EPA sued over claims of air pollution in West

SUSAN MONTOYA BRYAN, Associated Press Writer Susan Montoya Bryan, Associated Press Writer

(AP) ALBUQUERQUE, N.M. – The U.S. Environmental Protection Agency was sued Friday by an environmental group that claims the agency has failed to safeguard public health in the West by not limiting the transmission of air pollution across state lines.

The EPA requires states to have plans aimed at addressing the interstate transport of ozone pollution, the primary component of smog, and fine particles or soot, but WildEarth Guardians claims New Mexico, California and a handful of other Western states do not have such plans.

"EPA is two years late in fulfilling its mandatory duty to prepare federal good neighbor plans protecting the public from interstate soot and smog," according to the lawsuit filed in federal court in San Francisco.

EPA regional spokeswoman Wendy Chavez said the agency has not had a chance to review the lawsuit and she would not be able to comment further on the pending litigation.

WildEarth Guardians warned in March it would take the agency to court if it failed to enforce the interstate transport requirements of the federal Clean Air Act. State plans were due in 2007, but New Mexico, California, Colorado, Idaho, North Dakota, Oklahoma and Oregon still lack approved plans.

New Mexico officials have said they turned in their plan in 2007 but the EPA has yet to approve it.

WildEarth Guardians argues that pollution problems in the West are on the rise. The group said Los Angeles, Denver, Phoenix and other cities have violated clean air standards limiting ozone, and the problem is popping up in rural areas.

Jeremy Nichols, WildEarth Guardians' climate and energy program director, said the lawsuit is aimed at prodding the EPA to enact regional air pollution controls that will ensure residents are not affected by smog or soot from neighboring states.

Nichols said ozone should be dealt with on both local and regional levels before it forces Western states to change the way they operate.

"Everybody wants to point the finger at everybody else, but nobody really wants to take responsibility for their own impacts," he said. "Hopefully, this is part of chipping away at that mindset and part of bringing people together to come up with collaborative solutions."

Source URL (retrieved on *03/15/2014 - 3:44am*):
http://www.ecnmag.com/news/2009/06/epa-sued-over-claims-air-pollution-west