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July 29, 2013

Chairman Jeffrey Sanchez  
Joint Committee on Public Health  
State House, Boston, MA 02133

Chairman John Keenan  
Joint Committee on Public Health  
State House, Boston, MA 02133

**Testimony of the Massachusetts Sierra Club in Support of H.1944  
An Act relative to the public health effects of hazardous air pollutants**

Dear Chairwoman Fargo, Chairman Sanchez, and Members of the Committee,

Thank you for providing this opportunity to offer our comments on H.1944, sponsored by Representative Ehrlich, which calls for a fee on the emission of one of the compounds listed and regulated by the US Environmental Protection Agency as a "Hazardous Air Pollutant." The Sierra Club wishes to express our strong support in favor of this legislation.

The Sierra Club is the oldest and largest non-profit, non-partisan environmental organization in the country. With over a forty year history in this chapter, the Massachusetts Sierra Club represents about 22,000 members throughout the state and over 1 million members and supporters nationwide. We fight for clean air, clean water, the preservation of the Commonwealth's most precious natural spaces, and healthy, vibrant communities.

Hazardous air pollutants are toxic chemicals that are known or suspected to cause cancer, to cause birth defects, to cause serious health effects, or to cause adverse environmental effects. Currently the federal Environmental Protection Agency has identified 190 hazardous air pollutants<sup>1</sup>. The Clean Air Act requires that the Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection reduce exposure to hazardous air pollutants. To support that requirement, the Environmental Protection Agency has set several standards, called National Emission Standards for Hazardous Air Pollutants (NESHAP). The standards include such topics as metal fabrication and finishing, plating and polishing, and reciprocating internal combustion engines.

The proposed legislation is remarkable in many ways. While it does not attempt to prohibit the emissions of certain HAPs, it does provide small pollution mitigation fee. The funds raised by this bill will fund research and health studies on the health impacts from air pollutants. If an organization is polluting, they bear a responsibility for the consequences pollution has on public health.

Substances covered under this bill would include certain volatile organic chemicals, pesticides, herbicides and radionuclides that present tangible hazards based on scientific studies of exposure to humans and other mammals.

On those substances most harmful to human health, the bill would place an assessment of 20 cents per pound of HAPs a facility emits. Based on a calculation of 8,903,633 pounds of HAPs emitted in Massachusetts per year, the assessment would generate \$1,780,726<sup>2</sup> for a pollution fund, which would be dedicated to research and studies on the effects of the pollution.

The language was modeled after a successful bill which places a charge on oil deliveries in Massachusetts to put aside for mitigating future oil spills. In this case, emission sources of known carcinogens are required to pay a small amount to fund Mass Department of Public Health (DPH) studies and research on the diseases they cause.

The Sierra Club fully supports H.1944 and hopes that this bill is reported favorably by the committee and is supported by all the members of the Senate and the House of Representatives. We strongly believe that this bill would have significant positive impact on the health of Massachusetts residents.

Respectfully,

A handwritten signature in black ink that reads "Ryan Black". The signature is written in a cursive, flowing style.

Ryan Black  
Director  
Massachusetts Sierra Club

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<sup>1</sup> The Clean Air Act Amendments of 1990 List of Hazardous Air Pollutants, US Environmental Protection Agency. Retrieved from [www.epa.gov/ttn/atw/orig189.html](http://www.epa.gov/ttn/atw/orig189.html) September 27, 2011.

<sup>2</sup> Information supplied by the office of Rep. Ehrlich