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NEWS FOR IMMEDIATE RELEASE

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Wisconsin Department of Justice Challenges EPA Decision to Strip Power Plant Pollution Limits and Endanger Wisconsinites

MADISON, Wis. — The Wisconsin Department of Justice (DOJ) today joined a coalition of 25 states, counties, and cities in filing a [petition for review](#) against the Trump administration for dismantling federal greenhouse gas pollution limits for many of the nation's largest power plants. In September, the Environmental Protection Agency (EPA) repealed safeguards that required coal- and gas-fired power plants to reduce their greenhouse gas emissions, clearing the way for a significant increase in pollution that will worsen extreme heat, deadly storms, flooding, and wildfire smoke. The coalition is filing a petition for review in the U.S. Court of Appeals for the D.C. Circuit, asking the court to strike down the repeal and restore these protections. The coalition is also notifying EPA of its [intent to sue](#) over the agency's continued failure to fully regulate pollution from existing natural gas power plants.

“The Trump administration has chosen more wildfire smoke, more extreme weather, more harms to people's health—and, of course, more in profits for the fossil fuel industry,” said AG Kaul. “The EPA should be protecting us from pollution, not clearing the way for it.”

The coalition is challenging EPA's repeal of the 2024 Carbon Pollution Standards, which required many of the country's largest power plants to reduce their greenhouse gas emissions. Power plants are among the largest drivers of the climate crisis, producing roughly one-quarter of the nation's carbon dioxide emissions. Rather than hold those polluters accountable, the federal administration erased federal pollution limits for most gas- and coal-fired power plants and introduced a proposal to eliminate power plant emission regulation entirely.

Eliminating limits on these emissions threatens communities across the country. More climate pollution contributes to more frequent and more intense heat waves that put children, older adults, and workers at risk. It also contributes to stronger storms and heavier flooding that damage homes, businesses, and transit systems, as well as more wildfire smoke that makes air dangerous to breathe. Increased pollution from fossil fuel power plants can worsen asthma, heart disease, and other serious respiratory illnesses, especially in low-income and other overburdened communities. These changes also increase the financial burden on local and state governments that must spend billions of dollars recovering from increasingly extreme weather.

In Wisconsin, the rescission will subject the state and its residents to substantial cumulative health and economic impacts. The rescission will also frustrate Wisconsin's efforts to reduce greenhouse gas emissions and will cause more frequent climate change-related impacts in Wisconsin, including increased heat, extreme storms, and severe precipitation, harming the state and its residents.

Many recent reports detail the threats that climate change poses to Wisconsin's resources and communities. For example, a [2020 University of Wisconsin Global Health Institute report](#) found that "[e]xtreme heat kills more Wisconsinites than other weather disasters (i.e., tornadoes, floods, blizzards) combined.

A recent [report](#) from the Center for Climate Integrity estimated that Wisconsin communities would need to incur over \$16 billion in costs to protect themselves from the impacts of climate change.

As part of its petition, the coalition will argue that EPA unlawfully abandoned these pollution limits without properly considering reasonable alternatives or the enormous health and climate costs of allowing more pollution into the atmosphere. The coalition will assert that the rescission was arbitrary and capricious because EPA did not properly calculate the cost of repealing the rule. The coalition is asking the court to strike down this unlawful rollback of environmental protections and ensure the United States can keep limiting pollution from many of the nation's biggest polluters.

In addition, the coalition today filed a notice of intent to sue EPA over the agency's continued failure to regulate greenhouse gas pollution from many existing gas-fired power plants. Those facilities, including "peaker" plants that often operate during periods of high electricity demand, are frequently located in low-income communities and communities of color that already bear a disproportionate share of pollution. Despite issuing standards for new gas plants over a decade ago, EPA has never fulfilled its legal obligation to limit pollution from existing gas plants. By delaying

these protections for years, EPA has left many frontline communities without the safeguards required by the Clean Air Act.

Joining Wisconsin DOJ in filing today's lawsuit are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia, as well as the governor of Pennsylvania, the mayors of New York City and Chicago, and the City and County of Denver.