

# Wisconsin Environment: Statement on Supreme Court hamstringing EPA's ability to tackle climate change

Posted on Thursday, Jun 30, 2022

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MADISON, Wis. – The Supreme Court of the United States announced its [decision](#) on the [West Virginia v. Environmental Protection Agency](#) (EPA) case Thursday, severely limiting the EPA's authority to regulate climate pollution from power plants. Despite the fact that the Biden administration has yet to propose rules regulating greenhouse gas emissions from power plants, the Court issued a decision that severely limits the EPA's authority to regulate carbon from power plants, holding that unless expressly delegated, that authority belongs to Congress.

Wisconsin Environment Research & Policy Center recently released a [factsheet](#) listing the 100 American power plants that spew the most climate change-causing pollution into the air. Wisconsin is home to 2 of the top 100 most polluting power plants in the U.S. Electricity production is the [largest source](#) of greenhouse gas emissions in Wisconsin.

In the dissenting opinion, Justice Elena Kagan wrote, "Today, the Court strips the Environmental Protection Agency (EPA) of the power Congress gave it to respond to 'the most pressing environmental challenge of our time.'"

In response, Wisconsin Environment Destination: Zero Carbon Campaign Director [Morgan Folger](#) issued the following statement:

"The Supreme Court just made the monumental task of cleaning up our air and reducing climate-warming pollution much, much harder. Wisconsinites count on the EPA to protect our air and environment. Now that the Court has put a stable climate even further from reach, lawmakers in Wisconsin must seek out other ways to

reduce emissions and secure a clean and healthy future. Additionally, Congress should act to end our reliance on fossil fuels and pass a climate package.”