



Josh Kaul
Wisconsin Attorney General

P.O. Box 7857
Madison, WI 53707-7857

NEWS FOR IMMEDIATE RELEASE

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AG Kaul Challenges Trump Administration Rule Leaving in Place Insufficient Standards Regulating Particulate Matter Pollution

MADISON, Wis. –Attorney General Josh Kaul today joined a coalition of 17 attorneys general and the City of New York in filing a lawsuit challenging the Trump Administration’s decision to leave current National Ambient Air Quality Standards (NAAQS) for particulate matter pollution unchanged. Particulate matter (PM2.5) is a pollutant emitted from a variety of sources including vehicles, factories, and construction sites. Particulate matter exposure at the current standards causes up to 45,000 deaths per year nationwide and disproportionately impacts Wisconsin’s most vulnerable populations. In addition, particulate matter is linked to increased mortality from COVID-19 and many serious public health problems including cardiovascular disease, respiratory impacts, and cancer.

“Air quality standards must adequately protect against the harms to human health that particulate matter can cause. The insufficient standards the Trump administration has left in place must be updated to take the current science into account,” said Attorney General Kaul.

Under the Clean Air Act, the EPA is required to set NAAQS for several pollutants, including particulate matter at a level that protects public health and welfare. The EPA is required to periodically review the standards and revise them if new information shows that the existing standards are inadequate. The EPA’s standards provide key support for state programs to address particulate matter pollution within their borders. This partnership has reduced annual concentrations of PM2.5 by 39 percent between 2000 and 2018. Nevertheless, the evidence shows that more protection is necessary. Since the EPA’s last review in 2012, new studies have made clear that exposure to particulate matter causes grievous health impacts, even at

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levels below the current standards. The EPA's own staff concurred on these conclusions. Additionally, multiple studies – highlighted in June and November comment letters submitted by state attorneys general – have found links between mortality from COVID-19 and particulate matter exposure.

In the lawsuit, the coalition will argue that the EPA's decision to retain the current standards for particulate matter pollution was arbitrary and capricious because:

- The EPA conducted a flawed and unlawfully biased review of the current NAAQS; and
- The available science clearly demonstrates the need for the EPA to strengthen the NAAQS.

In filing today's lawsuit, Attorney General Kaul joins the attorneys general of California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington, as well as the City of New York, the California Air Resources Board, and the California Office of Environmental Health Hazard Assessment.

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