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 create innovative, equitable, and cost-effective solutions to urgent environmental problems.

I am testifying today because the proposal to retain the current ground-level ozone standard falls short of EPA’s charge to protect human health and the environment. Administrator Wheeler’s proposal does not even engage with the body of scientific evidence that clearly demonstrates the need for a more protective standard.

The NAAQS review process under the Clean Air Act is designed to ensure that pollution standards remain up to date and rooted in the most recent scientific evidence. By compromising the review process on numerous occasions and proposing to retain the current standard, EPA is fundamentally failing its Clean Air Act requirement to protect public health with an adequate margin of safety.

Throughout the deeply flawed review process, EPA regularly undermined the role of science and limited opportunities for public engagement. EPA Administrator Wheeler failed to convene the panel of expert scientists that traditionally inform the standard and restricted the review of scientific studies.¹ This failure to include science in the review process was paired with a rushed review on a consolidated timeline that eliminated key opportunities for public engagement in feedback. EPA failed to issue second drafts of critical documents, despite requests for them to do so, and repeatedly truncated comment periods. Even now, I’m testifying during a global pandemic and the comment period is only HALF the length it was during the previous ozone review.

This failure has real consequences for real people across the country. The 2020 ALA State of the Air Report found that more than 137 million people live in counties with unhealthy levels of ground-level ozone – and this number has INCREASED from the previous three reports.² The air we breathe is getting more, not less polluted, and we are suffering because of that.

---


Ozone is known to contribute to shortness of breath and asthma attacks and increase the risk of respiratory infection and pulmonary inflammation. Long-term exposure to ozone can exacerbate these risks and even contribute to premature death. Research has found increases in ozone linked to low birthweight and decreased lung function in newborns, higher risk of hospital admission for children with asthma, and higher risk of death from respiratory diseases.

Like far too many environmental issues, the burdens of ozone pollution are disproportionately borne by communities of color. Studies have found that Black Americans, Indigenous people, and people of color experience higher risks of harm, including premature death, from exposure to air pollution. Of the 20 million Americans living in counties with unhealthy levels of both particulate pollution and ozone, 14 million are people of color. This is simply unacceptable – EPA must uphold its requirement to protect the most vulnerable in our population and consider the impact of its regulations on environmental justice communities.

We urge EPA to listen to science, experts, and the public and set a ground-level ozone standard that protects ALL Americans, including the most vulnerable. We strongly urge EPA to uphold its legal responsibility and strengthen the standard to 60 ppb.

Thank you for the opportunity to testify.

---