Greenwire Reports:

> The U.S. Circuit Court of Appeals for the District of Columbia ruled that U.S. EPA's 2006 standards for fine particulate matter were, "in several respects, contrary to law and unsupported by adequately reasoned decisionmaking."
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> At issue was the rule that kept the primary standard for annual fine particulate matter at 15 micrograms per cubic meter, even though EPA's staff and scientific advisers had recommended a standard between 13 and 14 micrograms.
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> States, environmental groups and public health groups challenged the rule last September, arguing it was not backed by science and failed to protect the health of vulnerable people (Greenwire, Sept. 16, 2008).
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> The court sided with environmentalists, saying EPA failed to adequately explain why an annual level of 15 micrograms per cubic meter is sufficient to protect the public health. The court sent the annual soot standard back to the agency for reconsideration. But the court did not vacate the annual standard in the meantime.

The panel consisted of two Republican appointees and one Democratic appointee. This was a particularly egregious case of the agency ignoring science. Now the Obama Administration gets to take a second look.