



August 1, 2017

ATTORNEY GENERAL MADIGAN JOINS LAWSUIT AGAINST U.S. EPA FOR STALLING ACTION ON CLEAN AIR

Madigan & 15 Attorneys General Challenge EPA's Illegal One-Year Delay in Protecting Public Health from Dangerous Smog Pollution

Chicago — Attorney General Lisa Madigan and 15 other attorneys general today filed a lawsuit against the federal Environmental Protection Agency (EPA) and Administrator Scott Pruitt for illegally stalling the designation of areas impacted by unhealthy levels of ground-level ozone (known as smog) – vital to protecting Americans from dangerous pollution.

According to the American Lung Association, over 115 million Americans – including more than 6.2 million people in Illinois – breathe harmful levels of ozone, which often travels far distances from other states with less stringent clean air regulations. The designations, which EPA Administrator Pruitt recently delayed for one year, play a key role under the Clean Air Act in addressing smog's serious threat to public health by triggering requirements for state-specific plans and setting deadlines to reduce pollution in the designated areas.

"The EPA should never put polluters' interests ahead of the health and safety of Americans," Madigan said. "This unnecessary delay by the EPA endangers our states and our residents."

Madigan and the other attorneys general are challenging Pruitt's one-year delay as violating the requirements of the Clean Air Act, and as arbitrary and capricious.

In October 2015, the EPA revised the national air quality standards for smog, strengthening those standards. The Clean Air Act requires the EPA, within two years after issuance of new or revised standards, to designate areas of the county that are in "attainment" or "non-attainment" with these public health standards. In the case of the 2015 smog standards, the EPA was required to issue attainment or non-attainment designations by October 1, 2017. However, on June 28, 2017, the EPA published a notice delaying the deadline for the smog designations for one year – to October 1, 2018.

According to the EPA, the 2015 updated smog standards will improve public health protection – particularly for at-risk groups, including children, older adults, people of all ages who have lung diseases such as asthma, and people who are active outdoors, especially outdoor workers. In fact, the EPA conservatively estimated that meeting the new smog standards would result in net annual public health benefits of up to \$4.5 billion starting in 2025 (not including California), while also preventing approximately:

- 316 to 660 premature deaths;
- 230,000 asthma attacks in children;
- 160,000 missed school days;
- 28,000 missed work days;
- 630 asthma-related emergency room visits; and
- 340 cases of acute bronchitis in children.

Joining Madigan in filing today's lawsuit are the attorneys general from: California, Connecticut, Delaware, Iowa, Maine, Massachusetts, Minnesota, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington, and the District of Columbia

A copy of the lawsuit can be found [here](#).

In addition to today's action, Attorney General Madigan has condemned federal executive action attempting to roll back other important environmental protections, including efforts to eliminate the Clean Power Plan and to drastically cut the EPA's budget. She recently filed a motion to intervene in a lawsuit against Pruitt's actions to halt regulation that would curb greenhouse gas emissions and methane from new sources in the oil and gas industry. Just yesterday, a federal court ordered that the EPA enforce the Obama-era methane pollution rule, as demanded by Madigan and 13 other attorneys general. Madigan also is part of a broad coalition of states and localities in support of the Paris climate change agreement called the "We are Still In" coalition.

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