

**NEWS RELEASE:** October 31, 2014  
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## **Health and Environmental Groups File Lawsuit Against EPA to Fight Filthy Air in Los Angeles**

*Groups challenge existing loopholes that defy National Ambient Air Quality Standards, hurt communities*

Los Angeles, CA — Four health and environmental groups filed a complaint today in the U.S. Court of Appeals, Ninth Circuit, challenging the Environmental Protection Agency's (EPA) faulty approval of Los Angeles' South Coast Air Quality Management District (AQMD) most recent regional [smog plan](#). The plan allows for filthy air, deferred emissions reductions and continued pollution in the nation's most smog-polluted region.

The failure of the smog plan to achieve National Ambient Air Quality Standards and reduce pollution vulnerabilities throughout the South Coast Air Basin prompted Communities for a Better Environment, Physicians for Social Responsibility-Los Angeles, Sierra Club, and Natural Resources Defense Council to file the lawsuit. Earthjustice is representing Physicians for Social Responsibility-Los Angeles, Sierra Club, and Natural Resources Defense Council, while Communities for a Better Environment is representing their own group

"The EPA is kicking the can down the road, as it has done for decades, turning a blind eye to the hundreds of thousands of people who need clean air because they have asthma and other chronic lung disorders," **said Earthjustice Staff Attorney Adrian Martinez.**

The legal challenge seeks to reverse the EPA's approval of the inadequate plan, in turn eliminating several polluter loopholes that have allowed the Los Angeles region to evade meeting ozone standards for years. Approving these incomplete plans has slowed or stopped the AQMD's progress in reducing harmful and, even deadly, pollution. This year's "smog season," which runs from May 1 to October 31, surpassed last year's unhealthy ozone days in the South Coast Basin by nearly a week. There have been 94 ozone days this smog season, the last being Oct. 11, compared to 88 in 2013.

For these reasons, the groups are calling for sustained action to clean up toxic air in their communities

"Thousands of people are dying every year, millions suffer from respiratory illnesses, and billions of dollars are lost because of the Los Angeles areas smog pollution problems. The Clean Air Act was put into place to keep these things from happening, and it is the AQMD and EPA's job to ensure that public health is protected and polluters are held accountable," **said Allen Hernandez, Community Organizer with the Sierra Club.** "By allowing the AQMD to take advantage of a polluter loophole, the EPA is forfeiting its responsibility to uphold important clean air safeguards and accepting status quo plans that are not working."

Under the Clean Air Act, the EPA sets clean air standards called National Ambient Air Quality Standards. States and local governments are responsible for developing plans to meet those standards. By law, the EPA must approve these plans to ensure air clean-up is effective and done

in a timely manner. Here, the agency authorized a weak plan for a smog pollution standard the region was supposed to meet in 2010 and never did. Smog is particularly harmful for susceptible groups like the children and elderly.

“For decades, Los Angeles has been choked with smog,” **said Martha Arguello, executive director of Physicians for Social Responsibility-Los Angeles.** “My physician members are tired of seeing patients suffer due to overwhelming pollution levels.”

Today, 3 million people in the Greater Los Angeles area are living with asthma, diabetes, cardiovascular disease, and other smog-related diseases. Asthma alone is crippling the region, with prevalence rates that double that of the national average. The areas poor public health is why the American Lung Association’s *State of the Air Report* has consistently given the Los Angeles region a report card rating of “F” for smog levels. The groups want a rigorous plan that shows how the region will reduce harmful smog pollution.

"Air pollution in the South Coast district is among the worst in the country," **said David Pettit of the Natural Resources Defense Council.** "They submitted a plan that the EPA clearly shouldn't have approved. Under their plan, we're not going to see real change to our air quality until our kids are grandparents, which is simply too little too late."

“This case has immense implications for environmental justice communities, which suffer the brunt of air pollution in the region,” **said Byron Gudiel, Executive Director of Communities for a Better Environment.**

**Online version and complaint:** <http://earthjustice.org/news/press/2014/health-and-environmental-groups-file-lawsuit-to-fight-filthy-air-in-los-angeles>

**Check out Adrian Martinez’s blog on the case:** <http://earthjustice.org/blog/2014-october/we-re-fighting-for-18-million-people-living-in-the-greater-los-angeles-region-forced-to-breathe-this-dirty-air>

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