

MASSACHUSETTS v. EPA Decided April 2, 2007
United States Supreme Court

In a 5 to 4 decision, the United States Supreme Court resolved in favor of environmental organizations and several intervening states that the EPA has authority under the Clean Air Act to regulate “air pollutant” emissions from new motor vehicles, including carbon dioxide, which may contribute to global climate change. The harms associated with climate change are serious and well-recognized. The EPA rejected the rulemaking petition based on impermissible considerations, and therefore its action was arbitrary, capricious or otherwise not in accordance with law. The EPA can avoid enacting regulations only if it expresses a reasoned judgment that there is insufficient scientific information for it to render an “endangerment” finding.