

# **ENVIRONMENTAL LAW UPDATE**

## **What Happened in Environmental Law While You Were at the Cabin**

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# THEMES

- **“May You Live in Interesting Times”**
- **Revenge of the Greenhouse Gas Analysis Under NEPA**
- **My Summer “Vacation,” Including Stays and Reversals**

# NEPA & Greenhouse Gases

- ***Sierra Club v. FERC*, No. 16-1329 (D.C. Cir. Aug. 22, 2017)**
- ***Sierra Club v. U.S. DOE*, No. 15-1489 (D.C. Cir. Aug. 15, 2017)**

# NEPA & Greenhouse Gases (Cont.)

- ***WildEarth Guardians v. BLM*, No. 15-8109 (10<sup>th</sup> Cir. Sept. 15, 2017)**
- ***Montana Elders for a Livable Tomorrow v. U.S. Office of Surface Mining*, No. 9:15-cv-00106 (D. Mt. Aug. 14, 2017)**

# RCRA

- **EPA Will Reconsider Coal Ash Rule**
- ***American Petroleum Institute v. EPA*,  
Case No. 09-1038 (D.C. Cir. July 7, 2017)**

# CLEAN AIR ACT

- ***West Virginia v. EPA*, No. 15-1363 (D.C. Cir.) (Clean Power Plan stay remains in place)**
- ***Clean Air Act Council v. Pruitt*, No. 17-1145 (D.C. Cir. July 3, 2017) (suspension of methane rule overturned)**
- ***Mexichem Fluor v. EPA*, No. 15-1328 (D.C. Cir. Aug. 8, 2017) (2015 HFC rule vacated)**

# CLEAN WATER ACT

- **Trump Administration “Rescinds” 2015 WOTUS Rule**
- **2015 WOTUS Rule Stay Remains in Place**
- **Supreme Court to Hear Jurisdictional Question**

# QUESTIONS?

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