



Our Children's Earth Foundation | 100 First Street, Suite 100-367, San Francisco, CA 94105

## NEWS RELEASE

Date: June 22, 2004

Contact:  
Tiffany Schauer, OCE (415) 948-7409  
Alan Ramo, ELJC (415) 442-6654

### **Environmental Group Asks Court to Intervene to Clean Up Smog in the Bay Area**

*Group also challenges epa's suspension of certain clean air rules*

San Francisco, California — Our Children's Earth filed a petition in the federal Ninth Circuit Court of Appeals challenging the US Environmental Protection Agency's (EPA) finding that the Bay area is in attainment for ozone and its suspension of certain State Implementation Plan (SIP) requirements in the Bay Area.

“Someone is asleep at the wheel,” said Tiffany Schauer, Executive Director of Our Children's Earth. “There are perfectly good laws on the books to reduce smog in the Bay Area, but when these laws are circumvented the system breaks down.”

The petition, filed by Golden Gate University's Environmental Law and Justice Clinic on behalf of OCE, seeks the review of two U.S. EPA final rules to determine whether the EPA acted in accordance with the federal Clean Air Act when it found that the San Francisco Bay Area had met the requirements to attain the national one-hour ambient air quality standard for ozone, and in suspending certain Clean Air Act requirements for the area. The petition also asks the court to review whether it is lawful for sanctions against the District be stayed or deferred for failing to submit an approved plan.

Ozone is the number one contributor to smog, and is created when nitrogen oxides and other volatile organic chemicals react to sunlight. Exposure can cause respiratory problems, including reduced lung function. It is also a major contributor to global warming.

“The air in the San Francisco Bay area is still not clean,” said Alan Ramo, an ELJC attorney representing OCE. “The EPA needs to take a closer look at this.”

###