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Public Hearing: *Finding of Failure to Attain and Reclassification of Denver Area for the 2008 Ozone National Ambient Air Quality Standard (EPA-R08-OAR-2019-0354)*

9/6, 2019, Denver, Colorado

Good Morning. My name is Jessica Christy and I'm an Attorney at Environmental Defense Fund in Colorado. Thank you for the opportunity to speak today on EPA's proposal to reclassify the Denver area as a "serious" nonattainment area under the 2008 National Ambient Air Quality Standards for ground-level ozone pollution. As a Colorado native who grew up in Fort Collins, and as an asthma sufferer, this serious designation is a welcome step to help restore healthy air quality in Colorado.

Ground-level ozone pollution is an urgent public health threat in the Denver area. I recall days when Denver's notorious brown cloud would drift towards Fort Collins. As a child, I didn't understand why, but those days were filled with trouble breathing, dry coughs, and exhaustion. Now I know that the brown cloud was, in part, ground-level ozone pollution, also known as smog, a harmful pollutant. The harmful health impacts from ozone pollution are well established. Ozone pollution irritates the lungs, exacerbates lung conditions like asthma, and is linked to a wide-array of serious heart and lung diseases. Ozone pollution is particularly harmful for children, seniors, people with lung impairments like asthma, and anyone active outdoors. Children, in particular, are considered the most at-risk group because they breathe more air per unit of body weight, are more active outdoors, are more likely to have asthma than adults, and are still developing their lungs and other organs. A 2016 study found that, every summer, Colorado children suffer 32,477 asthma attacks because of ozone pollution. Coloradans also suffer the adverse impacts of climate change that worsens ground-level ozone and has an array of other harms.

The American Lung Association's 2019 State of the Air report ranked Denver as the 12<sup>th</sup> most ozone-polluted city in the nation and in March of 2019, the Air Quality Index in Denver reached 162, more than 50 percent higher than the exceedance threshold, indicating unhealthy air quality for all people, not just sensitive groups. However, the urgent problem of ground-level ozone pollution in the Denver area is not new. The state of Colorado determined in 2009 that the "Denver Metro/North Front Range" did not meet EPA's 2008 standards for ozone. Given the persistence of harmful ozone pollution in the area, EPA has proposed, over time, to change the classification for the Denver area (from "marginal" to "moderate" and now this proposed adjustment to "serious"). EPA's actions to bump up the nonattainment status would allow the designation to convey the seriousness of the air quality problem in the Denver area.

Colorado has made great strides in improving air quality over the past forty years, but ozone pollution remains a serious threat to the health of our citizens and the quality of life in Colorado. Major sources of industrial pollution, including emissions from oil and gas development, energy generation, and transportation, are contributing to this problem and EPA's proposed reclassification is an important step in helping to support Colorado's efforts to ensure these and other pollution sources are taking steps to reduce pollution and restore healthy air.

Colorado has worked collaboratively with a broad and diverse set of stakeholders to successfully put in place safeguards to reduce ozone and other health-harming and climate-destabilizing pollution. The state can build on these efforts to help restore healthy air quality.

For instance, Colorado has some of the strongest standards in place to prevent pollution from oil and gas wells, including several updates to Regulation 7, the first of which reduced VOC emissions by 90,000 tons annually. Further, in April of this year, the Colorado General Assembly passed legislation, Senate Bill 19-181, which will include important new protections for Colorado and will ensure further emissions reductions by prioritizing protection of public health and the environment. Colorado has also taken important strides to reduce pollution from on-road vehicles. In addition to recently enacted policies that incentivize use of electric vehicles, the state, in cooperation major automakers, also enacted standards for low and zero emission vehicles. By 2030, the low emission vehicle standards alone will annually reduce emissions of VOCs by an additional 101 U.S. tons and NO<sub>x</sub> by an additional 92 U.S. tons. Recent adoption of Senate Bill 19-236 means Colorado will move forward to modernize the public utilities commission, accelerate the shift to non-polluting renewable resources, and reduce ozone precursors and other pollution. Coloradans also received support for solar gardens and financing for clean energy improvements.

These same ozone pollution sources are major contributors to climate change. For instance, the oil and gas industry is a major source of volatile organic compounds, nitrogen oxides and methane – a climate accelerant. It is crucial that state policymakers adopt solutions that are comprehensive in protecting the health of Coloradans by addressing ozone-forming contaminants and the climate pollution that worsens smog and contributes to extreme weather.

Colorado's track record of success creates a template for further needed actions to reduce harmful pollution and are just some examples of the many effective policies that can be adopted to reduce harmful precursor pollutants that contribute to ozone formation in the Denver area.

EDF joins calls to protect Coloradans from dangerous smog pollution by urging the EPA to swiftly finalize this action to help support Colorado's efforts to reduce harmful smog forming pollution from sources across the state, by continuing to work collaboratively, and put in place solutions that help to restore healthy air for Coloradans.