



**EDISON ELECTRIC  
INSTITUTE**

**STATEMENT OF THE EDISON ELECTRIC INSTITUTE**

**U.S. Environmental Protection Agency Public Hearing  
March 8, 2006**

**Chicago, Philadelphia, San Francisco**

**National Ambient Air Quality Standards for Particulate Matter; Proposed  
Rule ( 71 Federal Register pages 2620-2708, January 17, 2006)**

The Edison Electric Institute (EEI) appreciates the opportunity to offer testimony on EPA's proposed revisions to the National Ambient Air Quality Standards for particulate matter. EEI is the association of U.S. shareholder-owned electric companies. Our members generate nearly 60 percent of the electricity produced in the United States.

**AIR EMISSIONS ARE DECLINING AND AIR QUALITY IS IMPROVING**

Power plants and other industrial sources have been making dramatic reductions in emissions for decades, while supplying the nation's ever-increasing demand for energy and consumer products. Between 1970 and 2004, U.S. gross domestic product increased 187 percent, vehicle miles traveled increased 171 percent, energy consumption increased 47 percent, and U.S. population grew by 40 percent. Since 1970, total emissions of the six principal air pollutants dropped by 54 percent.<sup>1</sup> The electric power sector has cut emissions associated with fine particulate matter – sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) – by more than 40 percent since 1980.

**Whether EPA tightens the fine particle standards as proposed or leaves the current standards in place, air quality will continue to dramatically improve.** The Clean Air Interstate Rule (CAIR) will require power plants in 29 eastern states and the

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<sup>1</sup> See <http://www.epa.gov/airtrends/2005/econ-emissions.html>

District of Columbia to cut SO<sub>2</sub> emissions an additional 40 percent from today's levels by 2010, and 70 percent when fully implemented. NO<sub>x</sub> emissions will be cut an additional 50 percent by 2010, and 60 percent when fully implemented.<sup>2</sup> The power sector is on track to reduce its sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) emission rates (lb/MWh) by more than 90 percent (compared to 1980 levels) upon implementation of EPA's Clean Air Interstate Rule, Clean Air Mercury Rule and Clean Air Visibility Rule.

**These amount to huge pollution cuts already in the pipeline, ordered just within this past year, and EPA should give them a chance to work before seeking additional emissions reductions.**

### **EPA'S SCIENCE SUPPORTING THE PROPOSAL IS QUESTIONABLE**

EI's comments focus on the EPA proposal to reduce the 24-hour (short-term) fine particle standard from 65 to 35 micrograms per cubic meter, a measure of the concentration of particles less than 2.5 microns (PM<sub>2.5</sub>) in diameter in the air.

EI supports the establishment of air quality standards based on a complete and thorough review of the current body of scientific literature. Unfortunately, we do not believe EPA has conducted such a review. Instead, the information presented by agency staff to the Administrator and the Agency's science advisors for their review was highly selective.

**Simply stated, EPA staff has "cherry-picked" the science, overemphasizing certain epidemiological studies that claim an association between fine particles and health effects, while giving short shrift to studies that suggest PM<sub>2.5</sub> presents little or no concern.**

An EPA staff memo given to the Clean Air Scientific Advisory Committee (CASAC) to characterize the mortality risk of fine particles over short time periods omitted 10 studies

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<sup>2</sup> EPA 11/10/05 Congressional testimony

that show mostly no effect or mixed effects of PM<sub>2.5</sub>. When the complete set of studies – from EPA’s particulate matter Criteria Document – is considered, only three show statistically significant effects of PM<sub>2.5</sub>, one at about today’s standard and two at just above EPA’s new proposed PM<sub>2.5</sub> standard.

Equally important is the fact that EPA’s review of the scientific literature fails to assess and identify specific types of particles, or other pollutants present in the air along with fine particulate matter, that may be more significantly associated with health concerns. This shortcoming has been raised by the National Academy of Sciences and EPA’s own Office of Inspector General. As a result, EPA does not know which of the many substances that comprise fine particulate matter might be causing a problem.

**Legitimate health concerns must be addressed. But moving ahead with a plan that may not, in fact, address them is in no one’s best interest.**

## **WHILE THE SCIENCE IS HIGHLY UNCERTAIN, THE COSTS OF NEW REGULATIONS TO THE PUBLIC ARE REAL**

EPA’s Inspector General has recognized the potential folly of heading down the road to further regulation without adequate guidance as to what should be regulated. In a February 2005 report <sup>3</sup>, the Inspector General determined that by 2010 industry would spend \$37 billion annually to reduce ambient PM<sub>2.5</sub> concentrations, despite the fact that EPA has inadequate PM<sub>2.5</sub> speciation data to help ensure that reductions are made by the right sources.

The consequences of being classified as “non-attainment” for a National Ambient Air Quality Standard are far-reaching and severe. They go beyond the tens of billions of dollars in costs to industry each year that impact consumers in the form of higher costs for energy and consumer goods.

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<sup>3</sup> U.S. Environmental Protection Agency, Office of Inspector General. "EPA Needs to Direct More Attention, Efforts, and Funding to Enhance Its Speciation Monitoring Program for Measuring Fine Particulate Matter." Report No. 2005-P-00004. February 2005.

A non-attainment designation discourages new industry from locating within such areas and may prevent existing industries from expanding, both with significant impacts on jobs and local economies. As we've seen in the past, the additional requirements imposed on industrial sources within these areas may cause some facilities to shut down and relocate, leading to an erosion of jobs. Lost jobs, wages and increased costs for energy and consumer products create an adverse real-world impact that is much more concrete than the uncertain benefits of the proposed standard.

**An analysis for the American Petroleum Institute of the impact of the proposed standards based on 2004-2005 air quality data finds that more than 225 additional counties will be thrown into non-attainment by the tighter 24-hour standard alone. Public health is paramount, but let's be sure we're providing the public with the health benefits they expect before we lower the boom on local economies.**

## **CONCLUSION**

In closing, the science supporting EPA's proposed tightening of the PM<sub>2.5</sub> standard remains inconsistent and uncertain, while the potential costs to consumers are very real. EPA should allow states to implement the existing standard, which they must meet by 2010, before moving the goal posts yet again. In the meantime, EPA should follow through on the National Academy of Science's recommendation that the agency identify the potentially harmful components of particulate matter to ensure we are tackling the right pollutants.

EEl appreciates this opportunity to discuss our views on EPA's proposed particulate matter standards.