

Environmental groups and states sue EPA over Trump's emissions rollback

EPA says it c
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By JELINDA M

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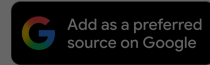
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Last year, 7 million people around the world, 600,00 of them children, died from a slow-moving, silent and largely invisible killer: **air pollution**. In the U.S. alone, that number was 135,000 people, roughly the population of Dayton, Ohio. Poor air quality also **accrues an economic cost** of about \$800 billion each year. And of course pollutants get trapped in the atmosphere, **causing global heating and climate change** that threatens



at the federal level

One of President Trump's long-established policies is to delay or weaken climate change. The "finding," which has drawn out plus D.C., the EPA, joining nearly

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Kate Sinding Daly, senior vice president for law and policy at Conservation Law Foundation,
told Salon.

The 17 health and environmental organizations have been preparing to sue the EPA since
Trump’s Jan. 20, 2025 **executive order** calling to reconsider the endangerment finding. The
EPA **officially proposed** rolling back the endangerment finding in August 2025.

The endangerment finding is a scientific conclusion that the EPA instituted in 2009 which found greenhouse gases like carbon dioxide and methane endanger public health and welfare. (These gases linger in the atmosphere, trapping heat like a greenhouse.) It allowed the EPA to regulate emissions from all vehicles under the [Clean Air Act](#). A 2007 Supreme Court case, [Massachusetts v. EPA](#), found the act was “unambiguous” in including greenhouse gases as air pollutants providing precedent for the endangerment finding.



“Collaboration and research do not conflict with any thoughtful regulatory effort; they complement it,” Justice John Paul Stevens wrote in his [Massachusetts v. EPA](#) opinion.

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Now, however, the EPA argues it does not have the statutory authority to regulate greenhouse gases, and none of the justices who voted in the majority then remain on the court today.

It is expected the cases filed will be combined along with **any other petitioners** who join before the April 19 deadline, making this one of the largest lawsuits the Trump administration's EPA will face. On March 6, 25 Republican-majority states **filed a motion** to join the respondents and defend the EPA's rollback of the endangerment finding. The only state that has not gotten involved on e

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“Unlike our predecessors, the Trump EPA is committed to following the law exactly as it is written and as Congress intended — not as others might wish it to be,” a spokesperson for the

agency said in a statement to Salon. "Congress never intended to give EPA authority to impose GHG [greenhouse gas] regulations for cars and trucks."

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The Trump administration  and Loper Bright Enterprises v. Raimondo in 2024 — as the legal justification for rolling back the endangerment finding. The West Virginia case addressed power plants, not vehicle emissions, but found that the major questions doctrine must be followed. This essentially means that Congress must explicitly outline regulations in certain cases and some discretionary powers for regulating policies were removed from the EPA. This explains the argument that the government is using, outlining that Congress did not intend to regulate greenhouse gases — however environmental lawyers argue this logic doesn't apply.

“If an agency is doing something that’s new, and that would involve a big social change, a transformational change in the economy, and they’re relying on some tiny portion of law no one’s ever used or thought of before, in that case, Congress needs to authorize this new thing,” David Pettit, a senior attorney representing the Center for Biological Diversity against the EPA, told Salon.

“Here you’ve got a situation where these rules have been in effect for many years, and not EPA’s not relying on some new hidden provision that they just found. They’re relying on the fundamental basis of the Clean Air Act and pollutants,” Pettit said.

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The other case, *Loper Bright Enterprises v. Raimondo* **reversed a precedent** called the **Chevron deference**, which gave the EPA authority to act on and regulate ambiguous statutes.

Pettit argues this still doesn't affect the endangerment finding.

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"If a statute is ambiguous, then it's the court that makes the call about what the statute means, not the agency," Pettit explained. "In this case, the Trump administration is saying the Clean Air Act is ambiguous, so the court needs to make the call about what it means. The problem with that is that they've all said neither of the sides is representing the other side."



Neither of the sides is representing the other side.

"I feel very comfortable doing so in a way that regulates greenhouse gases."

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