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The EPA has admitted that criteria pollutants may present a greater health risk when considered cumulatively. However, the agency has yet to promulgate new standards. This is a particular frustration for hotspot communities who may be considered “in attainment,” and yet deal with a very high burden of pollution, because it leaves them with very little recourse to challenge an air quality permit once it has been approved. Often, citizens must challenge the permit based on the company’s failure to comply with other procedural requirements, such as a failure to provide residents with notice of the proposed project or an opportunity for comment. However, successful procedural challenges are very unlikely to cure the pollution if the company is otherwise in compliance. Therefore, it is not surprising that the EPA’s failure to consider cumulative impact when approving a permit is mentioned frequently in community interviews and the literature as a major issue with our current environmental law and policy. This suggests that consideration of cumulative impact should be a priority in environmental policy reform.

First, there needs to be increased funding and federal oversight of air monitoring devices. Increased funding and oversight would mitigate the existence of air pollution hotspots by ensuring that states have the resources to increase the number of devices to monitor air pollution at a more granular level, and to program monitors to run more frequently. In addition, it is critical that the EPA require states to place monitors near sources of pollution and do not leave the decision up to the industries that the Clean Air Act is intended to regulate.

Congress needs to amend the Clean Air Act to include higher sanctions for companies that willfully violate the Act. Too often, the fines levied on companies who violate the Act are not enough to deter bad actors. As one community resident stated, it can often be “cheaper to just violate the Act than to comply with it.” This may prompt polluters to calculate fines into operating costs instead of updating necessary technology to remain in compliance, which often requires substantial investment.

Hotspots kill, but they do so over time, and often without direct accountability. Too often there is an inability to specify exactly what it was that has harmed the impacted public, although everyone knows that it occurred in that place, with causation lying clearly within the cumulative effects of the hotspot.

Too often, the people who are harmed are those who don’t resemble the captains of industry, nor the legislators and administrators of the civil government, who dominate the decisions of location and

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production in this nation. The humans who die in hotspots are discounted because of who they are, and who they aren't.

A national government that cares about morality, and the worth of human life, needs to address and resolve the serious harms and immoralities that the logic of hotspots imposes upon the nation and its people, for today's population and generations to come.

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