

PUBLIC DOCUMENT - September 25, 2025**PENDING LITIGATION - With California Air Resources Board as a Party**

The California Air Resources Board (CARB) is a party in the cases listed below as a defendant, a plaintiff, an amicus, or as an intervenor to support the U.S. Environmental Protection Agency's (U.S. EPA) rules or actions. These cases are organized for convenience into seven categories: cases related to (1) passenger cars, (2) trucks, (3) off-road engines (such as locomotives and ships), (4) stationary sources (such as powerplants and oil and gas pipelines), (5) the federal Clean Air Act's National Ambient Air Quality Standards and State Implementation Plans, (6) enforcement cases, and (7) other cases. The expectation is that this list will be periodically updated. Since the case name, court name, and case number are listed, details about each case can be obtained from the filed pleadings at each court.

Challenges to CARB's or U.S. EPA's Passenger Car Emissions Regulations

CARB intervened in challenges to U.S. EPA's decision to grant the waiver of federal preemption for CARB's Advanced Clean Cars II regulation. *American Free Enterprise Chamber of Commerce v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 25-106).

CARB intervened to defend U.S. EPA's greenhouse gas emission standards for passenger cars and pick-up trucks that U.S. EPA adopted for model years 2027-2032. *Commonwealth of Kentucky, et al., v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1087).

CARB intervened to support U.S. EPA's decision to restore CARB's waiver for its greenhouse gas emission and zero-emission passenger car standards. *Diamond Alternative Energy, LLC, et al., v. U.S. Environmental Protection Agency, et al.* (United States Supreme Court, Case No. 24-7, certiorari granted from *Ohio, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1081, consolidated with Case Nos. 22-1083, 22-1084, and 22-1085)).

CARB intervened to defend U.S. EPA's revised 2022-2026 federal fuel economy standards issued by the National Highway Traffic Safety Administration (NHTSA). *Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 22-1080, consolidated with Nos. 22-1144 and 22-1145).

Challenge of federal administration actions to defend U.S. EPA waivers for the Advanced Clean Cars II regulation, as well as Advanced Clean Trucks and Omnibus

regulations. *State of California, et al. v. United States, et al.* (United States District Court, Northern District of California, Case No. 4:25-cv-04966)

Challenge to the U.S. EPA SAFE Vehicles Rule Part 2 against U.S. EPA and NHTSA to relax federal passenger vehicle greenhouse gas emissions and fuel economy

standards. *State of California, et al. v. Wheeler, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167, consolidated under No. 20-1145, with Nos. 20-1168, 20-1169, 20-1173, 20-1174, 20-1176, and 20-1177).

CARB intervened to support U.S. EPA in a challenge to its more stringent 2021-2026 greenhouse gas emission standards for cars. *State of Texas, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit,

Case No. 22-1031, consolidated with Case Nos. 22-1032, 22-1033, 22-1034, 22-1035, 22-1036, 22-1038).

Challenge to CARB's Advanced Clean Cars II rulemaking in federal district court under the federal and California constitutions, the California Environmental Quality Act, and the Administrative Procedures Act. *The Two Hundred for Homeownership, Robert Apodaca, and Jose Antonio Ramirez v. California Air Resources Board, et al.* (United States District Court, Eastern District of California, Fresno, Case No. 1:22-cv-01474-KES-BAM).

Challenge to CARB's Advanced Clean Cars II regulations in state court opposing the zero-emission vehicle requirements on California Administrative Procedures Act, California Environmental Quality Act, and State constitutional grounds. *Western States Petroleum Association v. California Air Resources Board, et al.* (Fresno County Superior Court, Case No. 22CECG03603).

Challenges to CARB's or U.S. EPA's Truck Emissions Regulations

Challenge to Clean Truck Partnership Agreement regarding deployment of medium and heavy-duty trucks in California. *American Free Enterprise Chamber of Commerce v. Engine Manufacturers Association, et al.* (United States District Court, Northern District of Illinois, Western Division, Case No. 3:24-cv-50504).

CARB intervened in a challenge to U.S. EPA's recent grant of a waiver and authorization of preemption for CARB's Omnibus Low Nox regulation. *American Free Enterprise Chamber of Commerce v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 25-89).

Challenge to the Clean Truck Partnership Agreement by truck manufacturer parties of the Clean Truck Partnership Agreement, among other claims related to vehicle certification and zero emission vehicle executive actions. *Daimler, et al. v. California Air*

Resources Board, et al. (United States District Court, Eastern District of California, Case No. 2:25-at-01037)

Five challenges in federal court to CARB’s Advanced Clean Fleets greenhouse-gas regulation as preempted by federal statutes and other claims.

American Free Enterprise Chamber of Commerce, et al. v. Steven S. Cliff, et al. (United States District Court, Eastern District of California, Sacramento Division, Case No. 2:24-cv-00988-KJM-JDP).

