these
2647 improvements in air quality as it contemplates a de facto
2648 environmental tax on domestic industry?

2649 *Mr. Bird. Certainly the progress is being made. If
2650 you look at the trend charts that I provided in my written
2651 testimony, you can see that we have made great improvements,
2652 and we are going to continue to make improvements.

2653 There is an implementation of the law which is one part
2654 of what we do, but we are a public health agency, and we are
2655 protecting public health and driving cleaner technologies,
2656 incentivizing cleaner technologies. That will continue
2657 whether or not this standard is changed.

2658 *Mrs. Miller-Meeks. You know, speaking of cleaner
2659 technologies and new technologies, I am particularly
2660 interested in the potential impact of the PM2.5 proposal on
2661 the American steel industry, which leads the world in clean
2662 steel production, 40 percent cleaner than other countries.

2663 I am proud that I was First District as home to the
2664 SSAB Montpelier plant and the Gerdau Wilton mill. The

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2665 industry expressed its substantial concern with the EPA's
2666 proposal, stating that the new standard could cost the iron
2667 and steel sector between 3.1 billion and 9.3 billion in
2668 total compliance cost.

2669 Mr. Bird and Mr. Hamer, do you agree that the
2670 compliance cost of rules like these make domestic industries
2671 like the steel sector less competitive internationally, and
2672 that doing so allows more steel products made overseas,
2673 often with much larger environmental footprint, to be
2674 imported to the U.S.?

2675 *Mr. Bird. Yes. Certainly the technology that really
2676 has led the world in modernizing manufacturing with as few
2677 emissions as possible certainly has borne out with better
2678 products. We certainly do not see that in other areas of
2679 the country without those same standards.

2680 *Mr. Hamer. I agree 100 percent with your comments,
2681 Congresswoman, as well as Mr. Bird's.

2682 *Mrs. Miller-Meeks. And when steel is imported from
2683 overseas under less environmentally safe conditions, does
2684 that air stay in China or India, for example?

2685 *Mr. Bird. Not to my knowledge.

2686 *Mrs. Miller-Meeks. And, in fact, SSAB in my district

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2687 now has a zero emission steel that has been produced.

2688 Another concern I have heard from multiple industries
2689 in my district is that the proposal would make the expansion
2690 of existing facilities or the siting of new facilities more
2691 difficult.

2692 Mr. Hunt, would this impact the expansion of existing
2693 facilities or the siting of new facilities in your
2694 industries?

2695 *Mr. Hunt. Yes, very much so. We have looked at a
2696 number of projects that just recently got permitted under
2697 the 12 microgram standard, and the vast majority of those
2698 would not be able to proceed. That represents tens of
2699 billions of dollars of investment and thousands of jobs.

2700 So we are very concerned that we would be offshoring
2701 our manufacturing and offshoring those jobs.

2702 *Mrs. Miller-Meeks. Mr. Hamer and Mr. Bird, the rule
2703 we are discussing today is not the only EPA regulation that
2704 States and businesses have to deal with, and there is a
2705 cumulative impact for all of this regulatory activity.

2706 And also let me say that if we are not competitive
2707 globally and we hurt the economy in the United States and we
2708 have decreasing tax revenues because we cannot grow our

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2709 economy and employ people, that in fact hurts our ability to
2710 do public health, to do health care, to invest in a cleaner
2711 environment, does it not?

2712 And are these cumulative impacts a problem for your
2713 industries?

2714 *Mr. Hamer. It is a huge issue. It is one of the
2715 greatest threats to the American economy.

2716 *Mr. Bird. Yes. EPA's current regulatory agenda is
2717 robust. I think there are over 70 actions that are either
2718 in progress, under consideration, or in final rulemaking
2719 right now.

2720 That is a challenge for us as State regulators just to
2721 keep track of all that is going on and, of course,
2722 communicating that to our industry, our citizens to make
2723 sure that those can be addressed in time.

2724 *Mrs. Miller-Meeks. As a doctor, I know all about
2725 robust regulatory agencies.

2726 So with that, thank you so much to our witnesses.
2727 Thank you, Mr. Chair.

2728 I yield back.

2729 *Mr. Johnson. The gentlelady yields back.

2730 The chair now recognizes the gentleman from Indiana,

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2731 Mr. Pence, for five minutes.

2732 *Mr. Pence. Thank you, Chairman Johnson and Ranking
2733 Member Tonko, for letting me waive on to this.

2734 Command and control regulations in EPA's PM2.5 rule are
2735 bad for Hoosiers and Americans. This regulation will raise
2736 costs on Hoosier businesses and hinder economic growth in
2737 the States.

2738 Why do I say that? What I know about it, in 2004, a
2739 man named Mitch Daniels became the governor of Indiana, and
2740 he put me on his transition team to take over the Indiana
2741 Department of Environmental Management and fight the EPA and
2742 the Indiana Department of Environmental Management, which
2743 was the biggest impediment to growth in the State.

