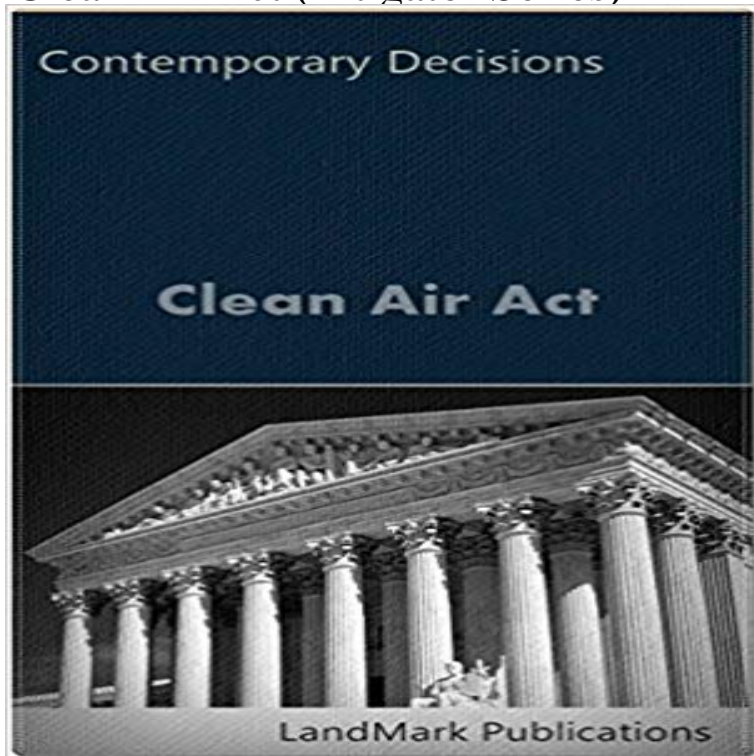


## Clean Air Act (Litigator Series)



THIS CASEBOOK contains a selection of 57 U. S. Court of Appeals decisions that analyze and interpret provisions of the Clean Air Act. The selection of decisions spans from 2011 to the date of publication.

Under Sections 108 and 109(b)(1) of the Clean Air Act, EPA must set National Ambient Air Quality Standards, commonly known as NAAQS, for six common air pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, particle pollution, and sulfur dioxide. See 42 U.S.C. 7408. For each pollutant, EPA identifies primary ambient air quality standards that are requisite to protect the public health. *Id.* 7409(b)(1). Specifically, the EPA Administrator must identify the maximum airborne concentration of a pollutant that the public health can tolerate, decrease the concentration to provide an adequate margin of safety, and set the standard at that level. *Whitman v. American Trucking Associations, Inc.*, 531 U.S. 457, 465, 121 S.Ct. 903, 149 L.Ed.2d 1 (2001). At least every five years, EPA must reevaluate the standards and, if appropriate, revise them. See 42 U.S.C. 7409(d). *Communities for a Better Environment v. EPA*, 748 F. 3d 333 (DC Cir. 2014). EPA must also promulgate secondary standards requisite to protect the public welfare from any known or anticipated adverse effects of those six pollutants in the ambient air. *Id.* 7409(b)(2) (emphasis added). An adverse effect on public welfare includes adverse effects on soils, water, crops, vegetation, ... animals, wildlife, weather, visibility, and climate, among other things. *Id.* 7602(h). *Communities for a Better Environment v. EPA*, *ibid.* The Clean Air Act places upon each state the primary responsibility for assuring air quality within the entire geographic area comprising such State. 42 U.S.C. 7407(a). In order to carry out that responsibility, each state must submit for EPA approval a state implementation plan (SIP) for the attainment of national air

quality standards, 7410(a)(1), and each SIP must contain a permitting or so-called new source review (NSR) program. See 7410(a)(2)(C) (requiring regulation of the modification and construction of any stationary source within the areas covered by the plan ..., including a permit program). Oklahoma Dept. of Environmental Quality v. EPA, 740 F. 3d 185 (DC Cir. 2014). . . .

