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STATE CAPITOL REPORT

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EPA Falls Short on Science

New Ozone Air Pollution Standard Puts Public Health at Risk

Against the advice of its own scientific advisors, the U. S. Environmental Protection Agency (EPA) on Wednesday set a new ozone standard which – while an improvement over the existing standard – still favors polluting industries over public health.

The Sierra Club, the American Lung Association, and many other organizations and thousands of individuals had called on EPA to follow its own Science Advisory Committee's recommendation and establish a new National Ambient Air Quality Standard (NAAQS) for ozone pollution that would truly protect public health.

Ozone is the primary indicator of smog. Smog, one of the most dangerous forms of air pollution, comes from sources like coal-fired power plants and automobiles and is harmful to human health even at very low levels.

Smog can cause a wide range of health problems, including asthma, permanent lung damage and even premature death. Scientists have compared exposure to smog pollution as

getting sunburn on the lungs.

Sierra Club Response

In response to the EPA announcement this week **Ed Hopkins, director of the Sierra Club's Environmental Quality Program**, issued the following statement:

“Smog doesn't just ruin your view; it poses serious health risks, especially to children and senior citizens. Study after study shows that to protect public health we need to significantly lower the amount of smog in our air. EPA's new smog standard does not go far enough to protect public health. We know that smog can still cause serious harm at levels below this standard.”

“Almost half of all Americans live in areas with unsafe levels of smog, yet the EPA has failed to take appropriate protective action. It has ignored the advice of the World Health Organization, the American Medical Association, and even the unanimous

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recommendation of its own Clean Air Scientific Advisory Committee. Once again the EPA has put industry before public health, and our communities will pay the price.

“Instead of upholding the Clean Air Act, the EPA is proposing to dismantle it. Congress should ignore the recommendations made in the dying days of the Bush administration to undermine the public health basis of the Clean Air Act.”

A Texas Perspective

“There has been progress in cleaning up the air in Texas, but the latest science indicates that Texans in many large urban areas are still breathing too much dirty air,” said **Neil Carman, Clean Air Director for the Sierra Club’s Lone Star Chapter**. “Moreover, we face threats from proposed new coal-fired power plants that would make that air even dirtier. In light of all of this, EPA should have set a new ozone standard that provided an honest, scientifically based target for cleaning up our air and protecting public health.”

“In 1997, the EPA upgraded its one-hour standard for ozone pollution, adding an 8-hour standard. Since then, we have seen cleaner cars, cleaner gasoline, some cleaner power plants, and cleaner off-road diesel engines,” continued Carman. “These measures were put in place because of that upgraded standard. As a result, air quality in many instances is improving, but

there is much yet to be done before all Texans are breathing healthy air.”

The Public Health Problem

“Strong air quality standards are imperative to protect our health,” said **Susannah Fuchs of the American Lung Association of the Central States**. “That means the health of all of us here in Texas, especially the children, so many of whom suffer from asthma which is exacerbated by air pollution.”

The scientific community’s understanding of the effects of smog has grown. Ozone or smog pollution can cause a wide range of health problems even among the healthiest of individuals, including: asthma with its wheezing and coughing, shortness of breath, inflammation and damage to the lining of the lungs; chronic obstructive pulmonary disease; chest pain; greater need for medical treatment and hospitalization; and premature death. These conditions result in higher rates of lost work and school attendance.

The Solution – What Texans can do to Reduce Ozone

Ozone-forming emissions from industrial sources operate under air pollution control permits issued and monitored by the Texas Commission on Environmental Quality (TCEQ), to which EPA has delegated the federal permitting process and which must

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Clean Air, Cool Cities

SOLUTIONS for TEXAS

Texans need to *greatly increase* implementation of already available efficiency measures *across all sectors* and *accelerate the transition* from burning fossil fuels towards building and relying more and more upon renewable energy sources such as wind, solar, and geothermal power.

The most immediate way to reduce ozone pollution and smog in Texas is to reduce the consumption and waste of electricity and become more efficient in our use of energy.

Reducing energy consumption and waste will reduce the production of air emissions from sources such as coal-fired power plants that contribute to unhealthy levels of ozone in the air over Texas cities.

Here are some of the steps that should be pursued to clean the air in Texas and to promote smart energy solutions for the state:

The State of Texas should:

- Require the installation of “Best Available Control Technology” for controlling air pollution from power plants and industrial facilities. No permits should be granted for new air pollution source that would negatively impact meeting the health-based ozone standards set by the EPA. To address the cumulative impacts of dirty air transport, the State of Texas should require deep cuts in Nitrogen Oxides (NOx) emissions from existing coal

plants that have not made those cuts.

- Establish an expanded Renewable Portfolio Standard, including a specific requirement for the contribution of solar power to meet state electric power needs, an expansion of the use of “Combined Heat and Power,” and an increase in the energy efficiency program requirements for investor-owned electric utilities.
- Create a bond program and expand the “Loan Star” program for energy efficiency and renewable energy for municipal utilities, cooperatives and political subdivisions.
- Establish new energy efficient building codes for municipal government and state agency buildings, and create a new advanced energy efficiency building code program for certain commercial and housing facilities.

The state Public Utility Commission should:

- Adopt strong new net metering rules to encourage installation of on-site renewable energy equipment.
- Require rapid deployment of advanced smart metering to reduce peak demand for electric power.
- Adopt rules to encourage rapid

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deployment of new transmission lines for renewable energy, with appropriate siting guidelines for these transmission facilities.

