

# **Pennsylvania Takes Legal Action against Trump Administration to Protect Pennsylvanians' Health from Ozone and Smog**

**FOR IMMEDIATE RELEASE — August 1, 2017 CONTACT: Joe Grace: 717-574-9095, [jgrace@attorneygeneral.gov](mailto:jgrace@attorneygeneral.gov)**

PHILADELPHIA — Attorney General Josh Shapiro was joined by Governor Tom Wolf to announce he filed a [lawsuit](#) today along with 14 other states challenging the Environmental Protection Agency's decision to delay implementing a rule to reduce levels of ground-level ozone or smog -- critical to protecting Pennsylvanians and Americans from dangerous pollution.

A recent New York University study concluded the main pollutants in smog cause 728 early deaths per year in Pennsylvania, second only to California. Over 115 million Americans – including 6.1 million Pennsylvanians – breathe harmful levels of ground-level ozone or smog, which often travels far distances from other states with more lenient clean air rules. The designations, which EPA Administrator Scott Pruitt recently delayed for one year, play a key role under the Clean Air Act in addressing smog's serious threat to public health. They identify the regions in each state that have levels of smog that are greater than federal standards, triggering requirements for state plans and deadlines to reduce pollution in those areas. “Last October Pennsylvania's Department of Environmental Protection provided EPA with a detailed report identifying the regions of our state, like Philadelphia and the surrounding counties, where smog is a serious health risk -- but EPA is choosing to ignore that information,” Attorney General Josh Shapiro today on the banks of the Schuylkill River in Philadelphia. “That is unacceptable. We know more than 6 million Pennsylvanians live in areas where smog levels are dangerously high and we can't afford to wait. We are acting now to reduce smog and protect the health of every Pennsylvanian, particularly our children, the elderly and those with respiratory illnesses. The EPA must follow the law to protect our environment and millions of people's health.”

“The ozone standard that the EPA is delaying would have positive health benefits for our children,” said Governor Wolf. “In fact, by the EPA's own estimate, the new ozone standard will result in 230,000 fewer asthma attacks in children, 340 fewer cases of acute bronchitis in children, and 160,000 fewer missed school days. More broadly, the EPA has said that the ozone standard would result in the prevention of between 300-600 premature deaths annually and the effects of inaction are inexcusable. I am proud to join in this action to compel the EPA to act on behalf of millions of Americans, to do the job they are required to do, and to stop deferring their responsibility to ensure that all Americans can enjoy their right to clean air and a healthier environment.”

In October 2015, the EPA revised the national air quality standards for ground-level ozone, or smog, from 75 parts per billion to 70 parts per billion. Under the Clean Air Act, the EPA is required to designate areas that have not attained the new standards within two years of that date. EPA Administrator Scott Pruitt recently announced he would extend the deadline by one year – a decision the lawsuit alleges is without legal justification.

The designation of areas for national air quality standards is a key obligation under the Clean Air Act – and for protecting the public's health. For areas designated as being in “non-attainment”, states must adopt plans to reduce pollution to ensure standards are met in those areas.

According to the EPA, the 2015 smog standards will improve public health – particularly for at-risk groups, including children, older adults and people of all ages who have respiratory illnesses, such as asthma. The EPA has estimated that meeting the new smog standards would result in net annual public health benefits of up to \$4.5 billion starting in 2025.

Smog forms when nitrogen oxides, volatile organic compounds, and carbon monoxide emitted from power plants, motor vehicles, factories, refineries and other sources react to sun light and heat, which is why the risk of smog pollution is higher in the summer months. Because these reactions occur in the atmosphere, smog can form far from where its precursor gases are emitted and, once formed can travel far distances. From a business perspective, smog damages plant life and is responsible for hundreds of millions of dollars in reduced crop production in the United States each year.

Attorney General Shapiro has demonstrated his commitment to clean air and pure water since taking office in January, including taking action to reduce greenhouse gas emissions, joining a lawsuit over delayed energy efficiency rules, and joining with other attorneys general to support principles of the climate accord.

“Pennsylvanians have a constitutional right to clean air and pure water, and I’ll stand up to defend those rights and protect Pennsylvania’s environment from anyone that threatens them,” Attorney General Shapiro said. “If the EPA and Administrator Pruitt won’t act to protect Pennsylvanians from the dangers of ozone and smog, I will.”

In addition to Attorney General Shapiro, the Attorneys General of New York, California, Connecticut, Delaware, Illinois, Iowa, Maine, Massachusetts, Minnesota, New Mexico, Oregon, Rhode Island, Vermont, and Washington, and the District of Columbia joined the lawsuit.