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EPA Wins Again Against Gov. Abbott, TCEQ in Court
Northwest DFW One Step Closer to Recovery From Harmful Smog Pollution

AUSTIN, Texas – Today the U.S. Circuit Court of Appeals in the District of Columbia ruled in favor of the U.S. Environmental Protection Agency (EPA) to designate Wise County, Texas, an area north and west of Fort Worth and Denton that has seen a significant increase in oil and gas activity, as an ozone (aka, smog pollution) non-attainment area.

Governor Greg Abbott, through the Texas Commission on Environmental Quality (TCEQ) had challenged the EPA's designation but lost, arguing that the EPA's technical analysis was flawed, and the U.S. Constitution prevents EPA from enforcing the Clean Air Act on states. In the 87-page decision, the Court of Appeals pointed out "EPA's thorough treatment of all available data indicates that it in fact surpassed its obligation of reasoned decision making."

The EPA had added Wise County to the DFW non-attainment area in 2012 to address the pollution the oil and gas industry has caused and begin the process of improving air quality. Cars and trucks, heavy diesel engines, and other industry have greatly reduced their pollution in North Texas skies over the last 25 years, whereas the oil and gas industry has polluted the skies over Wise County and around Fort Worth since the late 1990s.

One benefit of adding Wise County to the list of non-attainment areas is that older trucks and equipment should gain access to more funding from the Texas Emission Reduction Plan to further lower emissions from transportation sources.

In response, **Dr. Cyrus Reed, Conservation Director for the Sierra Club's Lone Star Chapter**, issued the following statement:

"We are pleased with today's court ruling. Governor Abbott and the TCEQ commissioners continue to lose case after case challenging EPA efforts to clean up our air. Families in North Texas are tired of orange and red alert smog days that occur every summer, and with today's court ruling, the oil and gas industry around Fort Worth will finally have to take common sense, readily available steps to control its pollution."

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