

OPENING STATEMENT
The Honorable Andy Harris (R-MD), Chairman
Subcommittee on Energy and Environment
Committee on Science, Space, and Technology
Quality Science for Quality Air
October 4, 2011

The hearing will come to order. I thank our witnesses for being here today to provide their expertise on the process for incorporating quality science into Clean Air Act standards. In the debate over EPA issues, it can often seem like two ships passing in the night; one side talking about jobs, and the other discussing children's health. This hearing is designed to provide context to this conversation and to examine the science and technology assumptions behind air quality standards.

It is important to note at the outset that overall air quality in the United States is excellent. By any objective metric, air quality and related human health has improved dramatically, and the levels of every major air pollutant have plummeted over the last three decades. Most of America meets increasingly-stringent EPA standards.

Despite these improvements, the unprecedented pace of EPA's Clean Air Act agenda requires us to ask two basic questions: "Are we using common sense in establishing environmental standards?" and "How low is low enough?"

Unfortunately, whether it is the Cross-State Air Pollution Rule, National Ambient Air Quality Standards for ozone or fine particulate matter, or the so-called utility MACT rules, these questions are being ignored and EPA is moving ahead promulgating major, job-destroying regulations on the basis of shaky (and often secret) science.

Both as a physician and the Chairman of a subcommittee overseeing what is supposed to be science at EPA, I was alarmed to hear Administrator Lisa Jackson explain two weeks ago that particulate matter "does not make you sick. It is directly causal to dying sooner than you should" and that "*if we could reduce particulate matter to healthy levels, it would have the same impact as finding a cure for cancer.*" Two weeks ago, Assistant Administrator Gina McCarthy had a hard time explaining how the Cross-State Air Pollution Rule would avoid "up to 34,000 deaths". Given the imprecise justification for 34,000 avoided deaths, the Administrator's claim of 572,000 avoided deaths, is patently ridiculous.

I would hope that, of all people, members of the President's cabinet would be responsible enough to ensure any public health claims are grounded in science, not hyperbole and if our current air is such a threat to human health that it is killing hundreds of thousands of people each year, I am very interested to review the information that the Agency relies on in establishing this relationship. Accordingly, I have asked EPA to make the Federally-funded data sets and associated science upon which these health claims appear to be based publicly available.

Because the EPA is not transparent with the sources of their data, from what we have seen so far, EPA seems to rely on making statistical hay out of minor associations between pollutants and premature mortality. This is not quality science; this is press-release-science in which public

relations is considered more important than an honest and transparent discussion of environmental outcomes and human health. One glaring example is EPA's justification of these major Clean Air Act regulations on the basis of double-counting from the health benefits of lower particulate matter levels. Without these coincidental co-benefits, none of these rules would have passed a simple cost-benefit analysis.

Just last week, EPA's Inspector General released a report highlighting the Agency's inability to follow basic peer review and scientific integrity guidelines in developing its endangerment finding on carbon dioxide. I am concerned that similar problems plague EPA's Science Advisory Board and the Clean Air Scientific Advisory Committee or CASAC. We are not seeking to denigrate the participating scientists, but there are questions raised by the IG that need to be asked about the independence of these bodies. In many cases, these panels suffer from little turnover, financial conflicts, a lack of balance and transparency, and, perhaps most importantly, panelists that are peer reviewing their own work.

There are also a number of signs that this EPA is underestimating the time and cost to install pollution control technology that is required. For example, there is no power plant in America that can meet the three requirements proposed by EPA in the utility MACT rule.

I am pleased that the House of Representatives has begun pushing back against this job-killing, regulatory agenda through legislation like the recently-passed TRAIN Act, and I hope that the recommendations of our panelists today will help guide our oversight of EPA science going forward.