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## **U.S. Supreme Court passes on hearing oil industry challenge against Oregon's clean-fuels momentum**

*The Clean Fuels Standard continues immense success, to remain for decades*

**PORTLAND, Ore** — Justices of the [U.S. Supreme Court declined to hear](#) a 2015 lawsuit challenging Oregon's authority to clean up its polluting fuels, like gasoline and diesel, by encouraging the use of better sources like electricity, sustainable biofuels and renewable diesel.

The Clean Fuels Standard helps Oregon address climate change, by reducing the carbon intensity of transportation fuel by 10 percent over the course of a decade. The policy, implemented in 2016, has already reduced climate pollution by more than 2.73 million tons, or the equivalent of taking 580,000 cars off the road for a year.

Historically, tailpipe emissions have been responsible for nearly 40 percent of Oregon's greenhouse gas pollution. Vehicle pollution also contributes to bad air quality that worsens asthma, heart disease, and cancer.

When oil industry opponents challenged the rule in federal court, Earthjustice represented Oregon Environmental Council and Climate Solutions to intervene and defend Oregon's forward-looking rule.

The original lawsuit was filed by the American Fuels & Petrochemical Manufacturers, Consumer Energy Alliance, and the American Trucking Association. They asserted it violated the Commerce Clause of the U.S. Constitution and was preempted by the Clean Air Act and federal programs. In a separate case, industry opponents raised similar challenges to California's program; courts have rejected these claims as well.

"Big Oil's last-ditch effort to undercut state authority to require cleaner fuels has failed again," said **Amanda Goodin, an attorney with Earthjustice**. "This will help pave the way for more states to adopt programs to reduce their greenhouse gas emissions with confidence that their efforts will be upheld in court."

Last September, the 9<sup>th</sup> Circuit Court of Appeals issued an [opinion](#) dismissing industry claims against Oregon's Clean Fuels program. Since then Washington and New York have introduced legislation to adopt similar standards and all of Canada is expected to have a clean fuels standard in place by 2020.

"Removing the equivalent of a half-billion cars shows the Clean Fuels Program works incredibly well, and we're eager to see how many millions more tons of pollution this program will remove," said **Jana Gastellum, Climate Program Director for Oregon Environmental Council**. "Today's news from the Supreme Court provides businesses and other entities the confidence that participating in this program has been fully vetted and protected by the state and country's highest courts."

The Oregon Clean Fuels Program promotes lower-carbon fuels and has helped many state and private fleets advance the transition to cleaner-burning fuels, including Polk County's police vehicles; transit agency electric buses; school buses; large business fleets, such as Kroger. It has also helped promote innovation in cleaner fuels,

such as the ultra-low carbon biodiesel produced locally by SeQuential; and other innovative fuels such as renewable diesel which can be a 100% replacement for petroleum-based diesel.

“Today’s news from the Supreme Court is a victory for the people and our climate,” **said Meredith Connolly, Oregon Director at Climate Solutions.** “Cleaner fuels means healthier air, homegrown jobs, and fossil-free options for powering our transportation. The oil industry continues to try whatever they can to hold onto their monopoly over how Oregonians get around, but we are moving beyond oil.”

Further reading:

[Oregon Clean Fuels Program](#)  
[Clean Fuels 101](#)  
[Climate Change Clean Fuels](#)  
[OEC Transportation Solutions](#)  
[Earthjustice](#)

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*About Oregon Environmental Council: We bring Oregonians together to protect our water, air and land with healthy solutions that work for today and for future generations. Founded in 1968 by concerned Oregonians from across the state, we are a membership-based, nonpartisan nonprofit. Follow us! [@oeonline](#) | [OEOnline.org](#)*