Local Governments should:

- Join ICLEI, an affordable consultation organization that contracts with local governments to analyze air problems and create a plan for reducing use of electricity.
- Install solar power equipment on local government buildings.
- Expand tail-pipe testing programs [and associated incentive programs for new cleaner cars] in areas like San Antonio, El Paso and Tyler.
- Investigate and implement, as appropriate, clean public transportation systems and other transportation alternatives to our heavy dependence upon vehicles

Electric Power Utilities (municipally-owned and investor-owned) should:

- Provide energy audits and consulting services to residential and commercial customers.
- Expand market-based and standard offer energy efficiency programs.
- Provide rebates for the installation of solar power equipment.

Industrial and Commercial Enterprises, Educational Institutions, Nonprofit Organizations, Employers, and Individuals should:

- Conduct energy audits on buildings and homes and prepare and implement a two- to five-year plan for increasing energy efficiency through such measures as installing compact fluorescent light bulbs; installing energy efficient windows and doors; putting small appliances on a power strip; and installing programmable thermostats to save energy during certain times of the day.
- Purchase and install solar power (the roofs of large buildings and parking lots are free of shade trees and provide excellent surface space for photovoltaic panels or the new thin film).
- Establish public information campaigns to inform employees, students, members, and customers about energy efficiency and renewable energy sources and steps they can take to increase efficiency and switch to renewable energy.
- Consider installation of “Combined Heat and Power” to reduce energy use by using waste heat to heat and cool buildings.

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abide by EPA rules, such as the new ozone standard.

Two existing “non-attainment” areas in Texas – Houston-Galveston and Dallas-Fort Worth currently remain in non-compliance for ozone.

Under the revised standard five more areas in Texas are likely to be classified as non-attainment -- Austin, Beaumont-Port Arthur, East Texas, El Paso, and San Antonio. Two additional areas, Waco-Temple and Corpus Christi-Victoria will border on non-attainment.

“All non-attainment areas must begin developing clean air plans (state implementation plans or SIPs) with measures for reducing ozone,” said Neil Carman. “Forty-years of experience with the Clean Air Act show that it’s feasible to achieve lower smog levels, and some areas that were non-attainment have reached attainment.

Besides this new ozone rule, expected new federal global warming legislation and private clean energy initiatives will also help address ozone. The biggest push, however, must be from the state and local governments.”

“The most immediate way to reduce ozone pollution and smog in Texas is to reduce the consumption and waste of electricity and become more efficient in

our use of energy,” continued Carman. **“Reducing energy consumption and waste will reduce the production of air emissions from sources such as coal-fired power plants that contribute to unhealthy levels of ozone in the air over Texas cities.”**

“Texas needs to accelerate efforts to implement already available energy efficiency measures,” concluded Carman. **“In addition, the state needs to accelerate the transition from burning polluting fossil fuels towards relying more upon renewable energy sources such as wind, solar, and geothermal power. These efforts will not only address global warming. They will help us clean our air as well.”**

The Sierra Club believes that given EPA’s unwillingness to establish a new ozone standard that is strong enough to truly protect public health, it becomes even more important that the state take action in the energy arena and air pollution permitting process to reduce air emissions in Texas.

Sierra Club to Hold More Coastal Public Forums in May Events Will Focus on Matagorda & San Antonio Bays

As the new state process for identifying and preserving flowing rivers and freshwater inflows into Texas coastal bays and estuaries finally gets underway, the Lone Star Chapter of the Sierra Club has scheduled two more coastal public forums to inform local citizens about the process and how they may monitor or participate in the process for their respective bay and river basin.

These new forums, following on successful forums held last September in Houston and Beaumont, will be held in at the Bay City Civic Center in Bay City on May 20 and at the Victoria Community Center Annex in Victoria on May 21. The Bay City forum will focus on Matagorda Bay and the Colorado River Basin while the Victoria forum will spotlight San Antonio Bay and the Guadalupe and San Antonio River Basins.

Meanwhile the “environmental flows allocation process” set into law by the Texas Legislature last spring, although late in getting started due to delays in appointments to the state Environmental Flows Advisory Group, will begin soon on the upper Texas coast for Galveston Bay and Sabine Lake and their respective river basins.

May Public Forums

Speakers and panelists at the upcoming coastal forums will include representatives of the National Wildlife Federation, Texas Commission on Environmental Quality, Texas Parks and Wildlife Department, and Texas Water Development Board.

The Bay City and the Victoria forums will be evening events. Food and drinks will be provided for attendees from 6 to 7 p.m. Presentations will begin at 7 p.m., and the sessions will conclude by 9 p.m. Ample time will be provided for questions from the audience to the speakers.

These coastal forums are free and open to the public. However, people planning to attend one or both of the forums must register in advance by Friday, May 16 so that adequate arrangements may be made for food and seating. Seating will be limited at both events.



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These forums are part of the activities of the Texas Living Waters Project - a joint project of the National Wildlife Federation, Environmental Defense, and the Lone Star Chapter of the Sierra Club.



Sierra Club Coastal Public Forums - 2008

Registration Form:

Name _____

Address _____

City/State/Zip Code _____

Phone (including Area Code) _____

E-Mail Address _____

Please register _____ person(s) for the following forum(s):

_____ Bay City – May 20, 2008

_____ Victoria – May 21, 2008

Registration deadline is Friday, May 16.

Return registration form to:

Lone Star Chapter, Sierra Club

ATTN: Coastal Public Forums 2008

P. O. Box 1931

Austin, TX 78767

Or fax to 512-477-8526

There is **no fee** for attending either forum, but **registration in advance is required** to assure that adequate arrangements may be made for food and seating. Seating will be limited.

For further information, please contact Jennifer Walker, Water Resources Specialist, Sierra Club at 512-477-1729 in Austin or via e-mail to jennifer.walker@sierraclub.org.



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