

Trump is leaving the EPA with a bunch of legal headaches

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Outside groups are suing the environmental agency for rolling back a number of critical protections over the past four years.

Donald Trump, on his way out of office, is leaving the Environmental Protection Agency with a multitude of legal headaches.

Trump who has long been considered an enemy by advocacy groups, has pushed policies and rule changes that hurt the environment and de-prioritize climate change as a pressing issue since taking office, [exiting](#) the Paris climate accord, established as a global initiative to limit the rise of global average temperatures by reducing emissions, in 2019.

While the incoming Biden administration could roll back some of Trump's most egregious policies, experts from several of the environmental and public health groups suing the EPA say they'll continue to press forward with their lawsuits until they see concrete changes that effectively render their petitions moot.

On Friday, the Center for Biological Diversity, Friends of the Earth, and Sierra Club [sued](#) the Trump EPA over a rule that they say does nothing to reduce greenhouse gas pollution.

The rule, finalized in late December, applies a specific set of greenhouse gas emission standards to "certain new commercial airplanes, including all large passenger jets."

However, the groups said Friday that the rule does nothing of the sort and is based on outdated standards.

"The [EPA] standards finalized late last month lag behind existing technology by more than 10 years," the nonprofit legal group Earthjustice, which is representing the environmental groups, said in a statement. "Planes are already the third-largest source of transportation-related greenhouse emissions. Over the past decade, airplane emissions rose by 44% and were set to triple again by 2050 ahead of the coronavirus pandemic."

Clare Lakewood, legal director of the Center for Biological Diversity's Climate Law Institute, told the American Independent Foundation that the group was looking forward to the next administration will moving "swiftly" on "stringent science-based standards" once President-elect Joe Biden is inaugurated on Jan. 20.

Earthjustice [filed a separate lawsuit](#) against the EPA on Friday, on behalf of several civil rights and environmental groups, over its revisions of the Lead and Copper Rule, which "dramatically slow down the rate at which lead pipes are required to be replaced."

The rule allows small public water systems to get away with not replacing lead service lines that exceed the lead action level, which could poison millions who rely on lead-piped drinking water, according to the legal group.

"Lead poisoned children grow up to be lead poisoned adults," said Queen Zakia Shabazz, founder and director of the group United Parents Against Lead, one of the petitioners in the case. "It's past time for the EPA to revise the Lead and Copper Rule in favor of children's health and stop childhood lead poisoning."

And on Thursday, Earthjustice, representing several conservation groups, [sued](#) the EPA over its approval of a "developer-backed scheme to turn permitting over to (the) state," claiming the move destroys Florida's wetlands.

Tania Galloni, Florida Earthjustice managing attorney, said the "EPA is lowering the bar to allow a state, for the first time, to run the federal wetlands program without meeting federal standards," adding that it would make it "easier, faster, [and] cheaper" for developers "to get permits for big projects with less oversight and accountability."

In December, the Center for Biological Diversity along with seven other environmental, public health, and union groups [sued](#) the EPA over its "approval of radioactive roads."

The radioactive waste phosphogypsum, which comes from the processing of fertilizer, "contains uranium and radium that produce radionuclides linked to higher risks of cancer and genetic damage," the Center noted, adding that the EPA's decision to approve the use of phosphogypsum on roads could "affect hundreds of protected plants and animals and their critical habitat."

The Center's Florida director Jaclyn Lopez called the move a "shameless, political favor" to the fertilizer industry, which has been seeking ways to cut the cost and liability of getting rid of its waste, according to [the group's fact sheet](#).

In December, the group joined three public interest groups in [a separate lawsuit against](#) the EPA for its "rushed re-approval of products containing the dangerous, drift-prone dicamba pesticide."

Kristin Schafer, who leads the Pesticide Action Network North America, one of the plaintiffs in the case, said the herbicide, which is "sprayed 'over the top' of soybean and cotton crops" according to the Center, was "hurting farmers and is already creating more resistant weeds."

It's unclear whether the Biden administration will move to roll back any of the rules at the center of the lawsuits, or when. An EPA spokesperson told the American Independent Foundation on Monday that the agency "does not comment on pending litigation."

Trump's EPA administrator and former coal lobbyist Andrew Wheeler is set to be replaced by North Carolina environmental chief Michael Regan, who Biden [nominated](#) to serve as the agency's 16th head.