

SCIENTIFIC RESEARCH AND PUBLIC DECISIONMAKING

Good 

Pulling in scientific research to provide supporting evidence for public decisions that have already been made.

Better 

Scientific evidence acts as the motivating rationale that public action may be needed to address a health, or air quality, problem.

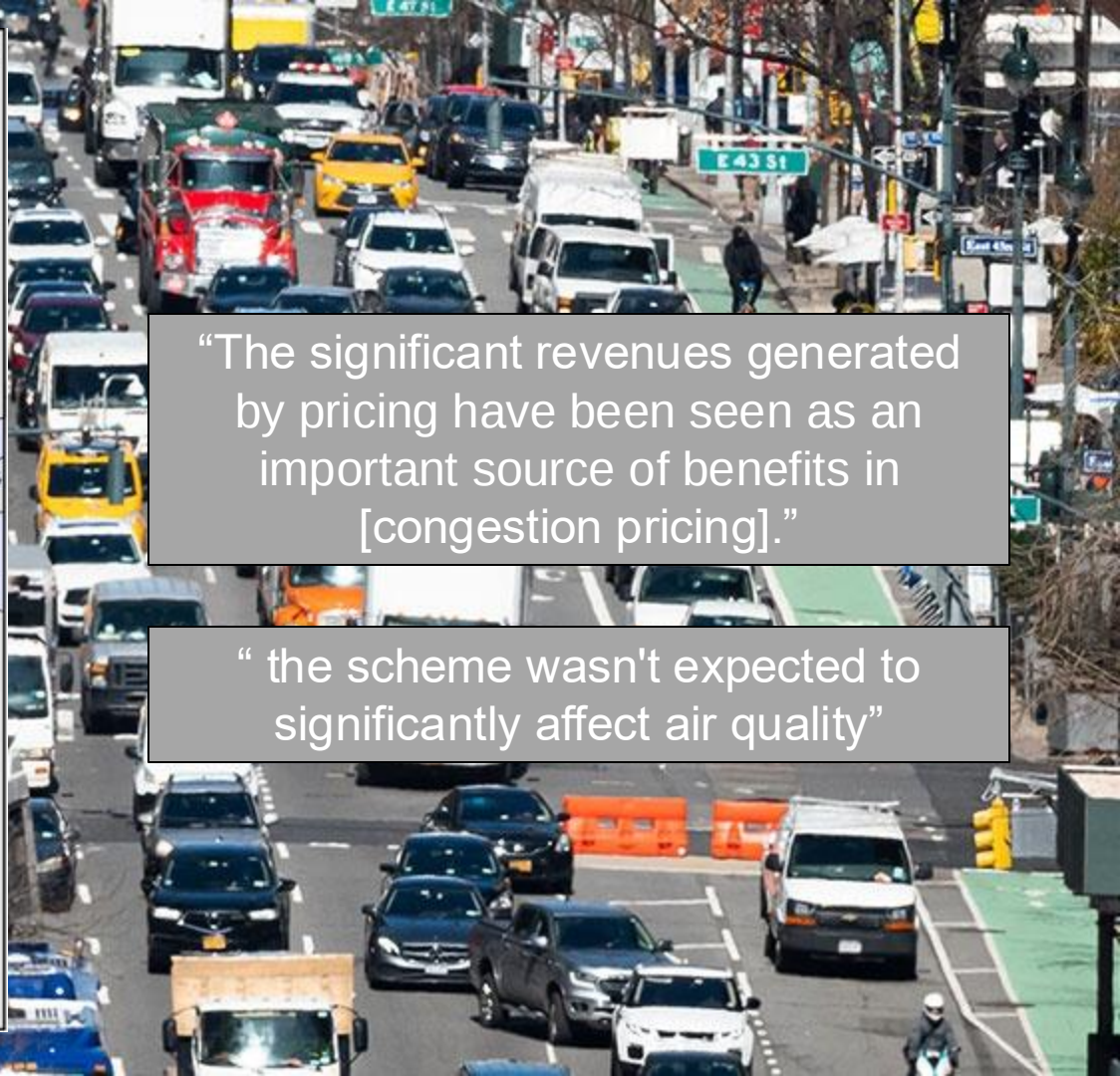
Best 

Policy details of public decisions are determined based on information provided by scientific research.



