



FOR IMMEDIATE RELEASE

December 16, 2013

Media Contact: Cory Andrews | 202-588-0302

WLF Asks High Court To Slap Down EPA's Regulatory Power Grab

(Utility Air Regulatory Group v. EPA)

“EPA’s warped regulatory theory would expand greenhouse gas regulation, on a timetable of EPA’s own choosing, to the entire economy in violation of statute. It is therefore vitally important that the Court clarify the intended scope of EPA’s authority, before this regulatory mischief spreads further.” – Cory Andrews, Senior Litigation Counsel

WASHINGTON, DC—The Washington Legal Foundation today asked the U.S. Supreme Court to reject the Environmental Protection Agency’s claimed legal basis for expanding its regulation of greenhouse gases via a regulatory scheme that is likely to impact the entire economy.

The case arises from administrative rules adopted by the EPA in the wake of *Massachusetts v. EPA* to regulate greenhouse gases as “air pollutants” under the Clean Air Act (CAA). In its brief, WLF argued that EPA has seized on the Supreme Court’s narrow ruling in *Massachusetts* (authorizing EPA to regulate greenhouse gas emissions solely from motor vehicles) to arrogate the authority to regulate greenhouse gas emissions from virtually *any* sector of the economy. As a result, WLF contends, EPA has decided to implement a scheme of GHG regulation that reflects not Congress’s priorities as set forth in the CAA or other federal statutes, but merely the Agency’s own internal priorities.

Upon filing its brief, WLF issued the following statement by Senior Litigation Counsel Cory Andrews:

“EPA’s warped regulatory theory would expand greenhouse gas regulation, on a timetable of EPA’s own choosing, to the entire economy in violation of statute. It is therefore vitally important that the Court clarify the intended scope of EPA’s authority, before this regulatory mischief spreads further.”

WLF’s brief was prepared with the pro bono legal assistance of Peter Glaser, of the law firm Troutman Sanders LLP.

WLF is a public interest law and policy center with supporters in all 50 States. WLF regularly litigates in environmental matters to promote a rational balance between environmental protection and economic growth.

###