

The National Air Quality Standards Must Protect Public Health



For more than 40 years the Clean Air Act wisely has made protecting public health the sole factor in defining clean air that is healthy for all Americans

- The national ambient (outdoor) air quality standards are our nation’s official definition of how much air pollution is safe to breathe. They apply to only 6 pollutants: ozone, particulate matter, sulfur dioxide, nitrogen dioxide, carbon monoxide and lead.
- In 1970, the Congress established the bipartisan principle in the Clean Air Act that the Environmental Protection Agency must set national air quality standards that “protect the public health” with “an adequate margin of safety.”
- In 2001, the U.S. Supreme Court ruled unanimously that the Clean Air Act “unambiguously bars cost considerations” from the process to set the national standards.¹
- The law makes a clear distinction. Standards are based on the health science. **Costs are not to be considered to determine whether or not air pollution hurts people.** Costs are considered when controlling air pollution, including during the determination of how best to achieve healthy air. From the beginning, Congress has granted Americans the right to clean air based upon truthful information about what air quality is healthy. Tainting honest health assessments with consideration of cleanup costs would misrepresent to Americans whether the air is truly safe to breathe.

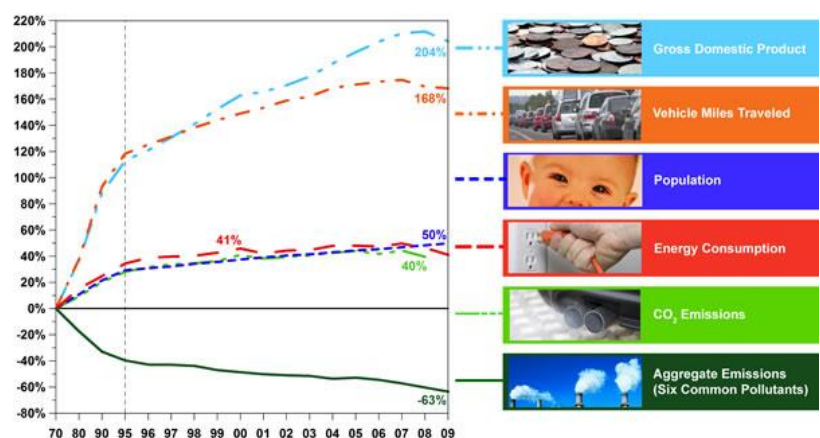
A medical diagnosis should not be contingent on the cost of treatment. Nor should economics prevent an honest assessment of what air pollution levels harm health.

Congress’s decision came in response to the same industry arguments—in 1970

- Congress set the clear public health mandate because they had listened for years to industry argue that cleaning up air pollution was too expensive or not feasible. Even by 1970, they had seen those arguments defeat effort after effort to ease the burden on the public.
- Congress had seen the toll that air pollution placed on children, teenagers, older adults and people with chronic diseases, including asthma, cardiovascular diseases and diabetes, and poorer people—health costs ignored in industry’s arguments.
- Congress intentionally and strategically chose the solely health-based approach because it would set a challenge to spur innovation. This “technology-forcing” strategy would help develop new ways to reduce pollution. And it has.
- Congress also recognized that providing an incentive for technological innovation meant that predicting future economic costs would be merely speculative, because it is impossible to estimate the actual costs of these advances.

Clean Air Act fully considers costs and feasibility in cleaning up pollution

- Congress recognized that costs and feasibility were key components of determining which sources to clean up and when that cleanup occurs.
- States write specific plans to adopt pollution control measures that make the most sense for their communities and fully consider cost.



Since 1970, under the Clean Air Act, the economy has grown by over 200% even while the U.S. cleaned up 60% of the pollutants, thanks to the national air quality standards. U.S. EPA. [Comparison of Growth Areas and Emissions 1970-2009](#), 2011.

¹ *Whitman vs. American Trucking Associations, Inc.*, 121 S. Ct. 903, 923 (2001).