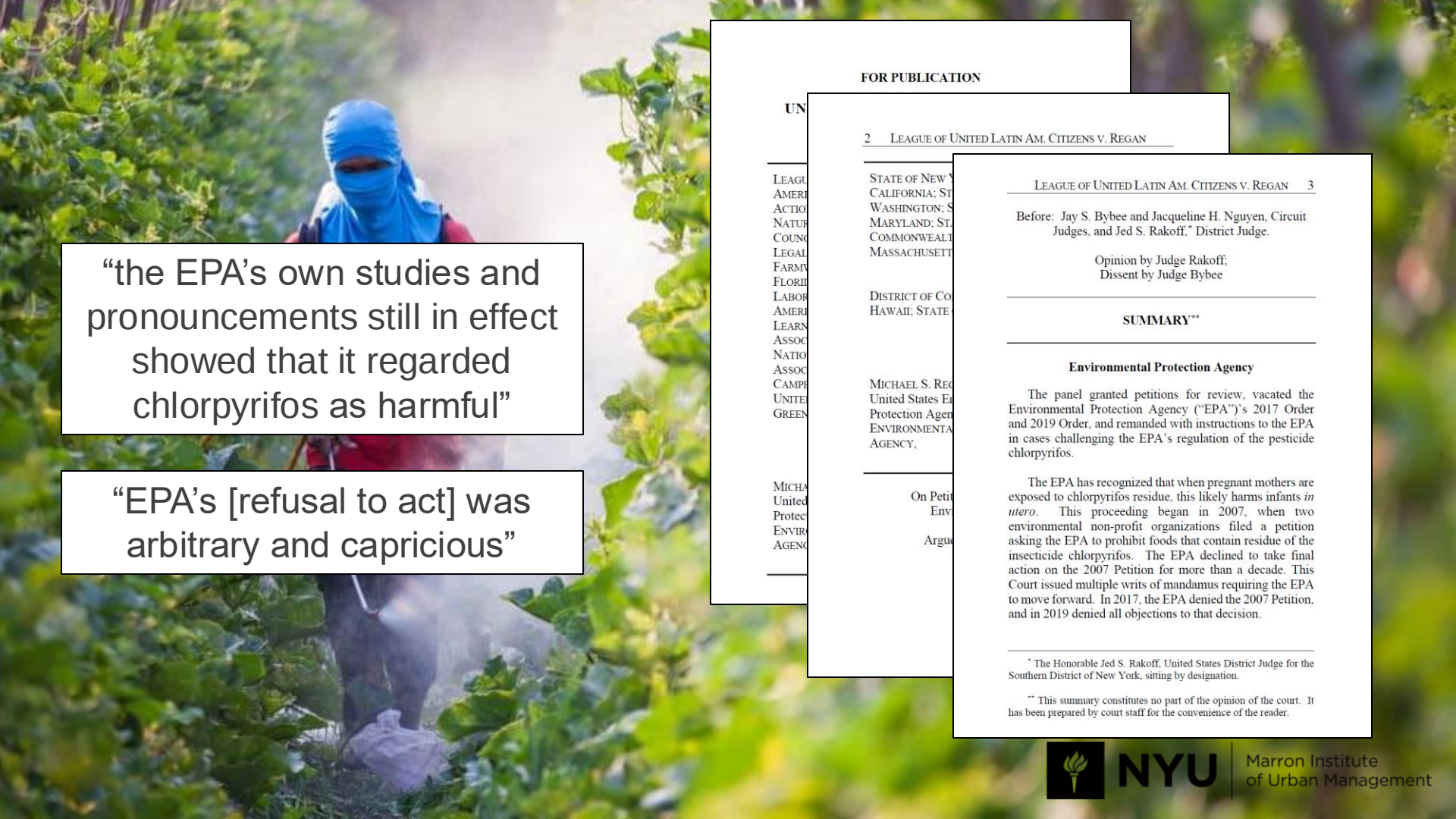
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“The significant revenues generated by pricing have been seen as an important source of benefits in [congestion pricing].”

