

**Center for Biological Diversity • Conservation Law Foundation •
Clean Water Action • Earthjustice • Environment America •
Environmental Law and Policy Center • League of Conservation Voters •
Natural Resources Defense Council • Sierra Club •
Southern Environmental Law Center • Union of Concerned Scientists**

November 29, 2011

Dear Representative,

On behalf of our millions of members, activists, and supporters, we urge you to oppose H.R. 1633, “The Farm Dust Regulation Prevention Act,” sponsored by Rep. Kristi Noem (R-SD). This bill has nothing to do with any attempt to regulate “farm dust,” as its title misleadingly asserts. This anti-science legislation would deny the American people the right to breathe air without unsafe levels of soot pollution by preventing review of health standards for soot pollution. EPA has indicated that it intends to maintain coarse particulate pollution standards at current levels, so there is no reason for this legislation to go forward.

Breathing coarse particulate pollution – also known as soot or PM₁₀ – can trigger asthma attacks, strokes, and even death. That’s why the Clean Air Act requires EPA to set national standards for the amount of soot pollution allowed in the outdoor air, based upon the best medical and scientific evidence concerning what is necessary to protect Americans’ health.

EPA is required by law to study these standards every five years, even if it keeps the standards the same. In October, the agency announced that it will propose to maintain standards for PM₁₀ unchanged for the current five-year review period. Each state decides how it will control its own soot pollution, and from what emitters, so that the air is safe to breathe. EPA has been setting, and states have been deciding how to meet, standards for soot pollution since 1971.

In the Bush Administration’s 2006 review of the science of soot pollution, EPA found that the following industrial sources were some of the biggest emitters of this type of coarse particle pollution: fly ash from coal combustion; tire and paving materials from roads; mining and mineral processes; industrial processes, and construction and demolition activities. The EPA never has regulated “farm dust” and never has expressed any intent to do so. While there was no need for H.R. 1633 prior to EPA’s announcement, the agency’s announced plan to maintain current standards underscores that there is no need or justification for this legislation.

This legislation is an unnecessary attack on the American people’s right to breathe air without unsafe levels of soot pollution. In the forty-plus year history of the Clean Air Act, Congress never has intervened to block EPA from telling Americans the truth about unhealthy pollution levels. Now is not the time to start. Please oppose H.R. 1633, and any efforts to weaken our clean air laws.

Sincerely,

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