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ATTORNEY GENERAL RAOUL CHALLENGES FEDERAL RULE LEAVING IN PLACE INSUFFICIENT STANDARDS REGULATING PARTICULATE MATTER POLLUTION

Chicago — Attorney General Kwame Raoul today joined a coalition of 17 attorneys general and the city of New York in filing a lawsuit challenging the federal government’s decision to leave unchanged the current National Ambient Air Quality Standards (NAAQS) for particulate matter pollution.

Particulate matter (PM2.5) is a pollutant emitted from a variety of sources including vehicles, factories, and construction sites. Particulate matter exposure at the current standards causes up to 45,000 deaths per year nationwide and disproportionately impacts Illinois’ most vulnerable populations. In addition, particulate matter is linked to increased mortality from COVID-19 and many serious public health problems including cardiovascular disease, respiratory impacts, and cancer.

“This decision is irresponsible and puts millions of lives at risk by ignoring the scientifically-proven harmful effects of pollution, especially at a time when health care systems are already over-burdened,” Raoul said. “I will continue to oppose any effort to loosen regulations of dangerous air pollutants.”

Under the Clean Air Act, the U.S. Environmental Protection Agency (EPA) is required to set NAAQS for several pollutants, including particulate matter, at a level that protects public health and welfare. The EPA is required to periodically review the standards and revise them if new information shows that the existing standards are inadequate. The EPA’s standards provide key support for state programs to address particulate matter pollution within their borders. This partnership has reduced annual concentrations of PM2.5 by 39 percent between 2000 and 2018.

Nevertheless, the evidence shows that more protection is necessary. Since the EPA’s last review in 2012, new studies have made clear that exposure to particulate matter causes grievous health impacts, even at levels below the current standards. The EPA’s own staff concurred on these conclusions. Additionally, multiple studies have found links between mortality from COVID-19 and particulate matter exposure.

In the lawsuit, Raoul and the coalition argue that the EPA’s decision to retain the current standards for particulate matter pollution was arbitrary and capricious because the EPA conducted a flawed and unlawfully biased review of the current NAAQS, and the available science clearly demonstrates the need for the EPA to strengthen the NAAQS.

Joining Raoul in today’s lawsuit are the attorneys general of California, Connecticut, Delaware, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin, as well as the city of New York, the California Air Resources Board, and the California Office of Environmental Health Hazard Assessment.