

# U.S. National Air Pollution Law



# History

- Pre-1960s air pollution primarily a local matter. Governed by local legal requirements in large industrial cities like Pittsburgh, St. Louis, Chicago, Detroit.

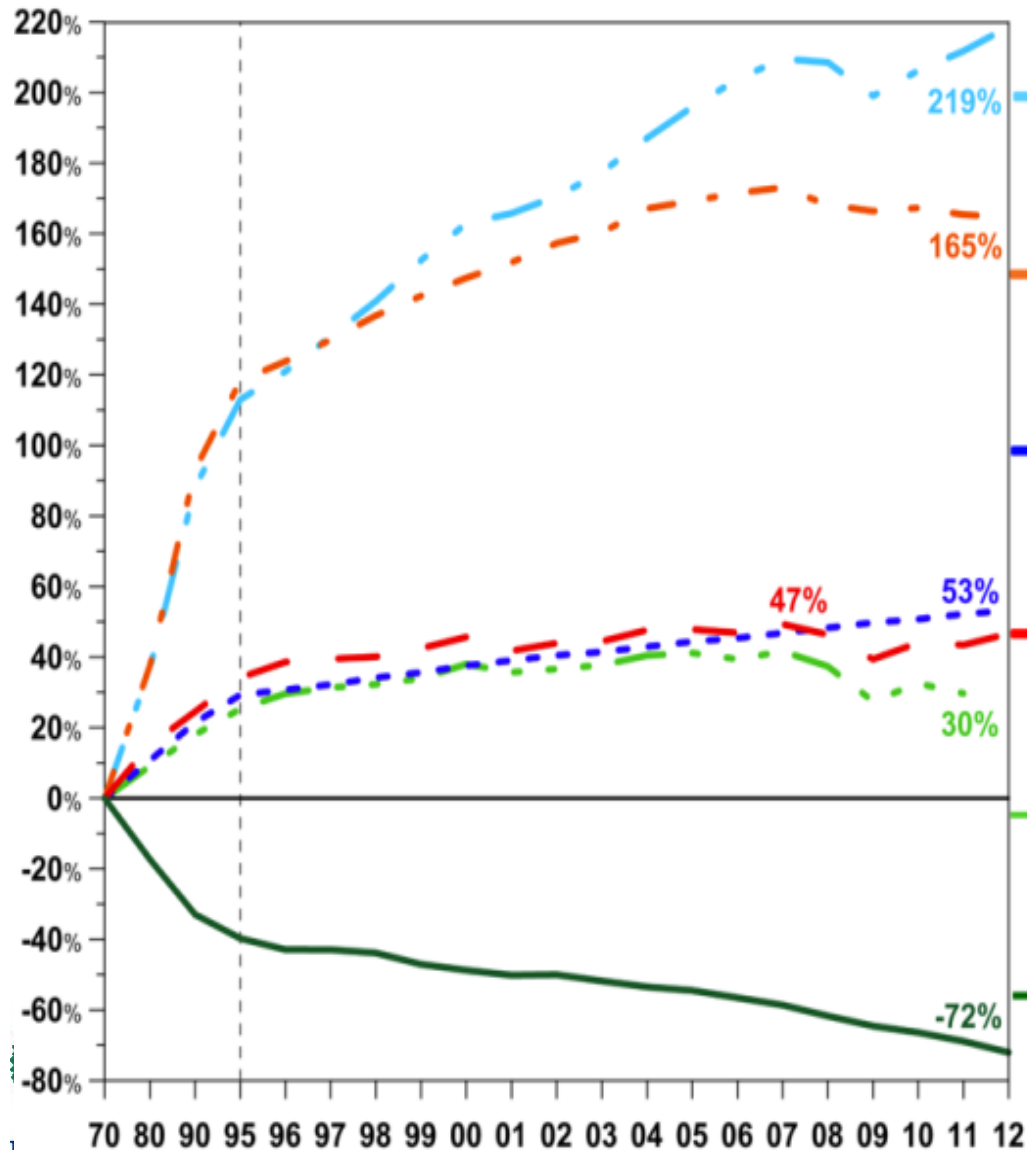
# Early National Law

- Initial national law in 1960s focused on research.
- Next came authority to convene interstate conferences to recommend action to reduce pollution traveling from one state to another.

