

Alert

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Alert is a monthly update on transportation and air quality planning activities in the Delaware Valley.



Air Quality Regulations

US EPA Relaxes Rules for Industry During Coronavirus Outbreak

On March 26, 2020, the US Environmental Protection Agency (EPA) announced a relaxation of environmental rules to assist industry in response to the coronavirus pandemic. The measure allows power plants, factories and other facilities to determine for themselves if they are able to meet legal requirements for reporting air and water pollution.

EPA's action is in response to industry's request to relax reporting requirements as businesses face layoffs, personnel restrictions, and other problems related to the coronavirus outbreak.

The policy was issued by the EPA's top compliance official, Susan Bodine, and sets new guidelines for companies to monitor themselves for an undetermined period of time during the outbreak. The policy states that the agency will not issue fines for violations of certain air, water, and hazardous-waste-reporting requirements while the policy is in effect.

The order states: "In general, the EPA does not expect to seek penalties for violations of routine compliance monitoring, integrity testing, sampling, laboratory analysis, training, and reporting or certification obligations in situations where the EPA agrees that Covid-19 was the cause of the noncompliance and the entity provides supporting documentation to the EPA upon request".

The EPA order states that the agency's focus during the outbreak would be "on situations that may create an acute risk or imminent threat to public health or the environment" and said it would exercise "discretion" in enforcing other environmental rules.

The order asks companies to "act responsibly" if they cannot currently comply with rules that require them to monitor or report the release of hazardous air pollution. The order encourages businesses to "minimize the effects and duration of any noncompliance" and keep records to report to the agency how Covid-19 restrictions prevented them from meeting pollution rules.

"EPA is committed to protecting human health and the environment, but recognizes challenges resulting from efforts to protect workers and the public from Covid-19 may directly impact the ability of regulated facilities to meet all federal regulatory requirements," Andrew R. Wheeler, the EPA administrator, said in a statement.

Environmental groups and former Obama administration officials described the policy as an unprecedented relaxation of rules for petrochemical plants and other major polluters.



Save the Date

**Friday
May 29, 2020**
**Application Deadline for
DVRPC Congestion
Mitigation and Air Quality
(CMAQ) Program in NJ**

**For information on the
funding program, please
visit:
www.dvrpc.org/cmaq**

**Friday
June 5, 2020**
**Application Deadline for
PA DEP Marine and Freight
Rail Movers Grant Program**

**For information on the grant
program, please visit:
[www.depgis.state.pa.us/
DrivingPAForward](http://www.depgis.state.pa.us/DrivingPAForward)**

Cynthia Giles, director of the EPA enforcement division during the Obama administration, said: “This is essentially a nationwide waiver of environmental rules. It is so far beyond any reasonable response I am just stunned.”

Other observers defended the move. Granta Nakayama, who served in the EPA’s Office of Compliance under President George W. Bush, said the memo did not give companies a free pass to pollute, but rather provided guidance in a challenging situation where many industries are facing unique circumstances.

Agency officials pointed out that the new policy relaxes compliance for monitoring and reporting only so that facilities can concentrate on ensuring that their pollution-control equipment remains safe and operational.

“It is not a nationwide waiver of environmental rules,” said Andrea Woods, an EPA spokeswoman. “For situations outside of routine monitoring and reporting, the agency has reserved its authorities and will take the pandemic into account on a case-by-case basis.”

The EPA policy makes the compliance changes retroactive to March 13, 2020.

For more information on the EPA’s policy on air and water pollution reporting requirements, please visit: www.nytimes.com/2020/03/26/climate/epa-coronavirus-pollution-rules.html.



Air Quality News

Air Pollution Increases Likelihood of Lung Infection

Years of medical and scientific research support the theory that people subjected to chronic, elevated levels of air pollution are more susceptible to lung infections and experience more severe symptoms associated with lung infections than people who live with relatively clean air.

In a recent interview with the *New York Times*, Dr. Meredith McCormack, a spokeswoman for the American Lung Association and associate professor of pulmonary and critical care at Johns Hopkins University, explained the connection between air pollution and increased risk of pulmonary infections. The reasons are twofold. First, air pollution can cause or aggravate respiratory illnesses such as asthma, emphysema, or chronic obstructive pulmonary disease. Those illnesses can make you more susceptible to the worst effects of lung infections. Second, exposure to air pollution is known to raise the chance of contracting viruses in the first place, regardless of underlying health conditions.

“Increased pollution increases susceptibility to infection,” said Dr. McCormack, “all things being equal, a person exposed to air pollution would likely have a worse outcome if they were exposed to coronavirus.”

Satellite imagery has shown that air pollution has dropped off recently in many parts of the world, as businesses shut down and people practice social distancing to prevent spread of the coronavirus. Reductions in overall air pollution is a positive result for the general public’s health, but Dr. McCormack noted, “even in the setting of this pandemic, there will still remain areas of high exposure.” Power plants and refineries are considered essential industries and are unlikely to close. Dr. McCormack warned that even if pollution is down for now, chronic exposure can’t be remedied so quickly and for a person living with daily pollution exposure, the damage to their respiratory and immune system is already done.

While it may be difficult to control or limit exposure to environmental air pollution, Dr. McCormack stresses the importance of avoiding air pollution sources in our homes wherever possible. Primary examples include not smoking or vaping in the home, addressing sources of water, mold, and pests that may aggravate allergies or asthma, and finally avoiding harmful household chemicals. Avoiding pollutants both inside and outside the home result in healthier lungs that are better able to resist infection.

To read the article “*Now Is the Time to Take Care of Your Lungs. Here’s How*”, please visit: www.nytimes.com/2020/03/27/climate/climate-pollution-coronavirus-lungs.html



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