California Trucking Association v. California Air Resources Board (United States District Court, Eastern District of California, Case No. 2:23-cv-02333-TLN-CKD).

Specialty Equipment Market Association, et al. v. California Air Resources Board, et al. (United States District Court, Eastern District of California, Case No. 2:24-cv-02771-TLN-AC).

State of Nebraska, et al. v. Steven S. Cliff, et al. (United States District Court, Eastern District of California, Case No. 2:24-cv-01364-TLN-CKD).

Western States Trucking Association, Inc. and Construction Industry Air Quality Coalition, Inc. v. U.S. Environmental Protection Agency (United States Court of Appeals, District of Columbia Circuit, Case No. 23-1148).

CARB intervened to support U.S. EPA’s 2024 heavy-duty truck emissions regulation, which plaintiffs allege exceeds U.S. EPA’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. *State of Nebraska, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1129; consolidated with Case Nos. 24-1133, 24-1157, 24-1207, 24-1208, 24-1209, 24-1210, and 24-1214).

Two industry groups, in separate state court lawsuits, challenged CARB’s Advanced Clean Fleets truck regulation as failing to meet state law, the California Environmental Quality Act, and other procedural requirements, as well as claims of violating constitutional protections and lack of legal authority.

Western States Petroleum Association v. California Air Resources Board (Fresno County Superior Court, Case No. 23CECG02976).

Western States Trucking Association v. California Air Resources Board (Fresno County Superior Court, Case No. 23CECG02964).

Challenges to CARB’s Off-Road Regulations

Challenge to CARB’s Commercial Harbor Craft Regulation. *Ryan Murray Partners, Inc. v. California Air Resources Board* (Superior Court of California, County of Sacramento, Case No. 25CV005264).

CARB intervened in a challenge to U.S. EPA’s recent decision to grant the authorization of CARB’s Commercial Harbor Craft regulation. *American Fuel &*

Petrochemical Manufacturers and the American Waterways Operators v. U.S. Environmental Protection Agency, et al. (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1088); and *American Fuel & Petrochemical Manufacturers and the American Waterways Operators v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, Ninth Circuit, Case No. 25-1615).

CARB intervened in a challenge to U.S. EPA’s recent decision to grant the authorization of preemption for CARB’s Small Off-Road Engine regulation. *American Fuel & Petrochemical Manufacturers and Energy Marketers of America v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1084); *Outdoor Power Equipment Institute v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case. Nos. 25-881 and 25-1481).

CARB intervened in a challenge to U.S. EPA’s prior decision to grant the authorization of preemption for CARB’s At-Berth regulation. *Western States Petroleum Association v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1080).

CARB intervened in a challenge to U.S. EPA’s prior decision to grant the authorization of preemption for CARB’s Transport Refrigeration Unit regulation. *American Fuel & Petrochemical Manufacturers v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 25-1089); *American Fuel & Petrochemical Manufacturers v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 25-1614).

Challenge to CARB’s in-use locomotive regulation on preemption and other grounds. *Association of American Railroads, et al. v. Randolph, et al.* (United States District Court, Eastern District of California, Sacramento Division, Case No. 2:23-cv-01154-JAM-JDP).

Challenge to CARB’s Zero-Emission Forklift Regulation on the grounds that it prevents the ability to do business in California and that it violates the California Environmental Quality Act and California Administrative Procedure Act. *Western Propane Gas Association v. California Air Resources Board, et al.* (Fresno County Superior Court, Case No. 24CECG03716).

Litigation Related to Stationary Source Emissions (Methane and Other Pollutants)

Challenge to U.S. EPA’s 2020 midnight revocation of its long-established “once in, always in” policy for controlling major sources of hazardous air pollutants from stationary sources. *State of California v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1034 consolidated with *California*

Communities Against Toxics et al. v. U.S. Environmental Protection Agency, Case No. 21-1024).

Challenge to California’s climate disclosure statutes (SB 253 and SB 261) as violating the First Amendment, preempted by the federal Clean Air Act, and other claims. *Chamber of Commerce of the United States, et al. v. California Air Resources Board, et al.* (United States District Court, Central District of California, Case No. 2:24-cv-00801).

CARB intervened in the challenge to U.S. EPA’s final rules in 2020 that reverse limits on methane and other emissions from existing sources in the oil and gas sector that were constructed or modified since September 18, 2015. *Environmental Defense Fund, et al. v. Andrew Wheeler, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360).

Challenge to the federal Bureau of Land Management recession of the 2016 Waste Prevention Rule for oil and gas methane leaks on federal lands. *State of California, et al. v. David Bernhardt, et al.* (United States Court of Appeals, Northern District of California 472 F. Supp. 3d 573 (N.D. Cal. 2020) Case No. 3:18- cv- 5712- DMR; BLM, Wyoming, and industry appeal to United States Court of Appeals, Ninth Circuit, Case No. 20-16793).

