

Earthjustice * Sierra Club * U.S. Public Interest Research Group

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Contact:

Cat Lazaroff, Earthjustice, 202-667-4500 x 213

Emily Figdor, U.S. PIRG, 202-546-9707

Nat Mund, Sierra Club, 202-675-2397

Environmental Groups Announce Plan to Sue EPA Over Failure to Reduce Cancer-Causing Air Pollutants

Washington, DC—The U.S. Public Interest Research Group and Sierra Club filed a 60-day notice of their intent to sue the Environmental Protection Agency today for failing to meet a July 1, 2003 deadline to propose regulations to reduce emissions of toxic chemicals such as benzene and formaldehyde from the nation's cars, trucks, and buses.

Benzene, formaldehyde, and other toxic emissions from motor vehicles can cause a wide range of serious health impacts, including cancer, birth defects, neurological damage, and respiratory effects. EPA's own National-Scale Air Toxics Assessment shows that motor vehicle emissions are the largest source of hazardous air pollutants nationwide, and that these pollutants substantially increase the risks of cancer and other serious adverse health effects for millions of Americans.

"EPA's delay jeopardizes the health of millions of Americans exposed to high levels of known human carcinogens and other harmful chemicals emitted by cars, trucks, and buses," stated U.S. PIRG Clean Air Advocate Emily Figdor.

"For years, the EPA has promised the public and the courts that it will reduce toxic emissions from motor vehicles—just not yet," said Jim Pew, attorney for Earthjustice, who is representing the environmental groups in the case. "Now yet another deadline has passed, and the EPA still has done nothing to protect the public from this well known threat. It's time for the EPA to live up to its word, and give us more than empty promises."

According to EPA data, motor vehicles emit 169,000 tons of benzene, 83,400 tons of formaldehyde, 23,600 tons of 1,3-butadiene, and 28,800 tons of acetaldehyde each year, accounting for between 25 and 50% of the total emissions of each pollutant. Motor vehicles also produce more than one million tons of other hazardous air pollutants. Benzene and 1,3-butadiene are known to cause cancer, while acetaldehyde and formaldehyde are "probable" human carcinogens.

"There's a better way to protect our kids' lungs and the environment," said Nat Mund, Washington Representative for the Sierra Club. "The Bush Administration should move forward to implement technologies that dramatically reduce toxic pollution."

Despite EPA's foot dragging, major reductions in these and other air toxics could be achieved simply from a wider application of existing technology. For example, cities that are required to use cleaner-burning gasoline during the summer smog season already benefit from limits on benzene in gasoline. These limits, which date from 1995 and apply to more than 30 percent of all the gasoline sold in America, have reduced the amount of benzene in gasoline by more than 50 percent. Just by requiring all gasoline to meet that same standard — a standard that is already in place in 17 states and the District of Columbia — EPA could significantly reduce cancer and other health risks for tens of millions of Americans.

EPA also could take steps to reduce the level of other toxic pollutants in gasoline, require the use of better emission controls on cars, implement an effective national inspection and maintenance program to ensure that new cars continue to meet emission standards as they age, create incentives to increase the number of

hybrid cars, fuel-cell vehicles, and other alternatives to polluting fossil fuels on the roads, and expand the use of modern emission controls on small gasoline engines.

In a 2001 rulemaking, EPA asserted that it lacked the information necessary to require reductions in mobile source air toxics. The agency committed to implement a “Technical Analysis Plan” to obtain the missing information and then to issue a proposed rule to reduce emissions of hazardous air pollutants from motor vehicles by July 1, 2003, taking final action by July 1, 2004. EPA failed to issue such a proposal by July 1.

U.S. PIRG is the national advocacy office for the state Public Interest Research Groups. State PIRGs are non-profit, non-partisan public interest advocacy organizations.

Earthjustice is a nonprofit public interest law firm dedicated to protecting the magnificent places, natural resources, and wildlife of this earth and to defending the right of all people to a healthy environment. We bring about far-reaching change by enforcing and strengthening environmental laws on behalf of hundreds of organizations and communities.

The Sierra Club's members are 700,000 of your friends and neighbors. Inspired by nature, we work together to protect our communities and the planet. The Club is America's oldest, largest and most influential grassroots environmental organization.