2744 And we solved that problem by getting industry and IDEM
2745 and the EPA to work together.

2746 Mr. Hunt, as you said, at a time when companies are
2747 looking to reshore domestic manufacturing, this rule serves
2748 as a detriment to new investment. Instead of working
2749 alongside States to advance common goals of improving air
2750 quality, this rule was hastily thrown together, built off
2751 faulty data and unsubstantiated projections.

2752 Across Indiana's 6th District, stakeholders and State

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2753 officials have voiced their opposition to this rule. State
2754 officials found several inaccuracies in the proposed rule's
2755 data sets and complete misrepresentations of existing
2756 facilities across the State.

2757 As a result, cost estimates built off these assumptions
2758 are untenable, and the technology requirements are not
2759 feasible.

2760 The magnitude of emission control requirements and
2761 permitting timelines needed to comply with this rule extend
2762 far beyond what is reasonable.

2763 Last week I sponsored a round table with Hosier
2764 stakeholders in Indiana, in Indianapolis, who are working
2765 together in earnest to implement features of the
2766 electrification policy which would help reduce particulates.

2767 Utilities research universities, such as Purdue
2768 University, Vincennes University parking and mobility
2769 experts and EV charging station developers joined together
2770 in the 6th District to share lessons learned and best
2771 practice as part of this transition.

2772 A common theme amongst the group was that the timelines
2773 and excessive regulations are far ahead of what is possible.
2774 Mr. Hamer, State officials and stakeholders have repeatedly

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2775 told me that EPA's ambitious timelines for implementing
2776 their regulations are not practical, realistic, or
2777 affordable.

2778 How do you view the timelines of implementation of the
2779 PM2.5 rule from the industry's perspective? What are you
2780 hearing?

2781 *Mr. Hamer. It is not practical. It is not practical,
2782 and it does not identify the fact that 84 percent of the
2783 PM2.5 is from wildfires.

2784 And, Congressman, this is universal across Chambers.
2785 National Association of Manufacturers, I was just with Kevin
2786 Brinegar, my colleague who runs the Indiana Chamber.

2787 *Mr. Hamer. Retiring.

2788 *Mr. Pence. And is retiring. All of the major State
2789 Chambers across the country oppose this.

2790 We support clean air. What we oppose are regulations
2791 that simply are not practicable and will cost lots of jobs.

2792 *Mr. Pence. Yes. Let's get it done, but let's do it
2793 right, and let's just not ruin the economic prosperity and
2794 the health that we can provide our citizens.

2795 With that I would like to yield my time to Congressman
2796 Pfluger.

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2797 *Mr. Pfluger. Thank you to my colleague.

2798 Mr. Hamer, as far as the nonattainment discussion going
2799 on in the Permian Basin, first off, would it surprise you to
2800 know that there are only two sensors, air quality sensors in
2801 the Permian Basin that are leading in this particular
2802 discussion?

2803 And, by the way, they are located in New Mexico. Not a
2804 single sensor is located in Texas.

2805 So I am interested to hear the two of your all's
2806 thoughts on the State implementation plan and whether or not
2807 this is just a targeted assault on the fossil fuel industry.

2808 *Mr. Hamer. Well, it certainly is a pattern. What is
2809 going on, as you know, in the Permian Basin fuels the United
2810 States of America. And when you think of an inflationary
2811 environment, thank God for the Permian Basin. Thank God for
2812 the technology that allows all Americans access to the
2813 cleanest fuel produced on the planet.

2814 *Mr. Pfluger. Mr. Bird, any thoughts?

2815 *Mr. Bird. No, I cannot speak to the monitoring
2816 decisions, but of course, it is a challenge. When we look
2817 at the impacts of air pollution, when we look at the
2818 potential benefits, those are always weighed. And as a

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2819 State agency, we are always balancing that impact versus
2820 benefit.

2821 *Mr. Pfluger. The benefit, I think, is when you look
2822 at the science of life expectancy and you see access to
2823 energy, especially in places like Sub-Saharan Africa where
2824 some of the life expectancy ages are 55, 56, 57 years old,
2825 has increased to 75, 80 in places that have access to clean
2826 energy. That is the impact.

2827 Go ahead.

2828 *Mr. Hamer. That is the impact, and it is also good
2829 for one's health to have a job.

2830 *Mr. Pfluger. Absolutely, I could not have said it
2831 better. And thank God for the Permian Basin.

2832 I yield back to my friend from Indiana.

2833 *Mr. Pence. Thank you.

2834 Mr. Chair, I yield back.

2835 *Mr. Johnson. The gentleman yields back.

2836 Seeing no further members here to ask questions, I want
2837 to thank our panelists for being here today.

2838 And I ask unanimous consent to insert in the record the
2839 documents included on the staff hearing documents list.

2840 Without objection, that will be the order.

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2841 [The information follows:]

2842

2843 *****COMMITTEE INSERT*****

2844

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2845 *Mr. Johnson. I remind members that they have ten
2846 business days to submit questions for the record, and I ask
2847 the witnesses to respond to the questions promptly.

2848 Without objection, the subcommittee is adjourned.

2849 Thank you all.

2850 [Whereupon, at 12:58 p.m., the subcommittee was
2851 adjourned.]