

Oral Testimony
Panel Discussion on Pruitt Nomination
Hosted by Senator Tom Carper and Senate Democrats
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Senator Carper and members of the Committee on Environment and Public Works, it is my honor to testify today about the nomination of Scott Pruitt to serve as Administrator of the U.S. Environmental Protection Agency. I am a pediatrician and Dean of the Milken Institute School of Public Health at the George Washington University. From 1993 through 1998 I served as Assistant Administrator for the US EPA office now called the Office of Chemical Safety and Pollution Prevention. I am a Trustee of the Environmental Defense Fund. These views are solely my own and not those of the George Washington University or any other organization.

The choice of leadership for the Environmental Protection Agency has serious implications for all Americans. Regardless of political affiliation, an EPA Administrator needs to demonstrate a commitment to environmental and human health protection— particularly the health of infants and children. By providing cleaner air, safer drinking water, safer chemicals and pesticides, and safer waste disposal, EPA’s actions have delivered billions of dollars’ worth of health benefits annually—benefits that far outweigh the costs.

US environmental policy carefully balances authorities between federal, state and local governments. Many environmental decisions are best made by states or communities, but others cross state and even national boundaries and need federal leadership. Enforcement, using tools ranging from compliance assistance to criminal prosecution, is essential. No one approach is best across the board and it is critical that the EPA seek approaches that are rapid, effective, and fair. *How would Mr. Pruitt make decisions as an EPA Administrator?*

Mr. Pruitt’s record as attorney general of Oklahoma does not clearly demonstrate a commitment to environmental protection. He dissolved the state’s environmental enforcement unit. He repeatedly challenged the federal government’s authority to regulate national and global threats like greenhouse gases and air toxics. *Who does Mr. Pruitt think is responsible for environmental protection? What are his priorities for environmental protection and how would he pursue them?*

Mr. Pruitt has opposed the regulation of mercury from coal smokestacks – emissions that are converted to methylmercury, which is highly toxic to the nervous and cardiovascular

¹ My title is listed for identification only. I served as Assistant Administrator for Toxic Substances for the US EPA 1993-1998 and am a Trustee of the Environmental Defense Fund. These views are solely my own and not the views of the George Washington University.

systems. Methylmercury contributes to fish contamination nationally as well as globally. The American Academy of Pediatrics has identified methylmercury as particularly dangerous to developing fetuses and infants. Even low exposure levels can lead to reductions in IQ in this vulnerable population. There is no evidence for a threshold of mercury's effects – meaning that *any* exposure to methylmercury is potentially a health risk. These are serious, lifelong consequences. But Mr. Pruitt, in a legal brief filed in 2012 with the U.S. Court of Appeals for the D.C. Circuit, claimed, “the record does not support EPA’s findings that mercury ... pose[s] public health hazards.” My read of this lawsuit is that it is about a search for loopholes in the 1990 Clean Air Act that would overturn EPA efforts to reduce mercury and other dangerous pollutants from coal fired plants. The court ordered the EPA to complete additional regulatory analyses. Once EPA completed those, Mr. Pruitt immediately sued EPA to block mercury safeguards a second time; his case undervalues health, as if our knowledge about mercury health risks were frozen in 1990. Likewise, it overvalues costs, ignoring the fact that, now, virtually all our nation’s power plants have already complied with EPA’s mercury protections at a fraction of the expected cost and in advance of deadlines. *How would Mr. Pruitt deploy EPA’s resources? Would he stack the books in endless analyses designed to roll back protections, or would he properly use the science to advance environmental and public health protection?*

Methylmercury in fish also is a problem in local water bodies. For example, in Oklahoma, 40 lakes have mercury levels so high that Oklahomans are advised to limit or even avoid consuming fish from them. *Is there any evidence that Mr. Pruitt has acted to control mercury in Oklahoma? What about lead, soot, smog and other harmful pollutants?*

Mercury pollution illustrates when state efforts are inadequate - much of the mercury emitted from coal plants moves over state lines, polluting bodies of water across the country and worldwide. The U.S., and many other countries, have put limits on this extremely dangerous pollutant. U.S. efforts to reduce mercury emissions, including from power plants, are benefiting public health much faster than could have been predicted in 1990. These reductions are dramatically reducing mercury levels in air, in the Atlantic Ocean, and in fish species like Atlantic Bluefin tuna and bluefish. Lower levels of mercury in fish mean lower levels of mercury exposure for many of thousands of infants born each year. *Is Pruitt committed to sustaining these efforts?*

Emissions from Europe, Asia and Africa impact the Pacific and increase US exposures. Developing countries in those regions are contributing increasingly higher levels of mercury to global emissions from coal-fired power plants, a growing concern. As EPA administrator, Mr. Pruitt would be in a powerful position to support and sustain global efforts, or to undermine them. If the U.S. backs down on mercury control this could weaken the international mercury agreement, thereby effectively providing cover to other countries that fail to act. *Would Mr. Pruitt support efforts to uphold this agreement and to expand international cooperation on problems that adversely impact our global environment, or would he work to unravel those efforts?*

I support collaborative approaches with industry and others to achieve environmental protection more rapidly, at less cost. Likewise, I think that EPA’s work with states on

compliance and enforcement is enormously valuable. But I am concerned that Mr. Pruitt has shown little to no interest in enforcing environmental laws, and seems to be focused on finding ways to roll back years of environmental protection.

This country needs an EPA leader who understands and embraces its mission to protect public health and the environment, for all of us and for future generations. That leader must also understand that common-sense regulations that keep costs down and protect human health can – and already do – go hand in hand.