

**“Arizona/Waxman-Markey/Western  
Climate Initiative:  
What’s on the Horizon”**

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# INTRODUCTION/RECENT EVENTS

- Massachusetts v. EPA – On April 2, 2007, the United States Supreme Court issued a decision in *Massachusetts v. EPA*, 127 S.Ct. 1438, 549 U.S. 497 (2007).

- Greenhouse Gas Reporting Rule – On September 22, 2009, the EPA issued a final rule which establishes a federal reporting requirement that would for the first time require reporting by industrial facilities that emit more than 25,000 metric tons of CO<sub>2</sub> or carbon dioxide equivalent (“CO<sub>2</sub>e”) gases per year.

- Endangerment Findings – On April 24, 2009, the EPA has issued a proposed rule in the Federal Register titled, “Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act” at 74 Fed.Reg. 18885 (April 24, 2009).

- National Fuel Economy/CO<sub>2</sub> Vehicle Emission – On May 19, 2009, the EPA and the Department of Transportation (“DOT”) issued a “Notice of Upcoming Joint Rulemaking to Establish Vehicle GHG Emissions and CAFE Standards” announcing the EPA and DOT’s intent to work in coordination to propose standards for control of GHG emissions and for fuel economy.

- Waxman-Markey Legislation – On June 26, 2009, the United States House of Representatives passed H.R. 2454 titled the “American Clean Energy and Security Act of 2009.”

- California Waiver – On July 8, 2009, the EPA granted the California Air Resources Board’s (“CARB”) request to the EPA for a “waiver” to enforce its separate motor vehicle GHG emission regulations.

- International Climate Change Regulation—  
In December 2009, representatives of more than 190 nations will meet in Copenhagen, Denmark at the 15<sup>th</sup> Conference of the Parties to the U.N. Framework Convention on Climate Change (“COP-15”) to conclude negotiations on the next global GHG climate deal.