

Congress of the United States

Washington, DC 20515

August 7, 2023

Dear Administrator Regan:

We write to urge the Environmental Protection Agency (EPA) to swiftly propose and finalize stronger National Ambient Air Quality Standards (NAAQS) for ground level ozone. We commend EPA's commitment to address pollution and its health-related impacts and appreciate the important steps it has taken these past few months—however, accepting the current ozone standard as adequate would be a rebuke of both EPA's mandate to protect human health and EPA's foundational principle, to follow the science. The science indicates that to adequately protect public health, EPA must promulgate a stronger primary ozone standard.

Despite an abundance of scientific data that the current standard does not adequately protect public health or the environment, EPA staff reaffirmed a 2020 decision by recommending that the 2015 standards remain in place at 70 ppb. In June 2023, the Clean Air Scientific Advisory Committee ("CASAC"), a panel of independent experts, [explained](#) that "the scientific evidence indicates that the level of the current primary standard is not sufficiently protective of public health." All but one of the 18 panel members recommended a stronger primary ozone standard of 55-60 ppb based on the scientific evidence, which included more extensive data on the health impacts to vulnerable populations. By the same margin, they also recommended strengthening the secondary ozone standard to protect forests, crops, and entire ecosystems.

According to the American Lung Association's 2023 "State of the Air" [report](#), more than 100 million Americans live in counties with F grades for ozone smog—and people of color are 3.7 times more likely to live in areas with the unhealthiest air. As the CASAC [report](#) details, children, people with asthma, outdoor workers, communities of color, and other vulnerable populations face an elevated risk of health effects. These include triggering asthma attacks, severe lung disease, permanent lung damage, and airway inflammation and infection. Additionally, long-term ozone exposure is likely a cause of developing asthma. Delaying the finalization of a stronger standard means millions of Americans will continue to suffer through more bad air days, prolonging their exposure to this harmful and even deadly pollutant. For adults with asthma, this can result in missed days of work—a particular difficulty for unsalaried and part-time workers. For children, asthma attacks are a top reason for missing school. This contributes to students falling behind and creates a childcare hardship for working families.

The Clean Air Act mandates that EPA set primary ambient air quality standards based solely on the latest science in order to properly protect public health, including the health of sensitive and at-risk populations, with an adequate margin of safety. EPA also must set secondary ambient air quality standards solely based on scientific evidence of what is necessary to protect public welfare. Unfortunately we've seen the process for updating the ozone standards repeatedly swept up in [political games](#) that risks lives.

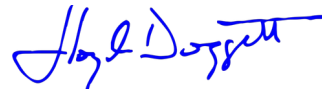
We are counting on this administration to break this cycle, follow the science and the advice of its independent scientific expert panel, honor its environmental justice commitments, and strengthen and finalize the ozone standard before Spring 2024. Promulgating strong ozone

standards is one of the most effective tools this administration has to tackle air pollution and narrow racial exposure disparities. We look forward to supporting the EPA in its crucial work to address pollution and ensure healthier air for all.

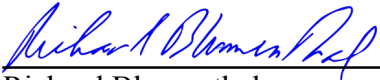
Sincerely,



Sheldon Whitehouse
United States Senator



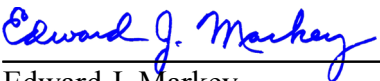
Lloyd Doggett
Member of Congress



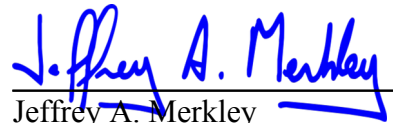
Richard Blumenthal
United States Senator



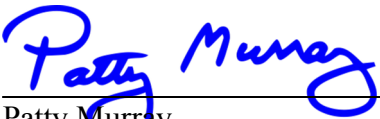
Benjamin L. Cardin
United States Senator



Edward J. Markey
United States Senator




Jeffrey A. Merkley
United States Senator



Patty Murray
United States Senator



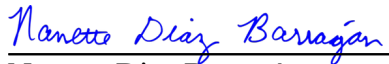
Bernard Sanders
United States Senator



Chris Van Hollen
United States Senator



Elizabeth Warren
United States Senator




Nanette Diaz Barragán
Member of Congress



Earl Blumenauer
Member of Congress



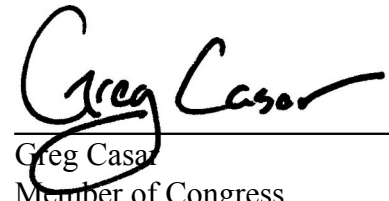
Lisa Blunt Rochester
Member of Congress



Salud Carbajal
Member of Congress



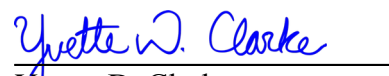
André Carson
Member of Congress



Greg Casar
Member of Congress



Kathy Castor
Member of Congress



Yvette D. Clarke
Member of Congress



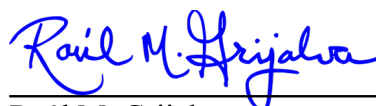
Mark DeSaulnier
Member of Congress



Adriano Espaillat
Member of Congress



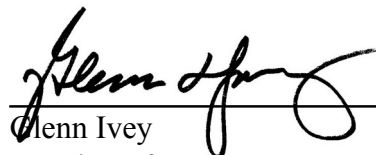
Dwight Evans
Member of Congress



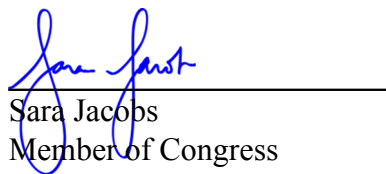
Raúl M. Grijalva
Member of Congress



Jared Huffman
Member of Congress



Glenn Ivey
Member of Congress



Sara Jacobs
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Barbara Lee
Member of Congress



Summer Lee
Member of Congress



Ted W. Lieu
Member of Congress



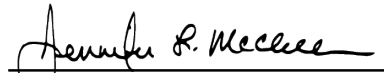
Seth Magaziner
Member of Congress



Doris Matsui
Member of Congress



Lucy McBath
Member of Congress



Jennifer L. McClellan
Member of Congress



Betty McCollum
Member of Congress



James P. McGovern
Member of Congress



Eleanor Holmes Norton
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



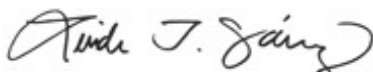
Donald M. Payne, Jr.
Member of Congress



Katie Porter
Member of Congress



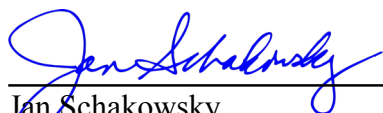
Jamie Raskin
Member of Congress



Linda T. Sánchez
Member of Congress



Mary Gay Scanlon
Member of Congress



Jan Schakowsky
Member of Congress



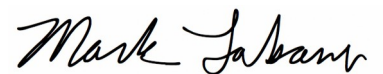
Adam B. Schiff
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



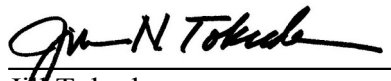
Melanie Stansbury
Member of Congress



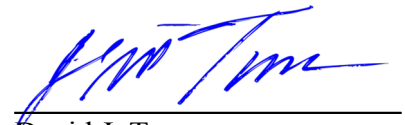
Mark Takano
Member of Congress




Dina Titus
Member of Congress



Jim Tokuda
Member of Congress



David J. Trone
Member of Congress



Frederica S. Wilson
Member of Congress