

PRESS RELEASE

For Immediate Release
May 16, 2011

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EPA DRAGS ITS HEELS ON OZONE POLLUTION Ignores duty to determine whether Valley attained the 1-hour ozone standard

EARLIMART, CALIFORNIA - Two San Joaquin Valley community groups sent a formal notice of intent to sue the federal Environmental Protection Agency (EPA) because the agency has failed to act to protect air quality and public health from ozone pollution. Such formal notices are required before citizens may bring an action in federal court to enforce the Clean Air Act.

Ozone is formed in the summer, when nitrogen oxide pollution from factories, trucks, and cars reacts with volatile organic compounds from dairies, oil production, and pesticides. Ozone pollution exacerbates respiratory conditions, including asthma, increases hospitalizations and emergency room visits, and increase school and work absenteeism. The American Lung Association's State of the Air: 2011 report ranks the San Joaquin Valley cities of Bakersfield, Fresno, Visalia, Hanford, and Merced as the second, third, fourth, sixth and ninth most ozone-polluted cities in the United States, respectively.

"Jared Blumenfeld, EPA Regional Administrator in San Francisco, told us that the Valley's air pollution crisis is one of his top priorities," said Tom Frantz, President of the Association of Irrigated Residents. "If that is true, why do we keep having to file lawsuits to get EPA to do its job when it is supposed to?"

The Valley was supposed to attain the 1-hour ozone standard by November 15, 2010. Between 2006 and 2009, the San Joaquin Valley recorded 44 days when air quality exceeded the 1-hour ozone standard. On several days during the summer of 2010, the Valley again exceeded the 1-hour standard.

The Clean Air Act requires that EPA determine whether the Valley met the 1-hour standard no later than May 15, 2011. With no action to date by EPA, AIR and El Comité will force EPA to do its job.

"We need EPA to protect our health instead of standing by and doing nothing," said Teresa DeAnda, President of El Comité para el Bienestar de Earlimart. "EPA is failing us."

Even though EPA has rescinded the 1-hour ozone NAAQS, the discretionary and mandatory controls applicable to 1-hour ozone nonattainment areas remain in effect to help the Valley meet the more health protective 8-hour ozone standard.

The Center on Race, Poverty & the Environment (CRPE) represents El Comité and AIR.