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CLIMATE

Greens sue EPA over airplane rule that doesn't cut CO2

Maxine Joselow, E&E News reporterPublished: Friday, January 15, 2021

Environmental groups today sued EPA over the nation's first-ever greenhouse gas standards for airplanes, alleging the rule won't actually reduce emissions.

The **complaint**, filed in the U.S. Court of Appeals for the District of Columbia Circuit, takes aim at one of the agency's last regulations under President Trump.

EPA finalized the greenhouse gas standards for new aircraft in December, effectively aligning the United States with standards set by the International Civil Aviation Organization (ICAO), a specialized body of the United Nations (**Greenwire**, Dec. 28, 2020).

But the green groups noted that new airplanes introduced in 2016 already complied with the ICAO standards, which won't take effect until 2028. That means the standards won't spur any emissions reductions, the groups said.

EPA acknowledged as much in its **final rule**, writing that "the proposed [greenhouse gas] standards are not expected to result in reductions in fuel burn and GHG emissions."

The groups filing the complaint include the Center for Biological Diversity, Friends of the Earth, the Sierra Club and Earthjustice.

"Even in its last days, this reckless administration persists in passing rules that allow unnecessary climate pollution to continue," Clare Lakewood, legal director of the Center for Biological Diversity's Climate Law Institute, said in a statement.

"We're confident that we'll stop this rule in court and we look forward to serious, science-based standards from the new Biden administration," Lakewood added.

Hallie Templeton, deputy legal director for Friends of the Earth, said in a statement: "For over a decade, we've pushed the EPA to restrict greenhouse gas emissions from aircrafts. It's unlawful and offensive that the EPA continues to endanger public health and the environment by failing to meaningfully regulate this significant source of air pollution."

A coalition of 12 Democratic attorneys general also blasted the standards last year, calling them "empty" (**Greenwire**, Oct. 20, 2020).

By contrast, the standards have garnered support from industry groups and airplane manufacturers, including the U.S. Chamber of Commerce, Boeing Co. and Airbus SE.

In a statement last month, Boeing called the rules "vital for protecting the environment and supporting the sustainable growth of commercial aviation and the United States economy."

EPA doesn't comment on pending litigation.