ENVIRONMENTAL HEALTH PROJECT
DEFENDING PUBLIC HEALTH SINCE 2012
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Court Ruling on Fine Particulate Matter

Background

On June 26, 2026, the U.S. Court of Appeals for the D.C. circuit upheld national limitations on fine particulate matter (also known as $PM_{2.5}$). A 2024 update to the National Ambient Air Quality Standards (NAAQS) reduced the cap on average annual levels of $PM_{2.5}$ from 12 to 9 micrograms per cubic meter. Subsequently, the Trump administration, individual states, and industry groups sought to reverse this stricter, more health-protective standard. Despite arguments that the Environmental Protection Agency (EPA) under Biden overstepped its authority in strengthening the standard, the D.C. Circuit's ruling leaves the new cap in place, affirming that it was based on substantial scientific evidence about the health risks posed by particulate matter.

Particulate matter (PM) consists of tiny liquid and solid particles found in the air we breathe. Some PM includes pollen or dust, but it can also result from fossil fuel use and extraction, including the process of fracking. These fine, airborne particles are especially dangerous because, when small enough, they can enter the inner tissues of the lungs. Extensive research links $PM_{2.5}$ (particulate matter that is less than 2.5 microns in size) to impaired lung function, aggravated asthma symptoms, irregular heartbeats, heart attacks, and premature death for those living with heart and lung diseases.

EHP's Statement

The D.C. Circuit Court's recent ruling represents good news for public health and an important affirmation of science-based policymaking. For years, the scientific community has produced ample evidence regarding the health harms of fine particulate matter, especially among vulnerable groups, such as children, the elderly, and people with preexisting conditions. The EPA's successful effort to set a stricter $PM_{2.5}$ standard in 2024 and the court's defense of that effort will help reduce chronic, cumulative exposure levels and support better health outcomes across the country.

It should be noted, however, that while the 9 $\mu g/m^3$ standard is more health protective than the previous cap of 12 $\mu g/m^3$, it does not represent a safe level of exposure to $PM_{2.5}$. While entities within the United States are still arguing over whether 9 $\mu g/m^3$ is sufficiently health protective or feasibly achievable in communities impacted by nearby pollution sources, in 2021 the World Health Organization set a recommended cap at 5 $\mu g/m^3$ based on available health research. As such, the "win" for public health represented by the court's June 26 decision is not one of progress but one of standing still despite a push to reverse course.

The need for strong, health-protective air quality standards is critical at a time when, according to the American Lung Association, one out of every three Americans is living amid unhealthy levels of particulate matter pollution. Access to clean air can be expected to diminish as our country relies on more, not less, fossil fuel extraction and combustion to meet rising energy demands. Although NAAQS governs ambient air quality, the standard indirectly impacts emissions from point sources in areas that are out of compliance. Consequently, ambient air quality standards will become more challenging to maintain but equally essential for protecting public health as more sources of PM come online.

About the Environmental Health Project

The Environmental Health Project (EHP) is a nonpartisan, nonprofit public health organization that defends public health in the face of shale gas development. EHP provides frontline communities with timely monitoring, interpretation, and guidance while engaging diverse stakeholders: health professionals, researchers, community organizers, policy makers, and others.