

## Review of the National Ambient Air Quality Standards for Particulate Matter

Rule Link: <https://www.federalregister.gov/documents/2020/12/18/2020-27125/review-of-the-national-ambient-air-quality-standards-for-particulate-matter>

### EPA Announced It Would Retain Existing NAAQS For Fine And Coarse Particulate Matter For Five Years

**December 7, 2020: EPA Announced It Would Retain Existing NAAQS For Fine Particulate Matter (PM2.5) And Coarse Particulate Matter (PM10) For Five Years.** On December 7, 2020, the EPA announced it would retain existing NAAQS for fine particulate matter (PM2.5) and coarse particulate matter (PM10) for the next 5 years. In areas meeting existing standards, PM2.5 is associated with 45,000 annual deaths, according to comments filed by state attorneys general in June 2020. The comments also stated that the EPA's decision wrongly asserted 'no environmental justice issues' were raised 'despite significant evidence that communities of color and lower-income communities are disproportionately exposed to and harmed by PM pollution,' as published by the Midnight Watch project." [EHS Daily Advisor, [12/16/20](#)]

**EPA Scientists Recommended Lowering The Annual Particulate Matter Standard To Between 8 And 10 Micrograms Per Cubic Meter.** "Agency scientists had recommended lowering the annual particulate matter standard to between 8 and 10 micrograms per cubic meter in a draft report last year, citing estimates that reducing the limit to 9 could save between 9,050 and 34,600 lives a year," according to The Washington Post." [EHS Daily Advisor, [12/16/20](#)]

**EPA Scientists Estimated Reducing The Limit To 9 Micrograms Per Cubic Meter Could Save 9,050-34,600 Lives Annually.** "Agency scientists had recommended lowering the annual particulate matter standard to between 8 and 10 micrograms per cubic meter in a draft report last year, citing estimates that reducing the limit to 9 could save between 9,050 and 34,600 lives a year," according to The Washington Post." [EHS Daily Advisor, [12/16/20](#)]

**Short Term Exposure To PM2.5 Can Lead To Premature Death.** "The results of the evidence-based review clearly call into question the adequacy of the existing standards. Furthermore, the risk assessment conducted by the EPA shows that, in a sample of people 30 years of age or older living in 47 urban study areas, a large number of premature deaths are attributable to PM2.5 exposure under the current standard.<sup>3</sup> The estimated all-cause mortality from long-term exposure to PM2.5, calculated on the basis of the 2015 air quality adjusted to just meet the existing standards, ranges from 13,500 to 52,100 deaths annually. The actual air quality in the selected study areas is typically somewhat above the current standards and is adjusted downward, with the use of air-quality models, to enable quantification of what the risk would be if the current standards were met. In addition, the estimated all-cause mortality from short-term exposure to PM2.5 ranges from 1200 to 3870 deaths annually. For locations in which ambient PM2.5 concentrations would meet the annual standard but not the daily standard, the EPA estimates relative risk reductions of 21 to 27% by changing the standard from 12 µg per cubic meter to 9 µg per cubic meter. Although there is uncertainty around the estimates, the risk assessment supports the conclusions based on the scientific evidence that at the levels of the

current fine-particle standards, the risk of premature death is unacceptably high.” [New England Journal of Medicine, [8/13/20](#)]

## **EPA Administrator Wheeler Lobbied For A Member Of USWAG For Three Years -- USWAG Pushed For Various EPA Rollbacks**

### **EPA Administrator Wheeler Lobbied For Xcel Energy For Three Years**

**Xcel Energy Was A Former Client Of EPA Administrator Andrew Wheeler.** “After Wheeler left Capitol Hill in 2009, he took on a cadre of lobbying clients, eventually leading FaegreBD Consulting’s energy and environment practice group. His job was dedicated to advocating for chemical manufacturer Celanese Corp., coal producer Murray Energy Corp., uranium miner Energy Fuels Resources Inc., utility holding company Xcel Energy Inc. and other clients.” [Time, [01/9/19](#)]

