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ATTORNEY GENERAL MADIGAN URGES D.C. CIRCUIT TO REJECT EPA'S EFFORTS TO FURTHER DELAY CLEAN POWER PLAN LITIGATION***Madigan, Coalition: EPA Has "Abused" D.C. Circuit's 18-Month Delay in Deciding Case by Repeatedly Failing to Act to Protect Public from Climate Change Pollution from Power Plants***

Chicago — Attorney General Lisa Madigan, as part of a 24-member coalition of states, counties, and cities, today urged the U.S. Court of Appeals for the District of Columbia Circuit to reject the requests of the U.S. Environmental Protection Agency (EPA) and its supporters for further delay on a decision on the legality of the Clean Power Plan.

[In a filing with the D.C. Circuit](#), Madigan and the coalition argued that the EPA has "abused" the D.C. Circuit's 18-month abeyance of a decision in the case by repeatedly promising – but failing to finalize – regulations that fulfill its statutory obligation. For this reason and because continued delay will add to the irreversible damages caused by climate change, Madigan and the coalition urged the court to reject the EPA's request for an additional abeyance of the case and to rule on the merits.

"The EPA has delayed any action to reduce carbon pollution from the nation's power plants and shows no sign that it intends to fulfill its legal obligation to do so," Madigan said. "I urge the D.C. Circuit to reject the EPA's repeated efforts to avoid its legal duty."

The Clean Power Plan, adopted in 2015, is the only regulation on the books aimed at meeting the EPA's obligation under the Clean Air Act to protect the public's health and welfare by reducing emissions of carbon dioxide from existing fossil fuel power plants – the largest stationary source of climate change pollution.

In response to repeated requests from the EPA for time to review, repeal or revise the Clean Power Plan, a decision on legal challenges to the plan - brought by states and industry groups shortly after the rule was finalized - has been held in abeyance by the D.C. Circuit for 18 months. During this time, however, the EPA has not finalized – or even committed to finalize – rules that meet the agency's obligations under the Clean Air Act. In fact, the rules recently proposed by the EPA to "replace" the Clean Power Plan may increase emissions of climate change pollution and other harmful pollutants. Compared to the Clean Power Plan, the EPA's proposal - according to the agency's own analysis - could result in over 100 million tons more of carbon dioxide emissions and over 1,000 more premature deaths per year by 2030.

In addition to Madigan, today's coalition includes the attorneys general of California, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington, as well as the cities of Boulder (Colo.), Chicago (Ill.), New York (N.Y.), Philadelphia (Pa.), and South Miami and Broward County (Fla.).

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