# Clean Air Act 1970

- 1970 national law gave broad power to EPA to set legally binding standards for both air quality and emissions from motor vehicles and industrial pollution sources.

# Clean Air Progress -1



Gross Domestic Product



Vehicle Miles Traveled



Population



Energy Consumption



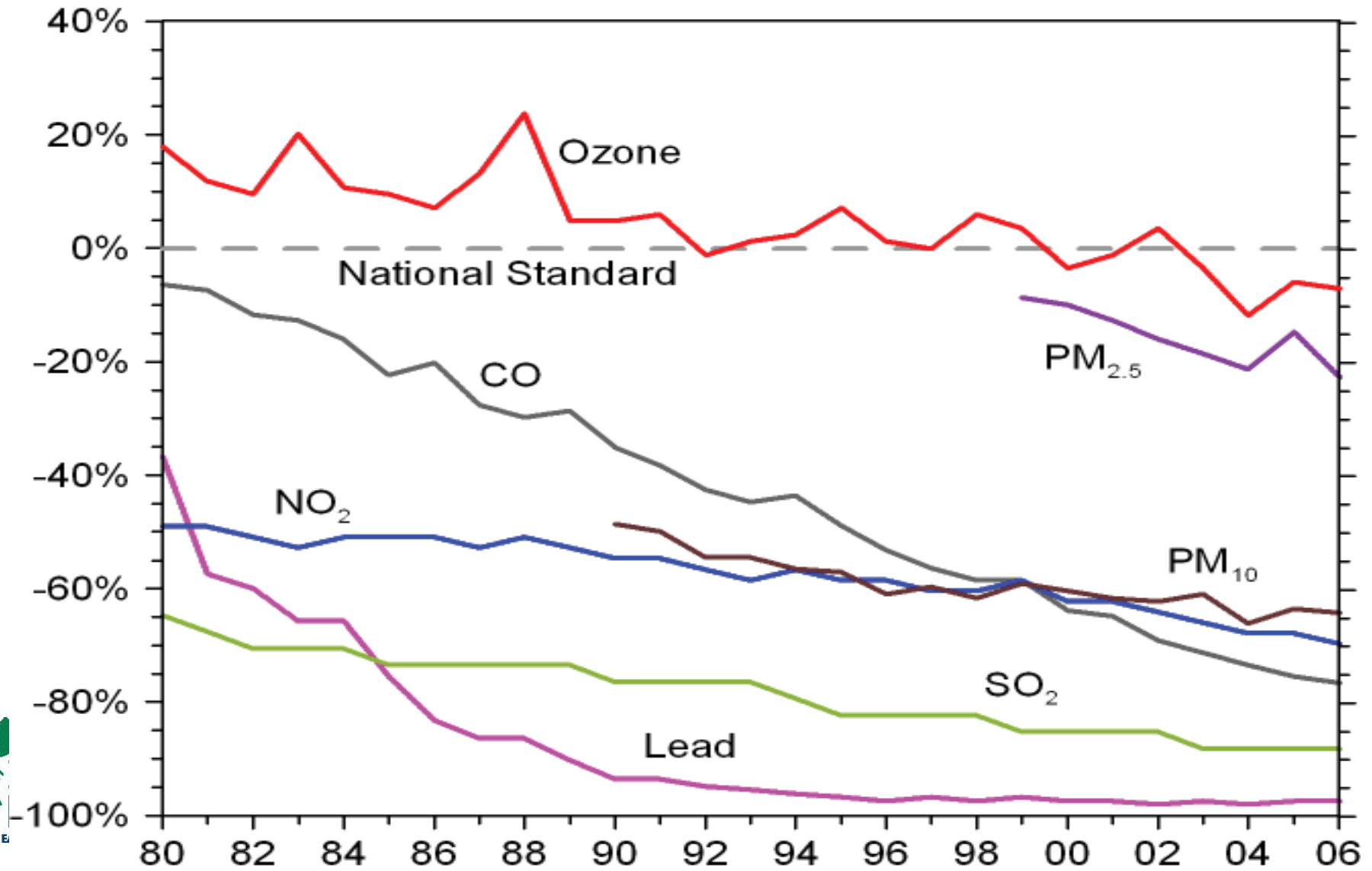
CO<sub>2</sub> Emissions



Aggregate Emissions  
(Six Common Pollutants)

