May 21, 2020

My name is Taylor Bacon and I am a High Meadows Fellow at the Environmental Defense Fund. Thank you for the opportunity to testify today.

Environmental Defense Fund, a nonpartisan, science-based environmental organization with more than two million members nationwide, strives to protect human health and the environment by promoting the best possible regulations and holding federal agencies accountable.

I am testifying today because the proposal to retain the current PM2.5 standard falls short of EPA’s charge to protect human health and the environment by blatantly ignoring the body of scientific evidence that clearly demonstrates the need for a more protective standard.

The failure of the proposal to reflect the overwhelming body of scientific evidence, which others have spoken to extensively during this hearing, is indicative of the compromised review process in which scientific expertise was continually quieted and ignored.

The 2018 Pruitt memo set the stage for a rushed and incomplete review process which cut out many of the opportunities for public and expert input.

Last summer, Administrator Wheeler disbanded the 26-member particulate matter expert panel, replacing it with a pool of consultants who could only be communicated with in writing – a poor substitution. This left the agency seriously lacking the most critical expertise required to robustly assess the relevant review documents. When the original particulate matter expert panel was independently reconvened, they unanimously found that the standard must be tightened in order to protect human health and saves tens of thousands of lives.¹

EPA also strayed dangerously from agency precedence by simultaneously reviewing the policy assessment and the integrated science assessment. Traditionally, the science assessment is drafted, reviewed, edited, and finalized before the policy assessment is started so that the policy assessment is based entirely on the most recent scientific research. By conducting a review of both documents simultaneously, and without releasing second drafts, EPA compromised the scientific basis which is so critical to health-based standards. The failure to issue second drafts of either the science assessment or the policy assessment also limited the opportunities for public and expert input, a crucial component of reviewing air quality standards.

Despite these serious compromises to the process, the policy assessment found that “the available scientific evidence, air quality analyses, and the risk assessment, as summarized above, can reasonably be viewed as calling into question the adequacy of the public health protection afforded by the

¹ [https://www.ucsusa.org/meeting-independent-particulate-matter-review-panel](https://www.ucsusa.org/meeting-independent-particulate-matter-review-panel)
combination of the current annual and 24-hour primary PM2.5 standard” and that in 47 urban areas that were studied, lowering the standard to 9μg/m³ could save around 10,000 lives.¹

Finally, I want to note that this review is being finalized in the midst of a global pandemic. EPA has only given the public a 60-day comment period, despite prior NAAQS proposals receiving a 90-day comment period. This would be a remarkably short comment period for such a consequential highly technical, and scientific rulemaking, even in the absence of a deadly pandemic. Additionally, many of the public health experts who would normally weigh in on this incredibly significant rulemaking are on the frontlines of the public health crisis and don’t have the capacity to weigh in. Public input is also restricted by the closure of the docket room and the requirement that comments be submitted electronically, necessitated by the pandemic.

The PM2.5 standard is one of the most important regulatory protections for human health. By ignoring the body of scientific evidence, the input of experts in the field, extensive public comments, and EPA staff’s own conclusion and proposing to retain the current inadequate standard, EPA is failing its mission to protect human health and the environment. For the sake of millions of Americans, it is crucial that EPA revises this proposal to strengthen the standard and implement meaningful, science-based health protections.