



American Farm Bureau Federation v. United States EPA, 559 F.3d 512 (D.C. Cir. 2009)

Topics Covered: Environmental Protection

Outcome: Very Favorable

Issue

The issue in this case was whether the Environmental Protection Agency (EPA) regulations governing National Ambient Air Quality Standards for Particulate Matter adequately protected public health.

AMA Interest

The AMA supports the health based provisions of the Clean Air Act.

Case Summary

Effective December 18, 2006 and pursuant to the Clean Air Act, the EPA revised its regulations governing National Ambient Air Quality Standards for Particulate Matter. The industries regulated by these new regulations complained that the new standards were unduly onerous and sued to have them made more lenient. At the same time, several public health organizations complained that the new standards were unduly lenient, and they sued to have them made stricter. These various lawsuits were consolidated into a single action before the United States Court of Appeals for the D.C. Circuit.

On February 24, 2009, the Court of Appeals struck down the regulations, finding them contrary to law and inadequately reasoned. The court observed that the EPA had failed to consider relevant epidemiological studies and thus did not sufficiently protect the public health. It remanded the issue to the EPA for further consideration.

AMA Involvement

The AMA and four specialty medical societies filed an *amicus* brief, arguing that the modified regulations should be made more stringent.

United States Court of Appeals for the District of Columbia Circuit brief