



**Remarks of Deborah Shprentz  
Consultant to the American Lung Association  
before the Clean Air Scientific Advisory Committee  
Particulate Matter Review Panel  
February 3, 2005**

Good afternoon. For many years the American Lung Association has taken an active interest in the establishment and review of National Ambient Air Quality Standards (NAAQS) because of our concern over the respiratory health of people with asthma and other lung diseases. In our experience, this review of the Particulate Matter (PM) NAAQS has been the most thorough and exhaustive review to date. The key studies have been subject to extensive re-analysis. EPA staff scientists have reviewed and interpreted literally thousands of new scientific studies and have concluded that serious adverse health effects are occurring at levels below the 1997 fine particle standards.

This Committee of 22 distinguished scientists plays an important role in the review process, by providing an independent peer review of the Criteria Document (CD), Staff Paper, and Risk Assessment. The leaders of the nation's PM Research Centers, including the University of Washington, New York University, Harvard University, University of Rochester, and Johns Hopkins University are represented on this committee.

Over the past seven years, this Committee has convened 17 times, sometimes for several days at a time, to provide advice and recommendations to EPA on whether the Agency's documents are scientifically adequate. The Committee has been involved at every step of the process, from reviewing work plans and the methodology for the risk assessment, to commenting on numerous drafts of the CD and Staff Paper.

On June 6, 2005, after careful and deliberate consideration, CASAC Chair Dr. Rogene Henderson sent a letter on behalf of the CASAC to EPA Administrator Stephen Johnson. The letter stated that "a majority of the members of the CASAC PM Review Panel were in agreement with the following: the primary PM<sub>2.5</sub> 24-hour and annual NAAQS should be modified to provide increased public health protection." The letter stated that "most Panel members favored the option of setting a 24-hour PM<sub>2.5</sub> NAAQS at concentrations in the range of 35 to 30  $\mu\text{g}/\text{m}^3$  with the 98<sup>th</sup> percentile form, in concert with an annual NAAQS in the range of 14 to 13  $\text{g}/\text{m}^3$ ."<sup>1</sup>

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<sup>1</sup> Dr. Rogene Henderson, Chair, Clean Air Scientific Advisory Committee Letter to Stephen L. Johnson, Administrator, U.S. Environmental Protection Agency, Re Clean Air Scientific Advisory Committee (CASAC) Particulate Matter (PM) Review Panel's Peer Review of the Agency's *Review of the National Ambient Air Quality Standards for Particulate Matter: Policy Assessment of Scientific and Technical Information* (Second Draft PM Staff Paper, January 2005); and *Particulate Matter Health Risk Assessment*

Not all the members of the Committee agreed with this statement, as reflected in their appended individual comments. Some members of the Committee likely would have preferred more protective recommendations, but they accepted these consensus recommendations.

Indeed, on December 5, 2005 more than 100 leading air quality scientists and physicians called on EPA to propose substantially more protective air quality standards for particulates. The scientists urged EPA to adopt an annual average PM<sub>2.5</sub> standard of 12 µg/m<sup>3</sup>, a 24-hour average PM<sub>2.5</sub> standard of 25 µg/m<sup>3</sup> (99<sup>th</sup> percentile), and a stringent 24-hour average PM<sub>10-2.5</sub> standard, applied equally to all areas of the country.<sup>2</sup>

As you know, under the Clean Air Act, NAAQS must protect public health with an adequate margin of safety. The standards must be based on the latest scientific knowledge. As the goals which define clean air, NAAQS must be set without regard to costs, technical feasibility, or extent of nonattainment areas. They are purely health-based and science-based standards. Under the Clean Air Act, the standards must be precautionary, to protect against any anticipated effects. Uncertainty argues for more protective standards, not less.

Unfortunately, in proposing revisions to the standards, the EPA Administrator chose to disregard the recommendations of his own staff scientists and those of this committee. Specifically, the Administrator ignored the recommendations in the Staff Paper that argued that a 24-hour standard of 35 µg/m<sup>3</sup> be coupled with a 99<sup>th</sup> percentile form. That 1 percentile difference (98<sup>th</sup> vs. 99<sup>th</sup> percentile) would decrease protection from 68 percent of the population to 48 percent of the population. (Under the current standards, an estimated 30 percent of the population that lives in counties with monitors that exceed the standards).<sup>3</sup>

Specifically, in the preamble, the Administrator rejects the results of the risk assessment as too uncertain. The Administrator rejects CASAC's call to lower the annual average PM<sub>2.5</sub> standard. The preamble states that this decision is a "policy judgment."<sup>4</sup>

Suddenly, in the preamble, we are seeing language inserted by the White House's Office of Management and Budget (OMB) that distorts the staff scientists' and this committee's interpretations of key scientific studies. This language is inconsistent with the conclusions of the Criteria Document and Staff Paper which have been thoroughly vetted by this Committee.

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*for Selected Urban Areas: Second Draft Report* (Second Draft PM Risk Assessment, January 2005), EPA-SAB-CASAC-05-007, June 6, 2005.

<sup>2</sup> Letter from Joel Schwartz, Harvard School of Public Health, and 103 additional signers to Stephen L. Johnson, Administrator, U.S. EPA, December 5, 2005. Copy available at: <http://www.cleanairstandards.org/article/articleview/404/1/41/>

<sup>3</sup> U.S. EPA, Review of the National Ambient Air Quality Standards for Particulate Matter: Policy Assessment of Scientific and Technical Information. OAQPS Staff Paper. EPA-452/R-05-005. June 2005. Table 5B-1(a) and Table 5B-1(b).

<sup>4</sup> U.S. EPA, Proposed Rule: National Ambient Air Quality Standards for Particulate Matter. 71 Fed. Reg. 2620-2708, at 2652.

Suddenly, we are seeing a request for comments on a 24-hour PM<sub>2.5</sub> standard up to 65 µg/m<sup>3</sup>. Retaining the current standard was not even on the table in this Committee's lengthy discussions. Where is this coming from? EPA Assistant Administrator Bill Wehrum says it came from certain "credible folks." Who are these folks, and why are they more credible than the leaders of our nation's leading air pollution research centers?

Our message to you today is this: Please stick to your guns. Lowering the annual fine particle standard as recommended by this Committee is vitally important. Any flip-flopping will impair the credibility of this Committee in this and future reviews.