

Nov. 16, 2023

Mr. Jeff Zients
White House Chief of Staff
1600 Pennsylvania Ave. NW
Washington, DC 20500

Dear Mr. Zients,

The undersigned state and regional associations representing sectors and industries across the U.S. economy urge you to maintain the existing National Ambient Air Quality Standards for particulate matter (PM_{2.5}). A proposed revision to this standard is under review by the White House Office of Information and Regulatory Affairs. This proposal could put nearly 40% of the U.S. population in areas of nonattainment,¹ risking jobs and livelihoods across the nation and making it significantly more difficult to obtain permits to build new factories, bridges and roads that will power our economic growth. Implementation of the Infrastructure Investment and Jobs Act, the CHIPS and Science Act and the Inflation Reduction Act have the potential to infuse substantial investments into our states and communities, but all of that is now threatened by the permitting restrictions that would flow from this proposal. This regulation will put nearly every goal to encourage manufacturing in our states and regions at risk and could prevent the American economy from reaching its full potential.

Our members have innovated and worked with regulators to lower PM_{2.5} emissions significantly. The Environmental Protection Agency's 2022 Air Trends and National Emissions Inventory report shows that PM_{2.5} concentrations have declined by 42% since 2000,² driven by major emissions reductions from both mobile sources and the power sector. As a result, our air is cleaner than at any point in modern time. The current PM_{2.5} standard is set at 12 µg/m³; yet, some are advocating a standard as low as 8 µg/m³—which is lower than naturally-occurring levels in many parts of the country. This proposal is also far more stringent than the guidelines in place in Europe, where the current EU standard is 25 µg/m³—more than twice the current level in the U.S.

The vast majority of PM_{2.5} emissions in the U.S. (84%) come from wildfires, road dust and other nonpoint sources.³ As we have seen this year, the Canadian wildfires have had a more dramatic effect on air quality in the U.S. than any industrial sources. Nonattainment designations will be influenced heavily by these past three years of wildfire emissions, making compliance with existing standards—let alone any new standards—much more difficult. In many areas, there may not be sufficient offsetting emission-reduction options, and as a result, investments across the country could be brought to a grinding halt. Even without the new air quality data, the EPA's Regulatory Impact Analysis failed to identify sufficient controls for all areas of the country to attain any of the proposed standards.⁴ In fact, the EPA has already proposed to

¹ U.S. Air Quality Standards and the Manufacturing Sector (April 2023), https://documents.nam.org/COMM/NAM_Air_Quality_Standards_Analysis_Web_Version.pdf

² https://gispub.epa.gov/air/trendsreport/2023/#air_trends

³ *Id.*

⁴ EPA PM_{2.5} RIA, see https://www.epa.gov/system/files/documents/2023-01/naaqs-pm_ria_proposed_2022-12.pdf

disapprove a California state plan for failing to demonstrate that it can attain the current 2012 standard.⁵

Despite the vast majority of emissions coming from nonpoint sources, the cost of complying with this regulation will fall solely on our members. It will impact our ability to create jobs, innovate and invest in America. A recent analysis conducted by Oxford Economics and commissioned by the National Association of Manufacturers found that if the proposed PM2.5 regulations are implemented, GDP will be reduced by nearly \$200 billion and nearly 1 million current jobs will be put at risk. In addition, these numbers may actually understate the problem because they do not include the most recent air quality data.

Notably, these economic impacts will be localized rather than evenly dispersed across the country. Some states will be hit harder than others, but all states will miss out on new manufacturing facilities and jobs due to the permitting roadblocks mandated as a result of tighter standards. Under the proposed rule, close to 650 counties, equivalent to 22% of all U.S. counties, could be placed out of attainment. Even in areas that would meet the EPA's proposed standards, current PM2.5 background levels are so close to the proposed standards that no room would be left for new economic development, virtually ensuring severe economic consequences. The inability to invest in America as a result of this proposal creates perverse outcomes, in which new facilities could be located in foreign countries with more lax air standards due to these administrative hurdles—undermining the economic and environmental goals of your administration.

In practice, these proposed standards are aspirational in that they are set at background levels, which effectively means that any industrial emissions could put a locality out of attainment. While our members continue to innovate, making cleaner products and pioneering cleaner processes, no one can comply with a regulation that sets the standard at effectively zero.

We strongly encourage your administration to maintain the existing standards, which will ensure that we remain among the countries with the cleanest air in the world while also supporting much needed economic growth.

Sincerely,

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⁵ See <https://www.govinfo.gov/content/pkg/FR-2022-10-05/pdf/2022-21492.pdf> in which the EPA states the following: "We now propose that the State has not demonstrated that it is capable of fulfilling the remaining aggregate tonnage commitments necessary to attain the 2012 annual PM2.5 NAAQS in the SJV by December 31, 2025."

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CC: The Honorable Lael Brainard, Director of the National Economic Council
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