

# INTRODUCTION TO THE 35TH EDITION

*The Clean Air Act Handbook: A Practical Guide to Compliance, 35th Edition*, provides up-to-date information on developments under the federal Clean Air Act (CAA). Recent topics covered in the Thirty-Fifth Edition include:

- **The Trump administration’s response to strict greenhouse gas (GHG) emission standards and other measures adopted by the Biden administration EPA to address climate change, including: federal motor vehicle GHG emission standards; waivers authorizing California’s motor vehicle GHG emission standards; and controversial New Source Performance Standards (NSPS) and emission guidelines limiting GHG emissions from new and existing oil and gas production facilities and fossil fuel-fired power plants**

- **Congress’s disapproval of regulations implementing the Methane Emissions and Waste Reduction Incentive Program for Petroleum and Natural Gas Systems, a 2022 law that directs EPA to levy a waste emission charge on methane emissions from large oil and gas production sources that exceed statutory waste emission thresholds**

- **Additional rules implementing the American Innovation and Manufacturing (AIM) Act, which establishes a framework for gradually reducing the production, consumption and use of hydrofluorocarbons—powerful GHGs that are widely used in place of substances such as chlorofluorocarbons that deplete the stratospheric ozone layer**

- **Recent cases against fossil fuel suppliers seeking to force action to address climate change based on state common law and statutory claims, including state court decisions addressing whether such actions are preempted by federal common law and/or the Clean Air Act**

- **Insight into international climate change initiatives, including the results of the 2024 meeting of the Parties to the Framework Convention on Climate Change in Baku, Azerbaijan and other international climate change developments**

- **The 2025 U.S. Supreme Court decision clarifying that reviews under the National Environmental Policy Act (NEPA) are limited to environmental impacts associated with the project, a change that will likely obviate the need to assess upstream and downstream climate change impacts as part**

## of the NEPA review process

- **An update on EPA’s ongoing review and implementation of national ambient air quality standards (NAAQS), including its recent decision to lower the annual standard for particulate matter (PM) and establish a new secondary NAAQS for sulfur dioxide (SO<sub>2</sub>) following a comprehensive review of the collective environmental impact of SO<sub>2</sub>, nitrogen oxides, and PM emissions**

- **Developments relating to EPA’s National Emission Standards for Hazardous Air Pollutants (NESHAPs), including: Congress’ disapproval of a recent regulation requiring sources of specific persistent and bioaccumulative HAPs to continue complying with major source maximum achievable control technology standards even after reclassifying as area (*i.e.*, minor) sources; and the Trump administration’s proposal to rescind certain standards applicable to power plants under the recently revised Mercury and Air Toxics Standards (MATS)**

- **A pair of 2025 U.S. Supreme Court decisions resolving a conflict among the circuit courts concerning the correct venue under the CAA for lawsuits challenging EPA actions—such as disapproval of multiple state implementation plans or small refinery exemptions—that are published in the same Federal Register notice.**

- **The Supreme Court’s decision to reject so-called *Chevron* deference and instead require courts to exercise independent judgment in determining the meaning of ambiguous statutes, including the potential implications for future challenges to regulations adopted under the CAA.**

As always, the Handbook includes websites and other resources to allow readers easy access to important laws, regulations, agency guidance documents, reports, and cases; it also includes Practice Tips that provide practical insight into the day-to-day implications of key Clean Air Act programs.

*The Clean Air Act Handbook: A Practical Guide to Compliance, 35th Edition* is available on Westlaw. Just enter “clean” in the Westlaw search box and choose “Clean Air Act Handbook” from the dropdown menu.