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A Win for Clean Air

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SAYING THAT existing standards weren't tough enough to protect the public health, the Environmental Protection Agency moved five years ago to reduce the amount of ozone and extremely fine soot particles in the nation's air. When it issued tighter new limits for both pollutants, opponents launched a legal battle that wound up last year in the Supreme Court. The EPA won that round, with the high court upholding the agency's authority to set the standards and to do so based on health considerations alone (rather than on health and cost considerations both). But a challenge to the specific limits themselves, which opponents said were set arbitrarily and capriciously, went back for a lower court to decide. On Tuesday a federal appeals panel rejected that challenge as well. This welcome decision clears the way for the EPA to move ahead. The agency should act aggressively to put its long-delayed standards in place.

Many localities that meet current air standards will fall short of the new requirements. EPA's first task is to officially designate which areas will have to take new pollution-cutting measures to comply with the new limits. State and local governments will then have to decide what steps to take to meet the standards. President Bush could make the job easier for some areas by squelching efforts within his administration to weaken enforcement of Clean Air Act provisions that require older coal-fired power plants to clean up their emissions when they are renovated or expanded. Those plants are a major source of small-particle emissions in the eastern United States, as well as of pollutants that contribute to ground-level ozone. Reducing what they dump into the air would help lower pollution in a number of communities.

The case for tighter limits on fine particles and ozone grew stronger while the legal arguments over the new standards played out. This month the Journal of the American Medical Association published a study showing that breathing higher levels of soot and fine particles over time increases the risk of lung cancer and heart disease. In February a California study suggested that exposure to ozone not only can aggravate asthma in children but may also be a cause of the disease. These are only the latest reminders of the human cost of dirty air. Tuesday's decision clears the way for the EPA to help reduce that toll. Now it's up to the agency to act.

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