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Greens Threaten Lawsuits Over Rollback of Environmental Regulations

[Jack Fitzpatrick](#) | March 7, 2017

Environmentalists warned on Tuesday they're likely to sue the Trump administration over its anticipated efforts to roll back several key environmental regulations, as groups launch a new front of attack to preserve green-friendly rules signed by former President Barack Obama.

President Donald Trump is expected to sign executive orders that would call for a review of the Environmental Protection Agency's greenhouse gas emission standards for cars and light trucks, and start the process of rolling back the greenhouse gas-cutting Clean Power Plan, according to reports by the [New York Times](#) and the [Wall Street Journal](#). The EPA also [canceled a request](#) for information on methane emissions from the oil and gas industry, which the Obama administration indicated could be a prelude to stricter emissions regulations.

All three actions are likely to attract lawsuits down the road, representatives from environmental advocacy organizations said Tuesday. But a legal confrontation could be years away since agencies have to go through full rulemaking processes to make significant changes.

Dan Becker, director of the Safe Climate Campaign, told reporters that environmentalists and the state of California are likely to sue if the Trump administration weakens emissions standards for cars and light trucks. The Obama administration put the standards in place in 2012 and decided in January, one week before Trump's inauguration, to keep them until 2025.

An executive order alone would not be able to change the standards but could call for a review of the decision to keep them in place, Becker said on a call, adding a lawsuit would be likely if the

EPA decided to weaken the rule. He said California could be expected to join the suit if rule changes affect the state's ability to impose stricter standards than the federal government's.

While environmentalists want to keep the current standards in place, the auto industry would like to see them loosened. The Alliance of Auto Manufacturers supported the rules in 2012 on condition the EPA conduct a midterm review to determine their continued feasibility. In a February [letter](#) to EPA Administrator Scott Pruitt, the trade group said the review was not thorough enough and the standards for 2025 were unreasonable. A spokesman did not respond to a request for comment on Tuesday.

Trump [has also vowed](#) to undo Obama-era regulations on greenhouse gas emissions from the power sector, which could spark further legal action. Joanne Spalding, chief climate counsel for the Sierra Club, told reporters in a separate call the group was likely to sue over any changes, "unless it replaces the plan with comparable standards."

The D.C. Circuit Court of Appeals head arguments in September 2016 over a lawsuit filed by opponents of the Clean Power Plan, including Pruitt, who was attorney general of Oklahoma. The court has not yet ruled.

If the EPA revamps the Clean Power Plan based on either of those arguments, supporters of the current plan would take Pruitt to court and essentially rehash the same debate, said David Doniger of the Natural Resources Defense Council, who spoke on the same call as Spalding. The NRDC is "confident he [Pruitt] will lose that argument in the end," Doniger said.

Environmental groups may also file suits addressing the Trump administration's lack of interest in methane regulations, which could violate existing statute. The NRDC is considering challenging the EPA's withdrawal of its request on methane emissions, and is "looking at innovative ways to get EPA under obligations to act where it's disregarding the law," Doniger said.

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