



September 22, 2022

Dear Senator/Representative:

The American Lung Association is deeply concerned by discussions of so-called “permitting reform” proposals in Congress. Our organization has a longstanding commitment to improving air quality to further lung health, and in supporting the rights of people to have access to information, opportunities to inform decision-making, and avenues for legal recourse about projects that would impact the air quality in their communities. We also strongly support a nationwide transition to zero-emission vehicles and electricity generation to address the health impacts of air pollution and climate change. We are concerned that policies under consideration could curtail community rights and create conditions that would expand fossil fuel infrastructure at the moment when switching away from polluting fuels is most crucial.

One such proposal of concern is the Simplify Timelines and Assure Regulatory Transparency (START) Act. This bill would gut key public health laws, ignore science and increase combustion-based energy production. For example, the START Act would roll back Clean Air Act safeguards by redefining increases in air pollution of concern – an increase would only merit action under the law if pollution rose above the single worst polluting hour of the source in the past ten years. This extremely high benchmark for an “increase” could lead to real-world, large pollution increases that would have serious implications for public health.

The START Act would also prohibit the use of the Biden Administration’s Interim Social Cost of Greenhouse Gases. This measure is crucial to federal decision-making because it allows for calculation of the cost of affecting climate change and its myriad of public health and other harms. The previous cost figure dramatically undercounted these harms. The Interim Social Cost of Greenhouse Gases comes closer to accounting for the impacts of climate change for sound federal decision-making.

The START Act would also curtail opportunities for public engagement in projects that could impact their air quality and health, including by limiting public comment and legal recourse to file lawsuits. It would also limit the analysis of potential impacts of projects available to inform the public.

We are also very concerned that the bill would lead to increased buildout of fossil fuel infrastructure. Burning fossil fuels results in particle pollution, nitrogen oxide and ozone pollution that can trigger asthma attacks, worsen respiratory diseases, cause heart attacks and strokes and even premature death. Oil and natural gas production releases volatile organic compounds which can include cancer-causing pollutants like benzene and formaldehyde. Fossil fuels are also driving the acceleration of climate change, which brings additional health impacts by way of extreme heat, intense storms and flooding, wildfires, increases of vector-borne diseases and extensions of allergy seasons.

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The Clean Air Act has been driving pollution cleanup for over 50 years. While climate change is threatening to undo progress, the air we are breathing today is cleaner thanks to this landmark law. At a time when health disparities are on stark display due to the continued spread of COVID-19, catastrophic climate-fueled weather and wildfire events, and a reckoning of the nation's longstanding racist practices, now is not the time to weaken the Clean Air Act and its protections or to curtail people's ability to participate in decisions involving the air and public health in their communities. loosen up protections.

Another proposal that elicits similar concerns is the Energy Independence and Security Act of 2022 which was negotiated as a side agreement to historic climate investments with little consideration of and input from affected communities. The bill would limit public participation in decisions about projects that would affect local communities, and result in the buildout of additional fossil fuel infrastructure. Everyone deserves access to clean, healthy air. Prioritizing health and health equity particularly in communities that are already overburdened by poor air quality must be the starting point for any discussions of new energy permitting processes.

Finally, the American Lung Association has long opposed the attachment of harmful riders to appropriations bills. Attaching a piece of legislation that would weaken environmental reviews, exacerbate local air quality concerns and put health at risk is incredibly concerning. We urge Congress to ensure that harmful riders, including permitting "reform" language, are not attached to appropriations bills.

Sincerely,

A handwritten signature in black ink that reads "Harold Wimmer". The signature is written in a cursive, flowing style.

Harold P. Wimmer
National President and CEO