



International Center for Technology Assessment

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Chronology of the Global Warming Case Against the EPA

- **October 20, 1999.** The International Center for Technology Assessment (CTA), joined by Friends of the Earth, Greenpeace, the National Environmental Trust and fifteen other organizations, file an administrative rulemaking petition with the Environmental Protection Agency (EPA), formally entitled “Petition for Rulemaking and Collateral Relief Seeking the Regulation of Greenhouse Gas Emissions from New Motor Vehicles Under § 202 of the Clean Air Act” (Greenhouse Gas Petition).

The Greenhouse Gas Petition asks EPA to take required action under section 202(a) of the Clean Air Act (CAA) because CO₂ and other greenhouse gases are “air pollutants” that are released from motor vehicles and reasonably anticipated to harm public health and welfare. Upon receipt of the Greenhouse Gas Petition, EPA created Air and Radiation Docket No. A-2000-04.

- **January 23, 2001.** The EPA publishes a Notice and Request for Comments entitled “Control of Emissions from New and In-use Highway Vehicles and Engines” in the Federal Register. 66 Fed. Reg. 7486 (Jan. 23, 2001). The Notice described and summarized the Greenhouse Gas Petition and requested public comments.
- **May 23, 2001.** EPA’s public comment period for the Greenhouse Gas Petition closes. Almost 50,000 public comments were submitted to the docket the vast majority of which support the petition. Natural Resources Defense Council, joined by Sierra Club, the National Environmental Trust and four other organizations, file substantive public comments with the EPA.
- **January 10, 2002.** CTA sends a letter to EPA stating that the agency must substantively respond to the Greenhouse Gas Petition and that if no such response was received by June 1, 2002, that CTA would consider litigation to compel an answer.
- **December 5, 2002.** CTA, Sierra Club and Greenpeace file a lawsuit against EPA seeking to compel the agency to answer the Greenhouse Gas Petition. See International Center for Technology Assessment, et al. v. Whitman, Docket No. 02-CV-2376 (D.D.C.).
- **September 8, 2003.** EPA settles the case by publishing its Notice of Denial of the CTA Greenhouse Gas Petition in the Federal Register. 68 Fed. Reg. 52922 (Sept. 8, 2003). EPA publicly provides a memorandum by EPA’s General Counsel, Robert E. Fabricant, concluding that the Clean Air Act does not authorize EPA to regulate for global climate change purposes.
- **October 23, 2003.** CTA, Sierra Club, Greenpeace, Center for Biological Diversity, Center for Food Safety, Conservation Law Foundation, Environmental Advocates, Environmental Defense, Friends of the Earth, National Environmental Trust, Natural Resources Defense Council, Union of Concerned Scientists and United States Public Interest Research Group file a petition for review of the EPA Greenhouse Gas Petition decision and Fabricant memorandum in the U.S. Court of Appeals for the D.C. Circuit.
- **October 23, 2003.** The states and territories of American Samoa, California, Connecticut, Illinois, Maine, Massachusetts, New Jersey, New Mexico, New York, Northern Marianas Islands, Oregon, Rhode Island, Vermont and Washington file also file a petition for review of the EPA decision. Also joining this effort are the municipalities of New York City, Philadelphia and Baltimore.