THE ENVIRONMENTAL JUSTICE AIR QUALITY MONITORING ACT

February 18, 2022

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Justice Air Quality Monitoring Act of 2022".

SEC. 2. FINDINGS.

Congress finds that—

- Air pollution inflicts disproportionate harm on Black people, indigenous people, and people of color;
- Air quality can vary up to 800 percent from block to block within a single neighborhood;
- It is possible to identify and attribute sources of pollution based on fingerprint analysis of multiple pollutants;
- Existing methods that are prescribed for basin-wide air quality monitoring—
    - are cost-prohibitive for monitoring community-scale air quality
    - do not, as of the date of enactment of this Act, measure the intrinsic variability of persistently poor air quality in environmental justice communities at the neighborhood block level; and
- the Environmental Protection Agency (EPA) has existing authority under the Clean Air Act to address air pollutants, including greenhouse gases.

SEC. 3. DEFINITIONS

SEC. 4. PILOT PROGRAM FOR HYPERLOCAL AIR QUALITY MONITORING PROJECTS IN ENVIRONMENTAL JUSTICE COMMUNITIES.

This section directs the Administrator of the EPA to establish a pilot program that would award five-year grants or contracts to State, local, and Tribal air agencies for hyperlocal air quality monitoring projects in environmental justice communities. Agencies may partner with local nonprofit organizations or eligible hyperlocal air quality data providers.

Projects would be used to—
- Regularly monitor air quality at the block level
- Identify areas of persistent elevated air pollution levels above a relevant background level
- Determine changes in ambient levels of multiple air pollutants, including greenhouse gases
- Generate equity maps by geographical area using demographic data, and
- Report hyperlocal air quality data and mapping tools to community residents to increase public awareness and engagement.

The Administrator would prioritize projects that would—
- Be carried out in areas in with high rates of illness associated with exposure to air pollution
- Identify pollution sources through multipollutant analysis
- Assess pollution burdens on sensitive individuals who may be at greater risk of adverse health effects from exposure to the monitored air pollutants, and
- Promote public access and transparency of data, and proactive outreach for community awareness and engagement.

The Equitable Funding Distribution would ensure that projects provide full-time, salaried employment opportunities, with benefits, to local residents. It would also direct not less than 40 percent of the amount received toward these employment opportunities.

The Wage Rate Requirement would ensure prevailing wages are provided in accordance with the Davis-Bacon Act.

Each fiscal year, the Administrator would submit an annual report to Congress to describe—
- Each project awarded a grant or contract under the pilot program
- Monitoring results
- Evaluation metrics established by the Administrator, and

- Whether the Administrator proposes to continue monitoring at the locations supported under the grant or contract.

Upon completion of the final project under the pilot program, the Administrator would submit a final report to describe—

- The pilot program, monitoring results, and effectiveness of the program
- The benefits and costs of the program and benefit and cost estimates for expansion, and
- Recommendations for legislation, regulation, or administrative action, including recommendations for reducing air pollution burdens in identified hotspots and extending the program or making it permanent

$100,000,000 would be authorized to be appropriated to the Administrator each fiscal year from 2022 to 2027 to carry out the pilot program. Amounts awarded would supplement, and not supplant, other amounts awarded to address air pollution harms.

SEC. 5. SAVINGS CLAUSE

This section clarifies that the pilot program will not weaken any existing Federal law to protect public health or welfare from air pollution.