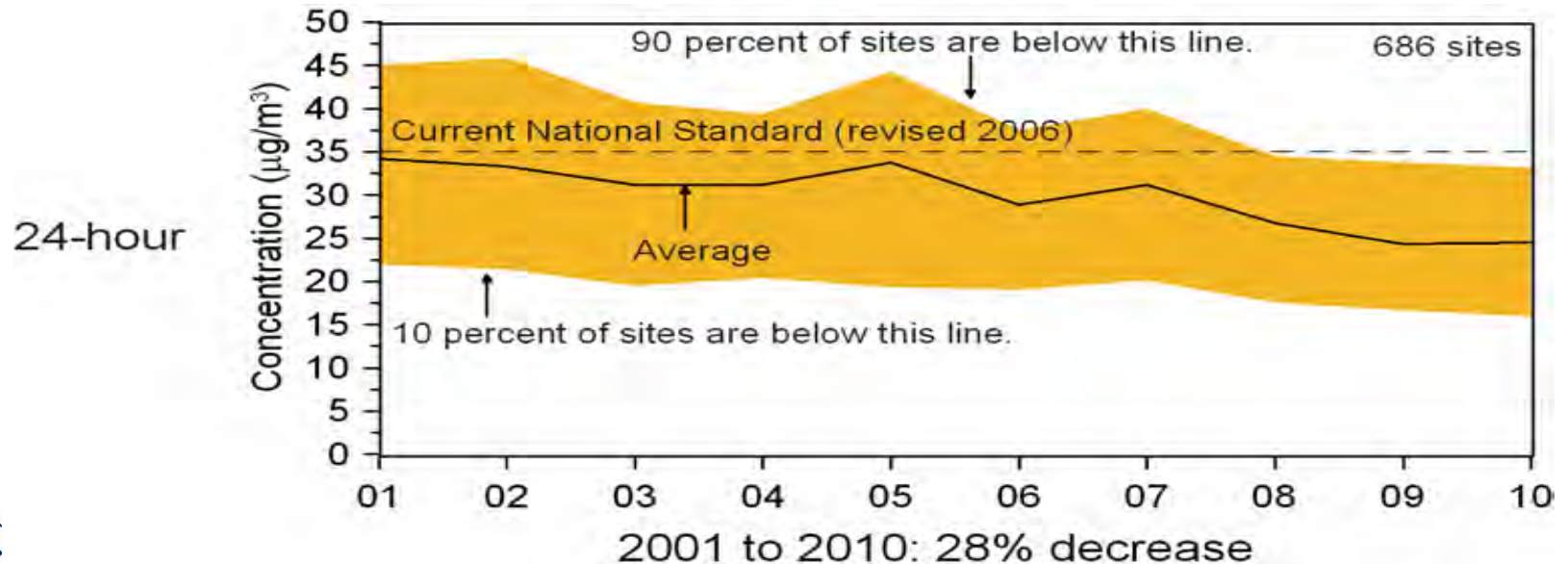
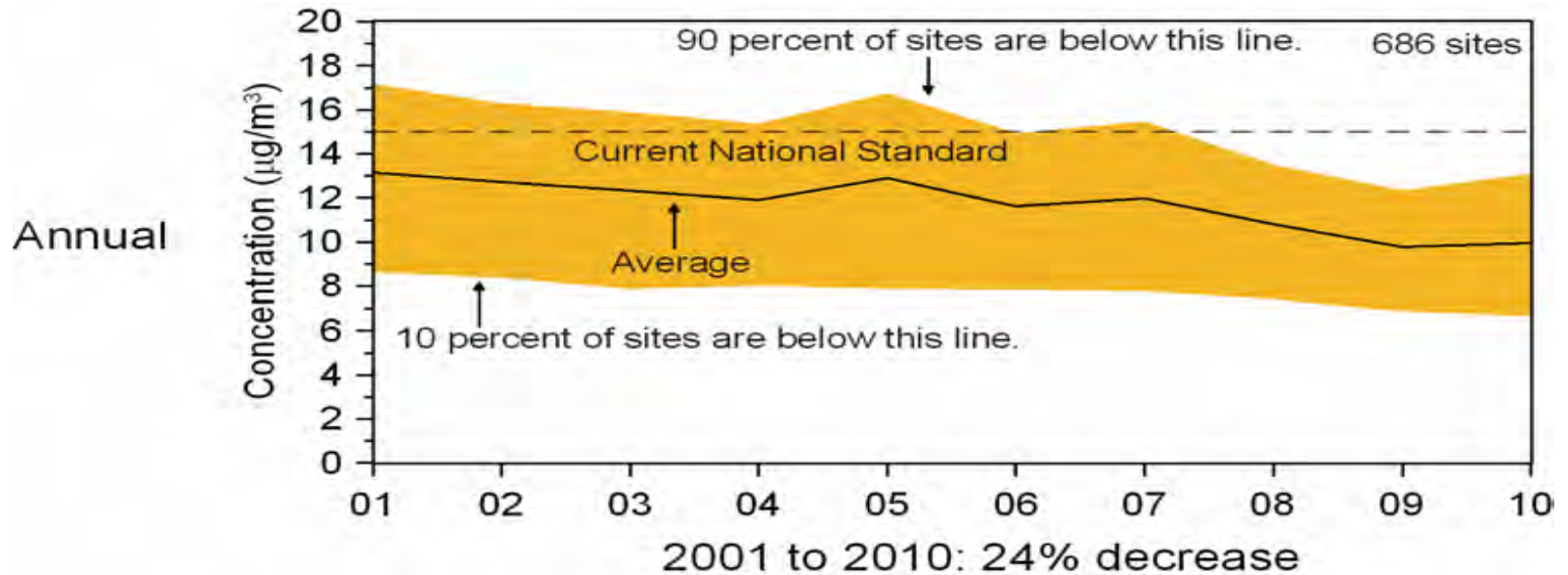
# Clean Air Progress-2

