

United States Senate

April 2, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1301 Constitution Ave., NW
Washington, DC 20460

Dear Administrator Wheeler:

As we continue to learn more about the devastating risks posed by the novel coronavirus, which is particularly lethal to those with underlying health conditions, we urge you to halt the finalization or stay the implementation of any rulemakings or guidance documents that are likely to result in an increase in toxic chemicals or air or water pollution. The effects of this pandemic are dangerous enough and are already overwhelming and imperiling our health care infrastructure. The federal government should refrain from any actions that will put the public at a greater risk of infection or death.

Toxic chemicals and air pollution pose a specific and serious risk to efforts to control and curtail the effects of the coronavirus. According to the Centers for Disease Control and Prevention, the coronavirus may pose a higher risk of serious illness to people who have chronic lung disease, asthma, heart conditions, diabetes, chronic kidney disease, or chronic liver disease. Additionally, those who are otherwise immunocompromised either by disease or by treatment for diseases such as cancer may be at higher risk.¹ Air pollution is linked to several of these illnesses, including chronic lung disease, asthma, lung cancer, respiratory infections, and heart disease, and an increasing body of evidence shows a link to diabetes as well.² Toxic chemicals such as ethylene oxide, benzene, formaldehyde, mercury, and lead are associated with increased cancer risks or other serious health defects.³

The Environmental Protection Agency (EPA) is currently considering several proposals that would likely have a negative impact on air quality and public health. These include a rule to limit the use of public health science in rulemakings, draft risk assessments for trichlorethylene and other toxic chemicals, changes to the New Source Review program, a rule to undermine mercury and toxic air pollution limits, and rollbacks of rules on methane and coal ash. The EPA also

¹ Centers for Disease Control and Prevention, *People who are at higher risk for severe illness* (Mar. 31, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>.

² World Health Organization, *Ambient Air Pollution: Health Impacts*, <https://www.who.int/airpollution/ambient/health-impacts/en/>.

³ U.S. Environmental Protection Agency, *Air Pollution: Current and Future Challenges*, <https://www.epa.gov/clean-air-act-overview/air-pollution-current-and-future-challenges>.

recently finalized a rule to allow light-duty vehicles to emit more greenhouse gas emissions.⁴ The rule, which includes pages of documentation on the connection between air pollution and respiratory illnesses, cardiovascular illnesses, and cancers such as leukemia, is projected to result in hundreds of additional deaths from air pollution alone.⁵

Out of an abundance of caution, we urge the EPA to halt the finalization or implementation of any rules and guidance documents that could impede air quality or are likely to result in the release of additional toxic chemicals into the air and environment while the coronavirus public health crisis continues. All federal agencies should be taking whatever steps they can to prevent worsening this already devastating pandemic, including by refraining from actions that will exacerbate underlying conditions that leave people at greater risk for infection and death.

Sincerely,

Edward J. Markey
United States Senator

Cory A. Booker
United States Senator

Elizabeth Warren
United States Senator

Jeffrey A. Merkley
United States Senator

Kamala D. Harris
United States Senator

Richard J. Durbin
United States Senator

Robert P. Casey, Jr.
United States Senator

Tammy Duckworth
United States Senator

⁴ U.S. Environmental Protection Agency and U.S. Department of Transportation, *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks* (Mar. 30, 2020), <https://www.epa.gov/sites/production/files/2020-03/documents/final-fr-safe-preamble-033020.pdf>.

⁵ *Id.* at 1525.