

Legal and scientific reviews 1996 to 2006



1996	EPA completes review of the particulate matter (PM) standards; announces proposed standards for PM _{2.5} and PM ₁₀ .
1997	<p>EPA Administrator Carol Browner announces the final decisions on national ambient air quality standards for ozone and PM. Dozens of industry groups and 3 states file lawsuits challenging legality of EPA's decision on ozone national standards. American Lung Association and several other states opposed the challenges. President Clinton directs EPA to complete a review of the PM standards by 2002.</p> <p>Congress and EPA begin multimillion dollar research effort on PM.</p> <p>EPA and the states begin establishing a monitoring network to measure PM_{2.5}.</p>
1998	<p>EPA sets out the draft plan for development of the Criteria Document, the official analysis of the research on the health and welfare effects of PM, and its review by the Clean Air Scientific Advisory Committee (CASAC). EPA issues initial call for information on research.</p> <p>National Academy of Sciences publishes <i>Research Priorities for Airborne Particulate Matter I</i>. This review recommended priorities and framework for research into "key policy-related scientific uncertainties."</p>
1999	<p>U.S. Court of Appeals rejects most of industry's arguments, but ruled that EPA had violated a little-known constitutional theory in setting the national standards.</p> <p>National Academy of Sciences publishes <i>Research Priorities for Airborne Particulate Matter II</i>. This report notes "strong support for the committee's recommendations" for research priorities and funding.</p> <p>EPA issues first external review draft of the <i>Air Quality Criteria for Particulate Matter</i>, commonly called the "Criteria Document."</p> <p>CASAC meets and reviews 1st draft of the Criteria Document and EPA's plans for the development of the Staff Paper, the policy recommendations from the EPA staff scientists. Public comment is included in this and all subsequent reviews.</p>
2000	<p>EPA, Massachusetts, New Jersey and the American Lung Association appeal the D.C. Circuit Court's decision to the Supreme Court.</p> <p>The Health Effects Institute (a joint EPA & industry funded partnership) issues its reanalysis of the Harvard 6 Cities study and the American Cancer Society study, confirming the mortality effects found in these two landmark studies of long-term exposure to PM.</p>

2001

In February, the U.S. Supreme Court unanimously reverses the D.C. Circuit Court decision on the constitutional issue and ruled against industry arguments to **confirm that the national air quality standards must be based on public health**, not compliance costs. The Court sends the case back to the D.C. Circuit to resolve remaining issues.

National Academy of Sciences publishes *Research Priorities for Airborne Particulate Matter III*. The report noted that funding for research in PM had grown from \$21 million in 1997 to over \$65 million in 2001.

April—Deadline under the Clean Air Act for EPA to complete 5-year review of the PM Standard.

EPA issues 2nd External Review Draft of the Criteria Document, “preliminary” draft Staff Paper and Risk Assessment Scoping Plan.

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2002

D.C. Circuit Court dismissed all remaining industry challenges to the 1997 ozone national standards.

EPA and CASAC review a Proposed Methodology for Risk Assessment.

EPA issues a 3rd Draft Criteria Document. CASAC and the public review and comment on this draft.

EPA holds workshop to address statistical issues in the review.

The American Lung Association and other groups notify EPA of their intent to sue over the failure of EPA to comply with the 5-year review requirement in the Clean Air Act in December.

2003

In March, the **American Lung Association and other groups file a lawsuit against EPA for failure to complete the required review within 5 years**. The Lung Association and the other groups work with EPA to agree to a schedule that would call for the proposed decision to be made in March 2005 and the final decision to be made on December 20, 2005. A consent decree agreeing to that schedule is filed in July in the U.S. District Court for the District of Columbia.

EPA and CASAC review the preliminary draft methodology for the Risk Assessment for the coarse particle standard.

The Health Effects Institute issues report on Reanalyzed Time-Series Studies.

EPA issues and CASAC and the public review the 4th Draft Criteria Document and the first Draft Staff Paper. CASAC reaches closure on Chapters 1-6 of the Criteria Document.

EPA issues a 5th draft of chapters 7 and 8 of the Criteria Document for review.

2004

EPA asked for and received two extensions to the schedule from the Lung Association and other plaintiffs in the deadline suit. When EPA requested a third extension, the plaintiffs returned to the D.C. District Court. The parties agreed to a final revised schedule, with EPA agreeing to propose PM standards by December 20, 2005, and make those standards final by September 27, 2006, 9-months later than the original schedule.

CASAC has a teleconference to review the 5th draft of Chapters 7 and 8 of the Criteria Document.

National Academy of Sciences publishes *Research Priorities for Airborne Particulate Matter IV*. In this last report, the Academy recognized the volume of research accomplished on PM in the previous 5 years.

EPA issues the 6th Draft of Criteria Document Chapters 7 and 8 and releases the 5th and 6th drafts of Chapter 9 for review. CASAC and the public review all drafts. CASAC reaches closure on all chapters. **CASAC has met 17 times over 7 years to thoroughly review the key documents.**

In October, EPA issues the final Air Quality Criteria for Particulate Matter, the completed Criteria Document. The document concludes that *particulate matter air pollution causes harm to human health and welfare at levels below the current standards*. The document is 2,000 pages long.

2005

EPA issues the second Draft Staff Paper and Risk Assessment for review in January.

EPA issues the final Staff Paper and Risk Assessment with recommendations for the standards in June. **At the end of their 7-year review, EPA scientists recommend much tighter standards to protect human health and welfare.**

CASAC reviews and comments on the Staff Paper, **recommending much tighter standards than those set in 1997.**

December 20—EPA Administrator Steve Johnson is required to sign proposed rulemaking, recommending national standards for PM.

2006

The 90-day public comment period will end in late March. One or more public hearings will be held during that period.

The final rulemaking on the PM standards must be signed on or before September 27.