

Comments to EPA on its Supplemental Plan to address Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards and Federal “Good Neighbor Plan” Requirements for the 2015 8-Hour Ozone National Ambient Air Quality Standards for 5 states
(Docket ID No. EPA–HQ–OAR–2023–0402)¹

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Good morning. My name is Laura Kate Bender and I’m the Assistant Vice President for Healthy Air at the American Lung Association. I appreciate you holding this hearing today. The Lung Association supports this measure to address transported ozone pollution by cleaning up nitrogen oxides from sources in Arizona, Iowa, Kansas, New Mexico, and Tennessee.

The Lung Association’s mission is to save lives by improving lung health and preventing lung disease. A critical part of achieving our vision of a world free of lung disease is cleaning up harmful air pollution from power plants, factories and other big industrial sources. We have strongly supported the Good Neighbor Plan since EPA proposed it, and have long advocated for measures to clean up pollution that crosses state lines.

And it’s not just the Lung Association, but also other leading national health and medical organizations. We joined with the Allergy & Asthma Network, Alliance of Nurses for Healthy Environments, Asthma and Allergy Foundation of America, Climate Psychiatry Alliance, National Association of Pediatric Nurse Practitioners, National League for Nursing, and Physicians for Social Responsibility on our comments to EPA on the original Good Neighbor Plan proposal.

Reducing nitrogen oxides, or NOx, is vital for public health and critical for meeting the National Ambient Air Quality Standards for ozone. Ozone can cause breathing problems, heart problems and premature death. Long-term exposure can lead to permanently reduced lung function in children and may cause central nervous system, reproductive and developmental harm.

In addition to its role in ozone formation, NOx is a powerful air pollutant on its own with serious impacts on human health and environment. It is highly reactive, and can cause a range of health harms, including airway inflammation, cough and wheezing, and a greater likelihood of asthma attacks,

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https://www.epa.gov/system/files/documents/2024-01/11159_gn-plan-supplemental-proposed-preamble-and-rule_20231220_admin.pdf

emergency department visits and hospital admissions for people with lung disease. NOx also forms secondary particles in the atmosphere.

EPA's proposal to require additional states to meet the requirements of the Good Neighbor Plan is good news for health. It's critical for meeting the ozone standards in downwind states. And it's long overdue. Approvable transport SIPs for the 2015 ozone NAAQS were due to EPA in 2018. The communities in downwind nonattainment areas are yet to fully realize the benefits of the stronger ozone standards promulgated 9 years ago.

People's health can't wait. In addition to finalizing this proposed rule quickly, we urge EPA to condense the proposed timeline for compliance and implementation of NOx emissions reduction requirements. Selective Catalytic Reduction and selective non-catalytic reduction are already widely used technologies. As we noted in our comments on the original Good Neighbor Plan proposal, if polluting sources have existing controls, they should be required to run them by the 2024 ozone season. If polluting sources do not have existing controls, they should be required to install and optimally run them no later than the 2026 ozone season. We are concerned that NOx limits for some large industrial sources in Arizona, in particular, would not begin until 2027. Long compliance timelines will lead to further health impacts from ozone pollution that could have been avoided.

We also note that it's not just downwind communities that see health benefits from requiring these controls. Communities located near the polluting sources in the states covered by this proposal will benefit too. As I mentioned above, NOx is dangerous before it reacts to form ozone, and particularly to people living near the fence line of the source that emits it. That makes this proposal not only an important health measure, but also an important environmental justice measure.

I'll also note two additional measures that the Lung Association has advocated for: stronger National Ambient Air Quality Standards for both nitrogen dioxide and ozone. EPA is in the midst of a process to review the standards, and the Clean Air Act requires EPA to complete the ozone review by December 2025. The case is clear that EPA must update the ozone standard. In the ozone NAAQS reconsideration that EPA suspended, the agency's own Clean Air Scientific Advisory Committee made a near-unanimous recommendation to strengthen the ozone standard from the current 70 ppb to 55-60 ppb based on the latest scientific data. With regard to the NO2 standards, EPA missed the review deadline last year.

We of course are calling on EPA to quickly move forward with strengthening both the ozone and NO2 NAAQS. But we also point out that there has already been a long delay between the finalization of

Commented [PB1]: 2024?

Commented [SR2R1]: Thanks, Paul I meant this year. EPA is proposing to have them run existing controls by next year

Commented [LB3]: Question for Shyamala: Is that what EPA is requiring here? You noted that the proposed FIP requires fossil fuel-fired power plants in these states to participate in an allowance-based ozone season NOx emissions trading program beginning in 2025. Does that align with what we're asking for, or does joining the trading program not require immediate reductions?

Commented [SR4R3]: Yes - EPA is requiring SCR/SNCR to be run for covered all powerplants - TABLES VI.C.1-1 and VI.C.1-2 show near-term and long-term reduction potential on running SCR/SNCR. Here is quote from page 6 of the proposal:

"The EPA is establishing a control stringency level reflecting optimization of existing postcombustion controls and installation of state-of-the-art combustion controls on certain covered EGU sources in the emissions budgets beginning in the 2025 ozone season. In addition, for Arizona, the EPA is establishing a control stringency level reflecting installation of new Selective Catalytic Reduction (SCR) or Selective Non-Catalytic Reduction (SNCR) controls on certain covered EGU sources in its emissions budgets beginning with the 2027 ozone season."

Commented [LKB5R3]: Sorry, I should have clarified - I wanted to confirm the timelines, but Paul's comment cleared that up. Thanks!

the 2015 ozone standards and this critical step to ensure transported air pollution doesn't prevent states from meeting them. Strong controls implemented with this action will help ensure the public sees cleaner air sooner. So we urge EPA: make these controls as stringent as possible. EPA should seize this opportunity to also make NOx emissions controls as stringent as technologically feasible to ensure that public health benefits are truly and fully realized – after such a long wait.

In conclusion, we strongly support this proposed FIP on transported ozone pollution with source-specific NOx reduction requirements in 5 states to protect the health of the public in downwind states. We urge EPA to make the NOx emission reduction requirements as strong possible, covering as many sources as possible. This will protect the health of not only downwind communities but also of local communities, especially those living close to large NOx emission sources. Doing so is essential in meeting EPA's obligation to fulfill the promise of the Clean Air Act: healthy air for all to breathe.