

**Testimony on behalf of the City of Houston Regarding Proposed Revisions  
to the National Ambient Air Quality Standard for Ozone  
Submitted to EPA on September 5, 2007  
Houston, Texas  
EPA Docket No. OAR-2005-0172**

The City of Houston urges the EPA to set the primary 8-hour ozone NAAQS at a level that qualified scientists have determined to be protective of public health. We support the recommendations of the Clean Air Science Advisory Committee (CASAC), the panel of expert scientists appointed under the Clean Air Act to advise the EPA Administrator on the national ambient air quality standards (NAAQS). CASAC unanimously concluded that:

- There is no scientific justification to keep the current primary ozone standard;
- The rounding loophole should be eliminated;
- The 8-hour ozone standard should be set in the range of 0.060 to 0.070 ppm; and
- The ozone health standard must explicitly include the “margin of safety” required by the Clean Air Act.

The City of Houston supports science-based standards that reflect a concentration level sufficient to protect public health, and believes that the standard must be based solely on science. The scientific definition of air pollution is the presence of an airborne contaminant at sufficient concentration to have a negative impact on human health, welfare, or the environment. The primary NAAQS standards are *specifically* focused on the protection of human health. The Clean Air Act mandates this approach. EPA is required to establish maximum levels of regulated pollutants no higher than what the protection of public health demands. The levels must be based on a scientific assessment of hazards from pollution. CASAC, consisting of twenty-three scientific experts, conducted the assessment and made the above recommendations, and the EPA should set the primary 8-hour ozone standard based on these recommendations.

Houston experiences elevated levels of a number of air pollutants, including ozone, particulate matter and several air toxics. We are home to the nation’s largest petrochemical and refining complex and our VMT, or vehicle miles traveled, which is an indicator of mobile source pollution, is one of the highest in the country. The combination of these factors presents multiple-pollutant challenges that most communities in the US do not face. The health effects of multiple pollutants are cumulative and often synergistic. Because the NAAQS address the health effects one pollutant at a time, and do not take into account cumulative or synergistic effects, it is especially important in Houston that the standard for each pollutant be conservative.

Houston has not achieved the current 8-hour ozone standard and is not expected to do so for some years to come. Our region has adopted numerous control strategies at substantial expense in order to make the dramatic progress we have realized to date. We are significantly handicapped in making further progress more quickly due to the many sources over which the federal government has control and has preempted us from taking

action. Thus, it is not without recognition of the costs associated with achieving an even stricter standard that we advocate for the adoption of such a standard. But we owe it to the public to tell the scientific truth about the quality of our air. Whether and when we are able to achieve the standard, and at what economic costs, are important issues with which we will continue to wrestle. We urge EPA to accelerate emission reductions by preempted sources and not impose penalties against regions such as Houston that do not attain the NAAQS due to the contributions of preempted sources. We must begin, however, by adopting health-based standards determined by scientists. Therefore, we urge the EPA to adopt a primary 8-hour ozone standard in conformity with the SACAS recommendations.