

Federal Actions Would Weaken Air Quality and Health Protections

May 2020

Your local governments and public health departments are on the front lines combatting the COVID-19 emergency. Meanwhile, federal agencies propose actions that would weaken air quality and health protections. These proposals to allow more pollution come as a national [study](#) by researchers at Harvard [links](#) long-term exposure to air pollution in the United States with increased COVID-19 mortality.

Vehicle Emission Standards Are Rolled Back

- On [March 30](#), the current Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) reversed the gas mileage standards that protect our air and climate, despite actions taken by many states and local governments to preserve these critical emission controls.
 - [The Safer Affordable Fuel-Efficient \(SAFE\) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks](#). This [rollback](#) will reduce vehicle fleet requirements to 40 miles per gallon from the 54 miles per gallon previously slated to begin by 2025. This will result in a nationwide increase of almost a billion tons of carbon dioxide over the lifetime of these vehicles.
 - EPA has already revoked California's waiver that allows the state to set its own, [more stringent, vehicle emission standards](#). Under that waiver, other states can choose to follow California's standards rather than the federal standards. California and other states are [challenging](#) this action and Boulder County is also participating.
 - Colorado adopted California's low emission vehicle standards and zero emission vehicle standards in 2018 and 2019. Boulder County was very active in that process and put together a [report](#) and [summary](#) in support of Colorado's actions.

Cleaner Summertime Gas Blends Are Delayed

- The EPA is also allowing summer gasoline blends to arrive late, meaning increased pollution this summer in areas already suffering from elevated ozone and the COVID-19 respiratory virus.
 - EPA's temporary [waiver](#) of the May 1, 2020 summertime low-volatility requirements and blending limits for gasoline was issued due to the decline in demand for gasoline as a result of the COVID-19 pandemic.

- The effect will be an increase in vehicle pollution that leads to the formation of [ozone](#), a lung irritant that exacerbates respiratory diseases.

EPA's "Transparency in Science" Proposal Disqualifies The Science Backing Key Protections

- EPA is expanding its "transparency in science" [proposal](#) to further limit health and scientific data used in regulations that protect our health and environment.
- Boulder County Public Health joined with the Colorado Department of Public Health and others in Colorado [to oppose the proposal](#). Here is what we are saying:
 - Our concerns about the original proposal were not addressed and, in fact, the supplemental proposal went farther in the direction of restricting science and increasing administrative discretion.
 - Although it is called a "transparency" rule, it would allow the EPA and its Administrator to pick and choose the studies they want to apply to policy, with no transparency into how they do so.
 - The proposal expands the rule to cover not just "significant regulatory actions" but also "influential scientific information," as well as all "data" and "models" underlying "pivotal science and pivotal regulatory science." These terms are not objectively defined.
 - The proposal gives the EPA Administrator personal discretion to exempt certain studies from these requirements.
 - The proposal allows the EPA to promulgate this rule and future rules under the "housekeeping authority" with less oversight and public scrutiny.
 - The consequences of this rule could be used to invalidate studies underlying key environmental laws. This could induce rollbacks of fundamental protections including the National Ambient Air Quality Standards (NAAQS) and other provisions of the Clean Air Act.
 - Our health agencies rely on these policies to protect the health of residents – especially the young, the elderly, those with underlying conditions, and those in communities disproportionately impacted by air pollution and climate change.

- A proposal of this significance should not be pushed through while local governments and health agencies are busy on the front lines of the COVID-19 crisis.

EPA Declines To Advance Protections Against Particulate Pollution

- On April 14, [EPA announced](#) its proposed decision not to make changes to the existing particulate matter (PM) standards. This decision is counter to the EPA staff recommendation to strengthen the standard based on recent research showing a greater link between long-term exposure to PM and increased risk of respiratory disease and premature death. [Several years ago](#), many of the members of EPA's Clean Air Scientific Advisory Committee (CASAC) were replaced with new members with strong ties to industry. And after a review of the PM standards, a majority of the CASAC called for the current standards to be retained but two members recommended strengthening.
 - Comments to EPA can be submitted [here](#) through June 29, 2020. The agency plans to announce a final decision by the end of this calendar year.

Clean Power Rollback

- The Affordable Clean Energy (ACE) Rule was passed in June 2019. This is a rollback replacement for the Clean Power Plan, which was projected to cut carbon pollution from the power sector by 32% by 2030. On April 24th, Boulder County joined 22 other local governments from across the United States in an amicus brief explaining how cities and counties will be harmed by this rule, which will do little, if anything, to reduce greenhouse gas pollution or protect air quality and respiratory health.