

From E & E news:

The U.S. Court of Appeals for the District of Columbia Circuit announced it had denied industry petitions seeking invalidation of the so-called endangerment finding, the agency's original conclusion that greenhouse gases pose a health risk and should be regulated under the Clean Air Act, and the "tailpipe" rule that set greenhouse gas emissions standards for cars and light-duty trucks beginning with 2012 models.

The three-judge panel outright dismissed related petitions challenging two other rules: the "timing" rule, which required that new controls of greenhouse gas emissions from stationary sources would be triggered Jan. 2, 2011, and the "tailoring" rule, which interprets the Clean Air Act in such a way that only major polluters are required to obtain permits for greenhouse gas emissions.

The tailoring rule was the most vulnerable of the EPA actions, but it became clear at oral argument that there were serious questions about whether anyone had standing to challenge the rule. According to the Court:

"Without the timing rule, petitioners may well have been subject to [prevention of significant deterioration] and Title V for greenhouse gases before January 2, 2011. Without the tailoring rule, an even greater number of industry and state-owned sources would be subject to PSD and Title V, and state authorities would be overwhelmed with millions of additional permit applications."