News of the week

The Supreme Court is hearing arguments in a Clean Air Act case.

– The EPA is using Pre-construction Permit requirements to require stationary CO₂ sources (such as coal-fired power plants) to get permitted for greenhouse gas emissions.
  
  • The 250 ton/yr CO₂ trigger for emissions suitable for cars was revised upward to 100,000 tons/yr for stationary sources by the EPA. This allowed the agency to issue 280 preventive permits/yr vs. an estimated 81,000.

– The opposing Utility Air Regulatory Group is arguing the Clean Air Act does not give the EPA authority to regulate stationary sources & that the limit set is arbitrary.

– If the EPA loses the case it will still be authorized to regulate mobile sources.