

EPA Finalizes Updated PM2.5 NAAQS

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Pursuant to a court order, on December 14, 2012, EPA finalized an update to its PM2.5 NAAQS, shifting this standard from 15 micrograms per cubic meter to 12 micrograms per cubic meter. The prior 15 micrograms per cubic meter standard was initially set in 1997. A federal court required EPA to issue a final standard by December 1 because the agency did not meet the Clean Air Act requirement that it review standards every five years.

The 12 micrograms per cubic meter standard for PM2.5 is within the levels endorsed by the Clean Air Scientific Advisory Committee ("CASAC"). Environmental groups had pushed for a more stringent 11 micrograms per cubic meter standard, while industry advocated to keep the PM2.5 NAAQS at its previous level. Industry noted that, due to the court order, the Agency finalized this NAAQS on a truncated timeline that did not permit adequate consideration of all scientific reports. Further, industry argued that the more stringent PM2.5 NAAQS will create significant new costs and likely harm the economic recovery.

EPA stated that 99 percent of U.S. counties are projected to meet the revised standard by 2020 (the deadline set under the Clean Air Act) without any additional actions. Further, EPA touted health benefits from the revised PM2.5 NAAQS of between \$4 billion and \$9 billion per year in the form of decreased mortality rates, and reduced incidence of heart attacks, strokes, and childhood asthma. EPA held two public hearings and reviewed over 230,000 public comments before finalizing the updated PM2.5 NAAQS.

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