



## [Press Releases](#)

September 28, 2017

### **ATTORNEY GENERAL MADIGAN FILES AMICUS BRIEF TO PROTECT CLIMATE FROM POTENT GREENHOUSE GASES**

**Chicago** – Attorney General Lisa Madigan, along with nine other attorneys general, the California Air Resources Board and the Minnesota Pollution Control Agency, filed an amicus brief in support of the efforts by the Natural Resources Defense Council (NRDC) and private businesses Honeywell International and Chemour to have the full U.S. Court of Appeals for the D.C. rehear a case that has national and international importance on the U.S. Environmental Protection Agency’s (EPA) ability to address climate change.

On August 8, a panel of three judges of the D.C. Appellate Court ruled in *Mexichem v. EPA* that the EPA lacked the authority under Title VI of the Clean Air Act to stop manufacturers from using hydrofluorocarbons (HFCs), which are potent greenhouse gases used primarily in refrigeration and air conditioning systems. Specifically, the panel determined in a 2-1 decision that a key portion of a 2015 EPA rule prohibiting uses of HFCs was unlawful, siding with two foreign companies that manufacture HFCs.

"The U.S. EPA has an obligation to protect people and the environment from climate change pollutants," Madigan said. "I will fight to have the court reconsider this decision."

In 1990, Congress amended the Clean Air Act and established a federal system for replacing ozone-depleting substances to the maximum extent practicable with alternatives that "reduce overall risks to human health and the environment." As part of that system, Congress tasked the EPA with designating each alternative as "safe" or "prohibited" and updating those designations as EPA gained new information and industry developed safer alternatives. While HFCs were determined safe at one point, the EPA prohibited their use in 2015 in light of scientific understanding that HFCs are potent greenhouse gases and the availability of safer alternatives.

Joining Madigan in filing the brief were the attorneys general from: California, Connecticut, Delaware, Maryland, New York, Oregon, Pennsylvania, Vermont and Washington, as well as the California Air Resources Board and the Minnesota Pollution Control Agency.

A copy of the amicus brief is available [here](#).

-30-

[Return to September 2017 Press Releases](#)