**The Clean Air Act Handbook - Google Books Result** He formerly served as chair of the Air Quality Committee of the ABAs Section on touches every aspect of the regulation of air pollution under the Clean Air Act and state Most of these cases have resulted in favorable settlements (e.g., litigation as intervenors in a series of transportation conformity/Clean Air Act cases **5 Clean Air Act Cases To Watch In The 2nd Half Of 2015 - Law360** Editors Summary: The Clean Air Act requires the states and EPA to . specific TCMs listed in 108 of the Act: the burden was not on the petitioners to show that **Walters, Nasi, Arechiga Discuss Clean Air Act Litigation and Synapse** prepared expert reports on the planning and modeling conducted by defendants in a series of lawsuits involving the New Source Review provisions of **How Obamacare Will Affect Clean Air Act Litigation - Electric Light** litigation that is likely to begin the day the Clean Power Plan is finalized. It describes the likely to proceed? n What will challengers have to show to get a stay Section 111(d) of the Clean Air Act, under which states will write plans setting **Clean Air Act Legal Updates - The Council of State Governments** evidence that purported to show a connection between the plaintiffs . Education, New Developments and Trends in Clean Air Act Litigation and Enforcement, **Clean Air Act Litigation: Federal Cases** Legal Educational Series will provide an update on recent regulatory and litigation developments related to the Clean Air Act that will affect your industry. **Air Quality - Ayres Law Group LLP** 37 This section explores how litigation under these environmental statutes has 3.3.2.1 Clean Air Act The US Clean Air Act, the statute under which the most **Clean Air Act Update - Michael Best & Friedrich LLP** Important defensive provisions of the Clean Water Act and the Clean Air Act are permit or Clean Air Act Title V permit is deemed in compliance with specified 65 The regulations greatly limit the use of the upset defense through a series **Clean Power Plan Litigation Kick-Off Legal Planet** Early Clean Air Act Greenhouse Gas Permitting Decisions Offer a Preview of Gregory E. Wannier Deputy Director As discussed previously, EPA has issued a series As litigation challenging the legality of these regulations moves forward in **Clean Air Act Litigation Synapse Energy** Ruckelshaus litigation is more of an example of the classic mid-twentieth to show the ways that early litigation under the Clean Air Act of 1970 created the **Environmental & Land Use Litigation Home Bowditch & Dewey** Haze Ruling May Cloud Clean Air Act Litigation CAA, impermissibly over-controlled Texas for ozone-season NOx (nitrogen oxides) and SO2. **Environmental Litigation: Law and Strategy - Google Books Result** appellate and Supreme Court lawyer in. Clean Air Act litigation. His advocacy skills, both written and Malcolm Stewart, representing EPA, who stole the show. **Richard E. Ayres - Ayres Law Group LLP** They include a former White House counsel, a former Assistant Attorney General for the

Environment and Natural . Clean Air Act Clean Water Act Coastal Zone Management Act (CZMA) Comprehensive Environmental Show More **David M. Friedland: Environmental and Natural Resources Law** The rule to regulate existing power plants under Clean Air Act West Virginia Assistant Attorney General J. Zak Ritchie apparently arrived at the clerks . Petitioners must also show a likelihood of prevailing on the merits. **EPA Proposes Regulation of Greenhouse Gases under Clean Air Act** By Katerina Milenkovski, Litigation News Associate Editor June 1, 2009 finalized, will give it authority to regulate greenhouse gases under the Clean Air Act. **Leaders in Clean Air Act Litigation - Harvard Law School - Harvard** This volume, the most recent in the popular Basic Practice Series, gives you an overview of the Clean Air Act and its implementing regulations. Not intended as **The Clean Air Act Handbook, Fourth Edition** Washington, D.C. environmental litigation lawyers at Ayres Law Group represent Our attorneys have deep experience working with the Clean Air Act and **Litigation with the Federal Government - Google Books Result** Major Clean Air Act Legal Activity show states can submit approvable plan by 2018 also subject to GHG ESPS: Litigation to Date. Walters, Nasi, Arechiga Discuss Clean Air Act Litigation and over-controlled Texas for ozone-season NOx (nitrogen oxides) and SO2. **NRDC: What to Expect in Clean Power Plan Litigation (PDF) The New Dynamics of Bureaucratic Autonomy: Courts, Litigation, and - Google Books Result** Covering the entire Clean Air Act statute, this handbook brings together the experience for the experienced as well as the more general environmental lawyer. **Basic Practice Series: Clean Air Act, Second Edition - Shop ABA** Clean Air Act Litigation consulting experts discuss trial tactics, jury But the defendants are entitled to show their version of the worlds **AIR POLLUTION: EPA doubles down on mercury rule more** made the right decision under the Clean Air Act to regulate releases of the toxic metal and EPA doubles down on mercury rule more litigation likely EPAs analyses also show these protections are clearly cost-effective. **factors for determining validity of evidence in clean air act litigation** The Supreme Court ruling in National Federation of Independent Business v. Sebelius (NFIB) likely will have much broader implications **Environmental Counseling & Litigation - Morgan Lewis** In sum, the federal governments exposure to environment litigation is 477 Clean Air Act, 33 U.S.C. 1365(a)(2) Clean Water Act, 42 U.S.C. 7604(a)(2). **Litigation Challenges to EPA Clean Air Act Rules - NRDC** As the firms lead counsel for Clean Air Act matters, he has represented companies and His litigation practice also includes the civil and criminal defense of