## Air Quality





# Clean Air Progress-3



# Key CAA Provisions—Air Quality

- National Air Quality Standards
  - Maximum contaminant levels set to prevent adverse health effects.
  - Revisions required every five years
- States adopt emission standards stringent enough to achieve health A.Q. standards by specified deadlines.



# Key CAA Provisions

## National Emission Standards

- New Motor Vehicles
- New and modified industrial facilities
- Existing industrial sources of CO<sub>2</sub> and certain other pollutants
- Standards for motor vehicle fuels (lead, etc.)

# National SO<sub>2</sub> Cap and Trade

## (Acid Rain)

- Cap on total annual SO<sub>2</sub> from coal power plants.
- Each plant must have permit (allowance) for each ton of SO<sub>2</sub> emitted.
- Continuous Emission Monitoring and electronic reporting for all coal plants.

# Protection for Clean Air Regions

## PSD

- Large new sources must apply best technology to minimize emissions. Goes beyond minimum national emission standards.
- Total pollution increase for clean air region is limited.

# Enforcement

- STRONG ENFORCEMENT KEY TO CAA SUCCESS. \$25K/DAY PENALTIES.
- NATIONAL
- STATE
- CITIZENS (ATTORNEY COSTS CAN BE AWARDED)
- COURTS CAN ORDER AGENCY TO ISSUE REQUIRED RULES.

# Court Review

- Government rules under CAA can be reviewed by courts. Both industry and citizens can seek review.
- Agency must provide notice and opportunity to comment on draft rules and respond to comments received.

# Public Information

- Information in government files is generally required to be made available to the public.
- Certain exceptions.
- Courts can review refusal to release information.