CARB intervened to defend the existing federal rule in a challenge to U.S. EPA standards of performance for greenhouse gas emissions from new, modified, and reconstructed electricity generating power plants. *State of North Dakota v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 15-1381).

CARB intervened to defend U.S. EPA’s 2016 oil and gas methane rule for new and modified sources in the oil and gas sector. *State of North Dakota, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 16-1242).

CARB intervened to support U.S. EPA against the challenges to its 2024 oil and gas regulation limiting methane and VOCs from new and existing sources. The U.S. Supreme Court denied an emergency stay application to stay the rule; this case continues. *State of Texas, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1054).

CARB intervened to support U.S. EPA’s 2024 rule limiting greenhouse gas emissions from power plants. The U.S. Supreme Court denied an emergency stay application to stay the rule; this case continues. *State of West Virginia, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1120).

CARB intervened to support U.S. EPA’s 2023 rule for implementing section 111 of the Clean Air Act. *State of West Virginia, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1009).

Litigation Related to Clean Air Act – State Implementation Plans or National Ambient Air Quality Standards (NAAQS)

CARB intervened to support U.S. EPA’s approval of the San Joaquin Valley fine particulate matter contingency measure demonstration for the 1997, 2006, and 2012 PM_{2.5} NAAQS. *Committee for a Better Arvin, et al. v. U.S. Environmental Protection Agency* (United States Court of Appeals, Ninth Circuit, Case No. 24-7270).

CARB intervened to support U.S. EPA defend its 2024 standard for particulate matter in the “Reconsideration of the National Ambient Air Quality Standards for Particulate Matter”; the allowed amount of particulate matter is reduced to improve public health. *Commonwealth of Kentucky, et al. v. U.S. Environmental Protection Agency* (United States Court of Appeals, District of Columbia Circuit, Case No. 24-1050).

CARB intervened to support aligned states in a challenge to U.S. EPA’s 2020 “midnight rule” setting lax ozone National Ambient Air Quality Standards. *State of New York, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1028).

Challenge to U.S. EPA’s 2020 “midnight rule” setting lax particulate matter National Ambient Air Quality Standards. California led a coalition of aligned states to challenge this weakened standard. *State of California, et al. v. U.S. Environmental Protection Agency, et al.* (United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014).

Notice of Appeal filed with CARB contesting Great Basin Unified Air Pollution Control District fees imposed on the City of Los Angeles related to testing, monitoring, and analysis efforts in the Owens Lake and Mono Lake areas. *City of Los Angeles, acting by and through its Department of Water and Power v. California Air Resources Board* (Los Angeles County Superior Court, Case No. 24STCP01428).

Enforcement Cases

Complaint against fuel distributors for violations of the Regulation on the Commercialization of Alternative Diesel Fuels. CARB prevailed after bench trial and defendant appealed. *California Air Resources Board v. Noil Energy Group, Inc. and Speedy Fuel Inc.* (Los Angeles County Superior Court, Case Nos. 20STCV30142 and Los Angeles County Superior Court, Case No. 20STCV30292; California Court of Appeal, Second District, Case No. B339478).

Investigation into use of the monies received from CARB under the Hybrid and Zero-Emission Incentives Project; company sued when their participation was paused.

GreenPower Motor Company, Inc. v. California Air Resources Board (Sacramento County Superior Court, Case No. 23WM000083).

Action in response to Aliso Canyon natural gas leak; alleges nuisance and other theories; case settled but ongoing monitoring. *People v. Southern California Gas Company* (Los Angeles Superior Court, Case No. BC602973).

Other Cases

Challenges to CARB's Low Carbon Fuel Standard amendments primarily under the California Environmental Quality Act. *Communities for a Better Environment v. California Air Resources Board, et al.* (Fresno County Superior Court, Case No. 24CECG05430); *Defensores del Valle Central para el Aire y Agua Limpio et al. v. California Air Resources Board, et al.* (Fresno County Superior Court, Case No. 24CECG05508); *Growth Energy v. California Air Resources Board, et al.* (Fresno County Superior Court, Case No. 24CECG05514).

Challenge to CARB's response to a Public Records Act request. *Government Accountability and Oversight v. California Air Resources Board* (Sacramento County Superior Court, Case No. 24CV012372).

Challenge under the Endangered Species Act related to dust mitigation within the Oceano Dunes State Vehicular Recreation Area. *Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.* (U.S. District Court, Central District of California, Case No. 2:17-cv-8733).

CARB intervened to support petitioners' challenge to China Shipping's assertion that environmental documentation claiming prior mitigation is not needed at the Los Angeles Port. Plaintiffs prevailed at trial court and on appeal; the case is remanded to superior court for further action. *South Coast Air Quality Management District v. City of Los Angeles, et al.* (Los Angeles County Superior Court, Case No. 20STCP02985; transferred to San Diego County Superior Court, Case No. 37 2021 00023385 CU TT CTL; appeal California Court of Appeal, Fourth Appellate District, Div. 1, Case. No. D080902).