

POST

Gina McCarthy Answer to Senate Committee Regarding Foreign Pollution

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Senate Question: According to recent NOAA reports, half of all the current ozone exceedances in many areas in the Western US are due to emissions from Asia. How do you plan to address this important problem?

Gina McCarthy Answer: “Ozone concentrations can be affected by local, regional, international, and natural sources. EPA analyses indicate that the majority of ozone exceedances within the U.S. are driven primarily by local and regional sources of ozone precursors. For those **rare cases** in which international

emissions can be shown to result in a violation of the NAAQS, there is a specific Clean Air Act provision (Section 179B) that can be invoked to ensure those cases do not lead to inappropriate regulatory consequences.” (see [link \(http://www.epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=9a1465d3-1490-4788-95d0-7d178b3dc320\)](http://www.epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=9a1465d3-1490-4788-95d0-7d178b3dc320), *emphasis added*).

NOAA is saying that “half” of the ozone exceedances in parts the west are from foreign pollution (see [link \(http://dx.doi.org/10.1029/2011JD016961\)](http://dx.doi.org/10.1029/2011JD016961)), and you are saying these cases are “rare”??? “Half” cannot mean the same as “rare”. Who is right ... you or NOAA?

Also, your own agency is contributing to some of these same scientific reports that are showing the impact of foreign pollution on ozone exceedances (*see attached*). Are you dismissing the scientific findings of your own agency?

And contrary to what you said about Section 179b, Section 179b does not ensure that such cases “do not lead to inappropriate regulatory consequences”. As your own agency pointed out, the area would still be nonattainment (see [link \(http://www.epa.gov/glo/pdfs/Ozone%20SIP%20Req_Proposal_FRN_5-28-13%20disclaimer.pdf\)](http://www.epa.gov/glo/pdfs/Ozone%20SIP%20Req_Proposal_FRN_5-28-13%20disclaimer.pdf)). You would

still be subject to nonattainment requirements such as transportation conformity!!!
(see [link](http://www.epa.gov/glo/pdfs/Ozone%20SIP%20Req_Proposal_FRN_5-28-13%20disc_laimer.pdf) (http://www.epa.gov/glo/pdfs/Ozone%20SIP%20Req_Proposal_FRN_5-28-13%20disc_laimer.pdf)).

Most importantly is this. Your answer completely dismisses the health and economic impacts of foreign pollution on our children and nation. Section 179b does nothing to address the health and economic impacts of foreign pollution. The only thing Section 179b allows for is a time-consuming and expensive demonstration so that States can properly wash their hands of the issue. Then no one is responsible for the pollution. Your answer to the Senate's question on how you plan to address the problem of foreign pollution is that States can appropriately duck the problem and then no one is responsible for it. This is not addressing the problem. This is punting the problem. And worse, its sending out the nose-tackle to punt the ball for you.

Foreign pollution is impacting our health, economy, and ability to achieve the NAAQS. The SIP process is not a fair, efficient, or effective approach to addressing this problem. Can't continue to make States ultimately responsible for it. Just won't work. Time to just say it like it is.

The world is changing. We must change with it. Time to transform the SIP process. We can make it happen.

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