

Written Statement of Janet McCabe
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Before the
Subcommittee on Energy and Power
Committee on Energy and Commerce
U.S. House of Representatives
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Chairman Whitfield, Ranking Member Rush and Members of the subcommittee, thank you for inviting me to testify today on EPA's regulatory efforts under the Clean Air Act. The mission of EPA is to protect public health and the environment, and the Agency's regulatory efforts further those goals. We are guided in meeting those goals by science and by the law which serve as the backbone for each of the Agency's actions. For over four decades, we have cut air pollution by 70 percent and the economy has more than tripled. I will focus my opening statement on providing more detail for three rules which will provide tremendous benefits to public health and the environment: Clean Power Plan, methane standards for the oil and gas industry, and the ozone National Ambient Air Quality Standards.

Climate change is a tremendous environmental and public health challenge. The most vulnerable among us – including children, older adults, people with heart or lung disease and people living in poverty – may be most at risk from the impacts of climate change. Fossil fuel-fired power plants are by far the largest stationary source of U.S. CO₂ emissions. Using authority under the Clean Air Act to address these emissions, EPA finalized the Clean Power Plan (CPP) on August 3, 2015. Although the Clean Power Plan has been stayed by the Supreme Court, we are confident it will be upheld because it rests on strong scientific and legal foundations.

Since the stay was issued, many states have been moving forward *voluntarily* to cut carbon pollution from power plants. They have also asked EPA to continue our outreach and development of supporting information and tools that will help guide states when the Clean

Power Plan becomes effective, which we are doing while ensuring that we fully comply with the stay. For example, we recently proposed design details for the optional Clean Energy Incentive Program to address state requests for additional clarification as states consider options to reduce carbon pollution.

In May, EPA announced steps to further reduce methane and other harmful air pollutants from new and modified sources in the oil and gas industry along with a critical first step in tackling methane emissions from existing sources. These steps will help combat climate change and reduce emissions of harmful air pollutants.

These standards build on the agency's 2012 rules by adding requirements that the industry reduce emissions of greenhouse gases using readily available and cost-effective technology, and by covering hydraulically fractured oil wells along with additional equipment and activities that were not covered in the 2012 rules. They also require owners and operators to find and repair leaks, which can be a significant source of emissions.

These final standards reflect significant stakeholder input and, in particular, provide companies a pathway to demonstrate that requirements under a state rule are comparable to requirements in the final rule. This would allow sources to comply with a specific final rule requirement by complying with the state regulation.

We know that existing sources in the oil and gas sector also emit substantial amounts of methane. As a first step in the regulation of these sources, we have issued a proposed Information Collection Request (ICR). When finalized, the ICR will require companies with existing operations to provide information on technologies and costs that are critical to the development of reasonable regulations. In addition, EPA plans to seek voluntary information on innovative strategies that can accurately and cost-effectively locate, measure, and mitigate methane emissions.

The draft ICR was published on June 3, 2016, and the first of two public comment periods will last for 60 days.

Finally, in October 2015 the Agency completed the periodic review of the National Ambient Air Quality Standards – or NAAQS – for ground level ozone. We have a primary standard directed at protecting public health and a secondary standard directed at protecting public welfare (e.g., trees, plants, and ecosystems). Exposure to ground level ozone can harm the respiratory system, aggravate asthma and lung diseases, and is linked to premature death. These health impacts impose significant costs on Americans and can adversely affect their daily lives through missed school and work.

The Clean Air Act requires EPA to review the NAAQS every five years to make sure the standards continue to protect public health with an adequate margin of safety. Based on the law, a thorough review of the science, the recommendations of the agency’s independent scientific advisors, and the assessment of EPA technical experts, and after extensive public engagement and opportunity for review and comment at many steps along the way, the Administrator determined that the appropriate level to protect the public with an adequate margin of safety is 70 parts per billion.

The two step process of a science-based NAAQS review followed by implementation is a system that works. EPA and state, local, and tribal co-regulators share a long history of successfully managing air quality. For ozone, existing and proposed federal measures like vehicle standards and power plant rules are reducing and will continue to further reduce ozone pollution nationwide. We expect that the vast majority of counties outside of California will meet the 2015 ozone NAAQS by 2025 without having to take additional action beyond federal measures.

I again thank the subcommittee for inviting me here today, and I look forward to your questions on these or other EPA air actions.