



AG LAUDS U.S. SUPREME COURT RULING THAT EPA OVERSTEPS ITS AUTHORITY IN GREENHOUSE EMISSIONS REGULATIONS

(MONTGOMERY) –Attorney General Luther Strange lauded a U.S. Supreme Court ruling today that found the Environmental Protection Agency had drastically overstepped by essentially rewriting portions of the Clean Air Act to take actions against greenhouse gas emissions that were unsupported by the law.

“What this ruling means is that the President and federal agencies cannot simply impose dramatic reinterpretations on a law when they have not been able to get Congress to enact the changes that they wanted,” said Attorney General Strange. “The Clean Air Act does not provide for the broad regulations that the EPA sought to implement. The President and the EPA cannot make it so just because they want it to be that way.”

The Court today stated in the case of Utility Air Regulatory Group v. EPA that “It is as plain as day that the Act does not envision an elaborate, burdensome permitting process for major emitters of steam, oxygen, or other harmless airborne substances.” The Court goes on to say that the fact that the EPA’s interpretation “would place plainly excessive demands on limited governmental resources is alone a good reason for rejecting it; but that is not the only reason. EPA’s interpretation is also unreasonable because it would bring about an enormous and transformative expansion in EPA’s regulatory authority without clear congressional authorization.”

The Court noted that the “singular situation (of) an agency laying claim to extravagant statutory power over the national economy while at the same time strenuously asserting that the authority claimed would render the statute ‘unrecognizable to the Congress that designed’ it.It would be patently unreasonable – not to say outrageous – for EPA to insist on seizing expansive power that it admits the statute is not designed to grant.”

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