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ATTORNEY GENERAL MADIGAN AND CITY OF CHICAGO SUE U.S. EPA FOR FAILURE TO REDUCE DANGEROUS SMOG IN ILLINOIS & SURROUNDING AREA

Chicago — Attorney General Lisa Madigan, along with the City of Chicago, today filed a lawsuit challenging a recently issued rule by the U.S. Environmental Protection Agency (EPA) that fails to reduce smog in Illinois and Racine, Wisc., home of the new Foxconn manufacturing plant.

The lawsuit, filed in U.S Court of Appeals for the District of Columbia, seeks judicial review of EPA’s rule, which was published June 4. Madigan alleges EPA improperly designated a number of counties in Illinois, Indiana and Wisconsin as in “attainment” with the air quality standard for ozone. The designations mean that these counties do not need to take steps to reduce smog, despite the EPA’s previous determination that the counties were not in compliance with the ozone air quality standard. Designating Racine County, the future home of the \$10 billion Foxconn electronics manufacturing area, as in attainment allows the development to avoid meeting stricter standards for controlling smog.

“The U.S. EPA is ignoring its own scientific data in order to put industry profits ahead of the public’s health,” Madigan said. “I am challenging this arbitrary EPA decision because it will harm Illinois residents and the environment.”

“With the proposed manufacturing facility less than 90 miles away, Chicago has legitimate concerns about the Trump Administration loosening pollution regulations that can impact our environment and our residents’ health,” said Ed Siskel, Corporation Counsel. “We are joining with the Attorney General to raise the alarm about the decision and to send a strong message to the EPA that it has an obligation to protect our environment.”

In its June rule, the EPA announced that in Illinois, northwest McHenry and southwest Monroe counties are in attainment, meaning they are not violating the ozone air quality standard, even though the EPA earlier determined otherwise. The Illinois Environmental Protection Agency has separately recommended that McHenry and Monroe counties be designated as nonattainment areas.

Also in its June rule, the EPA announced that several Illinois counties — Cook, DuPage, Kane, Lake, Madison, St. Clair, Will and parts of Grundy and Kendall Counties — as “ozone nonattainment areas,” meaning the counties, working with the state, must reduce ozone pollution in order to protect human health and the environment.

Today’s lawsuit is the second action Madigan has taken to confront the negative impacts that the proposed Foxconn development will have on the environment and the public’s health. In March, Madigan submitted comments to the Wisconsin Department of Natural Resources expressing concern about Foxconn’s water use and how wastewater from the manufacturing plant will be treated.

Division Chief Matthew Dunn, Bureau Chief Elizabeth Wallace and Assistant Attorneys General Daniel Rottenberg and Stephen Sylvester are handling this case for Madigan’s Environmental Enforcement Division.

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