



## PRESS RELEASE

---

### **Attorney General Frosh Urges Trump Administration to Strengthen Standards Regulating Particulate Matter Pollution**

**BALTIMORE, MD (June 30, 2020)** – Maryland Attorney General Brian E. Frosh joined a coalition of 17 attorneys general in urging the Environmental Protection Agency (EPA) to set aside its arbitrary and capricious proposal to strengthen the current National Ambient Air Quality Standards (NAAQS) for particulate matter pollution. In the [comments](#), the attorneys general argue that the EPA’s analysis and proposal to retain the 2012 standards is flawed and runs contrary to the requirements of the Clean Air Act.

The EPA’s own science, which already underestimates risk, shows that deaths from PM<sub>2.5</sub> emissions range from 16,000 to 17,000 annually. In addition to premature mortality, particulate matter is linked to many serious public health problems including cardiovascular disease, respiratory impacts, and cancer. Particulate matter is a pollutant emitted from a variety of sources including vehicles, factories, and construction sites. Research shows that low-income and minority communities are disproportionately exposed to particulate matter and the associated health risks.

“Reducing particulate pollution is essential for protecting our residents’ health and welfare,” said Attorney General Frosh. “The EPA excluded experts from the review process and ignored the science supporting more stringent standards. That is not acceptable.”

Under the Clean Air Act, the EPA is required to set NAAQS for several pollutants including particulate matter. The standards are required to be set at a level that protects public health, safety, and welfare. The EPA is then required to review the standards once every five years and revise them if new information shows that the existing standards are inadequate. The EPA’s regulations have reduced annual concentrations of PM<sub>2.5</sub> by 39 percent between 2000 and 2018. Nevertheless, the science shows that more protection is necessary. Since EPA’s last review, the science has been updated to show a clearer link between exposure to particulate matter at levels below the current standard and grievous health impacts. The EPA’s own staff concurred on these conclusions.

In the comment letter, the coalition argues that EPA’s proposal to retain the current particulate matter NAAQS is arbitrary and capricious because the agency has sought to suppress the compelling evidence necessitating stricter standards. Specifically, the coalition highlights that the EPA shut out input from the most qualified scientists on the relevant topics by summarily dismissing the 21 scientists it had originally empaneled to provide input on the EPA’s scientific

analysis. Additionally, just prior to initiating its substantive review of NAAQS, the EPA issued a directive that arbitrarily and capriciously barred the participation of scientists that had received grant funding from the agency. This effectively blocked the participation of the very scientists the agency had previously deemed to be the best qualified in the relevant subject matter. The EPA recently conceded that this directive was improper, choosing not to appeal a federal court's decision to vacate the directive. However, this concession cannot turn back the clock and does not correct the infirmities of EPA's scientific review that resulted from the implementation of this misguided directive.

In filing the comment letter, Attorney General Frosh joins the attorneys general of California, Illinois, New York, Connecticut, Delaware, Massachusetts, Michigan, Minnesota, New Jersey, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin.