



AMERICAN PUBLIC HEALTH ASSOCIATION  
*For science. For action. For health.*

May 12, 2017

Administrator Scott Pruitt  
U.S. Environmental Protection Agency  
Washington DC 20460

RE: EPA-HQ-OA-2017-0190  
SUBMITTED VIA: Regulations.gov

Dear Administrator Pruitt:

On behalf of the American Public Health Association, a diverse community of public health professionals who champion the health of all people and communities, I am writing concerning the U.S. Environmental Protection Agency's request for public comment on regulations that may be appropriate for repeal, replacement, or modification (82 Federal Register 17793, April 13, 2017). EPA's request stems from President Donald Trump's Executive Order 13777 "Enforcing the Regulatory Reform Agenda."

For more than 45 years, the laws and regulations administered by EPA have substantially improved the lives and life-expectancy of millions of Americans. Our air is cleaner, our drinking water safer and many communities are better protected from the toxic contaminants at hazardous waste sites. Moreover, our scientific endeavor created safe water and air standards which are being followed in many world regions.

The environments in our homes, schools, communities and natural spaces are safer and healthier because of the protections provided by the Clean Air Act, the Safe Drinking Water Act, the Comprehensive Environmental Response, Compensation and Liability Act and many other environmental laws. The public health, social and economic benefits of each of these laws far exceed their costs and they have led to a healthy landscape that ensures prevention of disease. We urge you to retain and ensure the ongoing enforcement of important public health regulations at EPA. Our comments highlight some of the important public health laws and regulations administered and enforced by EPA that are essential to protecting public health.

The Clean Air Act and the public health protections adopted pursuant to it have reduced concentrations of lead and carbon monoxide by 85 and 84 percent, respectively. Reductions in particulate matter and ozone prevent tens of thousands of premature deaths, heart attacks and strokes and millions of asthma attacks and missed school and work days each year. A rigorous 2011 peer reviewed analysis, conducted by EPA, found that the air quality improvements under the Clean Air Act will save \$2 trillion by 2020 and prevent at least 230,000 deaths annually.<sup>1</sup> The Clean Air

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<sup>1</sup> U.S. Environmental Protection Agency (2011). [The benefits and costs of the Clean Air Act from 1990 to 2020](#).

Act is one of the nation's most important public health laws and its strong public health protections are essential to ensuring all Americans are protected from dangerous air pollution.

The Safe Drinking Water Act and its regulations have put important protections in place to prevent the public from ingesting tap water that contains microorganisms such as *Cryptosporidium* and *Giardia* and chemical contaminants, such as arsenic, lead and chromium. The regulation of these contaminants in drinking water minimizes the risk of exposure to them and the related adverse health effects. Those served by the nation's 155,000 public water utilities are now required to be notified in a timely manner about potential contamination and receive annual reports on the safety of their drinking water. These public protections are vitally important and must not be rolled back. Moreover, new protections are needed to prevent the harm caused by yet unregulated contaminants, such as perchlorate and the Teflon-related chemical perfluorooctanoic acid.

The Food Quality Protection Act ensures that the fruits and vegetables we consume have much lower concentrations of pesticide residue. This is an especially important protection for children whose bodies are more vulnerable to the neurotoxic and other adverse health effects of ingesting pesticides. The regulations adopted pursuant to this law must not be modified in any way that will diminish these critical public health protections.

The Comprehensive Environmental Response, Compensation and Liability Act has protected Americans who lived by more than 400 Superfund sites ensuring that they are no longer exposed to extraordinary levels of carcinogenic and other hazardous chemicals in their water, soil, and air. This includes communities such as Libby, Montana where hundreds of residents have died from asbestos-related cancer and non-malignant respiratory disease caused by the W.R. Grace company. More than 1,300 additional communities are benefitting today from hazardous waste clean-up under CERCLA. But more investment and better protections, not fewer, are needed to ensure that other polluted communities are afforded the same assistance.

The Asbestos Hazard Emergency Response Act of 1986 has protected millions of school children, teachers, custodians and maintenance workers from exposure to asbestos because of requirements that remediation activities be conducted by trained professionals. These protections must not be scaled back in any way. A recent investigation by the U.S. Senate revealed that many schools districts are not fulfilling their responsibility for routine monitoring to ensure that asbestos-containing material is not degrading or being disturbed.<sup>2</sup>

The Emergency Planning and Community Right-to-Know Act requires businesses that manufacture or store highly-hazardous chemicals to provide an inventory to local fire departments and state agencies, and report certain releases of toxic emissions. This information is vitally important to emergency responders who may be called upon to address a fire or explosion at a covered facility. More protections from hazardous chemicals, not fewer, are needed. Recent disasters, including the fertilizer plant explosion in West, Texas which took the lives of fourteen and caused \$230 million in damage, identified major limitations of EPCRA that must be addressed for the law to be effective to save lives and economic damage.

The Worker Protection Standard ensures that farmworkers receive annual pesticide-safety training and information about the pesticides to which they are exposed and prohibits young people applying

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<sup>2</sup> [Failing the Grade: Asbestos in America's Schools](#). Report of the staff of Senator Edward J. Markey, December 2015.

pesticides on crops. These regulations, which were finalized in 2015, were the product of two decades of effort by EPA, farmworkers and the public health community. EPA also engaged numerous other stakeholders including industry, state and tribal governments and growers to address multiple perspectives. It is the only regulation that aims to protect farmworkers from pesticide exposure. The WPS is not yet fully in effect and must not be diminished or delayed in any way.

The Federal Insecticide, Fungicide, and Rodenticide Act and the regulations adopted pursuant to it, protect pesticide applicators, consumers and the environment from banned, unregistered and potentially dangerous products. FIFRA and its regulations help to ensure the effectiveness of pesticides for their intended use, require effective labeling, reduce inappropriate dosage applications and direct EPA to take into account economic, social, environmental and health costs and benefits in deciding whether to register or reregister a product. Given the inherent risks of pesticides when used improperly, regulations adopted pursuant to FIFRA must not be modified in any way that will adversely impact the public health and harm the environment.

We understand that EPA has established a Regulatory Reform Task Force which is identifying rules to repeal, replace or modify. We urge the task force's activities be conducted in a transparent manner, including timely access on a public website to all meeting agendas, participant lists, documents and notes of deliberations. Plans by EPA to amend any existing regulations must meet the requirements of the Administrative Procedure Act, including providing adequate opportunities for public comment.

The laws administered and regulations enforced by EPA are grounded in science and the public health principle of prevention. We urge EPA to reject claims that these regulations are not necessary or not cost-effective. The health, social, and economic benefits of these laws far exceed their costs. Our communities and families would be less healthy and less safe if the regulations adopted pursuant to these important public health laws were diminished in any way.

Sincerely,

A handwritten signature in black ink, appearing to read "Georges C. Benjamin". The signature is fluid and cursive, with the first name "Georges" being the most prominent.

Georges C. Benjamin, MD  
Executive Director