“ the scheme wasn't expected to significantly affect air quality”



“the EPA’s own studies and pronouncements still in effect showed that it regarded chlorpyrifos as harmful”

“EPA’s [refusal to act] was arbitrary and capricious”

FOR PUBLICATION

UN

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LEAGUE OF UNITED LATIN AM. CITIZENS V. REGAN
AMERICAN OVERSIGHT ACTION FUND
NATURAL DEFENSE COUNCIL
LEGAL DEFENSE FUND
FARM VIOLENCE FLORIDA
LABORERS' UNION OF AMERICA
LEARN TO EAT ASSOCIATION
NATIONAL ASSOCIATION OF CAMPESINOS
UNITED STATES GREEN

STATE OF NEW YORK
CALIFORNIA; STATE OF WASHINGTON; STATE OF MARYLAND; STATE OF COMMONWEALTH OF MASSACHUSETTS

DISTRICT COURT OF HAWAII; STATE

MICHAEL S. REGAN
United States Environmental Protection Agency, ENVIRONMENTAL AGENCY,

MICHAEL S. REGAN
United States Environmental Protection Agency, ENVIRONMENTAL AGENCY,

On Petition for Review of Environmental Agency Decision
Argued

LEAGUE OF UNITED LATIN AM. CITIZENS V. REGAN 3

Before: Jay S. Bybee and Jacqueline H. Nguyen, Circuit Judges, and Jed S. Rakoff,* District Judge.

Opinion by Judge Rakoff;
Dissent by Judge Bybee

SUMMARY**

Environmental Protection Agency

The panel granted petitions for review, vacated the Environmental Protection Agency (“EPA”)’s 2017 Order and 2019 Order, and remanded with instructions to the EPA in cases challenging the EPA’s regulation of the pesticide chlorpyrifos.

The EPA has recognized that when pregnant mothers are exposed to chlorpyrifos residue, this likely harms infants *in utero*. This proceeding began in 2007, when two environmental non-profit organizations filed a petition asking the EPA to prohibit foods that contain residue of the insecticide chlorpyrifos. The EPA declined to take final action on the 2007 Petition for more than a decade. This Court issued multiple writs of mandamus requiring the EPA to move forward. In 2017, the EPA denied the 2007 Petition, and in 2019 denied all objections to that decision.

* The Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York, sitting by designation.

** This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.



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Figure 1. Cumulative Monetary Health Benefits due to PM_{2.5} Reductions,
from 2012 through 2040

Residual oil to:

#4 oil =
\$3.1
billion

#4 LS =
\$7.2
billion

#2 oil =
\$7.3
billion

#2 LS =
\$13.2
billion

natural gas =
\$22
billion

Residual Risks

The Unseen Costs of Using Dirty Oil
In New York City Boilers



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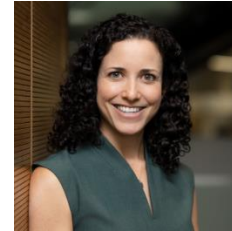
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REDUCING AIR POLLUTION AND MITIGATING CLIMATE CHANGE, TOGETHER HELP TO PROTECT OUR HEALTH



CLEAN AIR FOR HEALTH

#AirPollution



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“It is good to use [scientific] evidence to support public decision-making...

...it is best when scientific research is used to shape the details of those decisions.”



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