

The [New York Times](#) and [Washington Post](#) are reporting that EPA has sent a finding that greenhouse gas emissions endanger public health and welfare to the [Office of Management and Budget](#) for review. If OMB approves, EPA administrator Lisa Jackson can sign and officially issue the finding. That would be the first step toward regulating GHG emissions under the Clean Air Act. It would also finally complete a task set for EPA by the Supreme Court nearly two years ago when it issued its decision in *Massachusetts v. EPA*, holding that CO<sub>2</sub> is a pollutant under the Clean Air Act and EPA must determine whether it endangers public health or welfare.

A positive finding implies that EPA will have to take some steps toward regulating GHG emissions under the Clean Air Act. Until the finding is made public, however, it's difficult to predict exactly what consequences it will have, or on what timeline. Of course, that hasn't stopped the Chamber of Commerce from declaring, in an impressive display of hyperbole, that the finding will immediately block all infrastructure projects in the stimulus bill, thereby devastating the economy. It seems far more likely that the finding will be only the first step in a slow process of deciding how the Clean Air Act can (or must) be used against GHG emissions.