

States sue EPA for not strengthening soot standard

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A view of the Environmental Protection Agency headquarters. | Justin Sullivan/Getty Images

California led a coalition of seventeen states and the city of New York on Wednesday [in suing EPA for not strengthening the national air quality standard for particulate matter](#), or soot.

Background: EPA Administrator Andrew Wheeler last month [concluded that scientific uncertainties](#) made it unclear that lowering the standard from the current limits would provide public health benefits ([Reg. 2060-AS50](#)). It was last updated in 2013, when the Obama administration set it at 12 micrograms per cubic meter averaged over a year or 35 micrograms over a 24-hour period.

The lawsuit: The legal challenge will argue that EPA's review of the health science on particulate matter was "flawed and unlawfully biased," according to the office of California Attorney General Xavier Becerra.

He said in a statement that the rule hurts people living in areas of high air pollution, especially in his home state.

“History books will record unkindly the Trump Administration's callous disregard for their lives and the willful denial of science and the law. We're determined to make sure this unlawful decision does not survive,” said Becerra, who is also President-elect Joe Biden’s nominee for the Department of Health and Human Services secretary.

Who’s involved: The suit, the first filed against this rule, was brought in the U.S. Court of Appeals for the D.C. Circuit by California, Connecticut, Delaware, Illinois, 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.

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