- **Xcel Energy Was A Member Of The Utility Solid Waste Activities Group (USWAG) As Recently As September 22, 2020.** [USWAG Member List, [accessed 09/22/20](#)]

**Wheeler Lobbied To Help Xcel Energy Obtain A Charitable Deduction And Backed Legislation To Protect Its Ability To Remove Dead Wood In National Forests.** “In his first detailed discussion of his lobbying, Mr. Wheeler explained the bulk of his private-practice work over the past two years: [...] For Xcel Energy, a utility company based in Minneapolis, he lobbied to help the company obtain a charitable deduction and backed legislation that would have protected its ability to remove dead wood around transmission lines in national forests, an issue that the United States Forest Service deals with.” [New York Times, [08/1/18](#)]

**Andrew Wheeler Lobbied For Xcel Energy From 2013 Through 2016.** [OpenSecrets, accessed [06/10/20](#)]

### **Utility Solid Waste Activities Group (USWAG) And Its Member Xcel Energy Supported EPA Rollbacks**

**USWAG Argued In Comments On The EPA’s Proposed Coal Ash Rule That The Closure Deadlines Were Impossible To Meet As They Were “Too Short.”** “Given the flaws in EPA’s development of the 22.5-month timeframe, the date of August 31, 2020 to replace October 31, 2020 as the deadline for unlined impoundments to cease the receipt of wastes and initiate closure is not valid. The record evidence makes clear that a majority of unlined units will not be able to meet the existing October 31, 2020 deadline, let alone an accelerated date of August 31, 2020. USWAG is not aware of any USWAG unit that will be able to meet the proposed August 31, 2020 date. The Agency’s own Regulatory Impact Analysis contemplates every one of the USWAG units having to seek extended time to operate under the proposed alternative closure provisions.” [Utility Solid Waste Activities Group EPA Comment, [02/05/20](#)]

**Xcel Energy Commented On The EPA’s Proposed Coal Ash Rule, Endorsing USWAG’s Comments.** “Xcel Energy endorses the comments filed by the Utility Solid Waste Activities Group (‘USWAG’).” [Xcel Energy EPA Comment, [02/04/20](#)]

## **Between 2017 And 2020, Xcel Energy And Other USWAG Members Spent Tens Of Millions Lobbying The Federal Government, Including The EPA.**

*In 2017, Xcel Energy Spent \$1.9 Million Lobbying The Federal Government, Including The EPA.*

**Xcel Energy Spent \$1,910,000 Lobbying The Federal Government In 2017, Including The EPA.** [OpenSecrets – Client Profile: Xcel Energy, Accessed [6/10/20](#)]

*USWAG And Its Other Members Also Lobbied The EPA*

**Between 2017 And 2020, USWAG Itself Lobbied The EPA.** [OpenSecrets, accessed [06/10/20](#)]

**Between 2017 And 2020, USWAG Member DTE Energy Spent \$3,010,000 Lobbying The Federal Government, Including The EPA And CEQ.** [OpenSecrets, accessed [06/10/20](#); USWAG Member List, [01/09/20](#)]

**Between 2017 And 2020, USWAG Member Berkshire Hathaway Energy Spent \$18,249,000 Lobbying The Federal Government, Including The EPA.** [OpenSecrets, accessed [06/10/20](#); USWAG Member List, [01/09/20](#)]

**Between 2017 And 2020, USWAG Member Duke Energy Spent \$20,864,953 Lobbying The Federal Government, Including The EPA And CEQ.** [OpenSecrets, accessed [06/10/20](#); USWAG Member List, [01/09/20](#)]

**Between 2017 And 2020, USWAG Member FirstEnergy Spent \$7,850,000 Lobbying The Federal Government, Including The EPA And CEQ.** [OpenSecrets, accessed [06/10/20](#); USWAG Member List, [1/9/20](#)]