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The Trump Administration Dismantles the Foundation of Federal Climate Regulation

Insight — February 13, 2026

Key Takeaways

- **Historic reversal**: EPA repealed the 2009 Endangerment Finding—the foundational legal and scientific basis that has underpinned 17 years of federal greenhouse gas regulation
- **Immediate impact**: All greenhouse gas emissions standards for vehicles have been eliminated, with regulations for industrial facilities expected to fall next
- **Regulatory domino effect**: The repeal creates a pathway to dismantle the entire federal climate regulatory framework under the Clean Air Act (CAA), potentially affecting power plants, factories, and major industrial projects nationwide

In a sweeping regulatory reversal, President Trump announced on February 12, 2026, that the Environmental Protection Agency (EPA) repealed the Endangerment Finding and all greenhouse gas (GHG) emissions standards for cars and trucks. Since 2009, the Endangerment Finding served as the scientific and legal predicate for regulation of GHG emissions under the CAA. This action is the cornerstone of President Trump's environmental deregulatory agenda and is being touted as the single largest deregulation in American history.

17 Years of Climate Policy Reversed

EPA established the Endangerment Finding under the Obama Administration in 2009, after the United States Supreme Court in *Massachusetts v. EPA* held that GHGs, including carbon dioxide, are air pollutants that EPA can regulate under the CAA. EPA's finding triggered a cascade of GHG regulation from cars and trucks to stationary sources, such as power plants and factories. By repealing the Endangerment Finding, the predicate for EPA's authority to regulate GHG emissions is eliminated.

EPA justified the repeal on three grounds:

- **Legal authority**: even if the Supreme Court in *Massachusetts v. EPA* determined that GHGs are “air pollutants” under the CAA, the Act does not authorize regulation of pollutants with indirect global impacts like GHGs resulting large-scale implications across the economy

- **Scientific reversal**: new scientific conclusions reject previous findings that GHG emissions threaten public health and welfare

- **Economic impact**: GHG regulations impose devastatingly expensive burdens on the American economy

The repeal will be subject to intense litigation in federal court. If ultimately upheld by the Supreme Court, the repeal will stand as a significant obstacle to EPA reviving GHG regulations under future presidential administrations.

What Comes Next: Industrial Impacts and State Responses

While the repeal of the Endangerment Finding does not immediately affect federal GHG standards for industrial stationary sources, EPA is expected to repeal permitting and regulatory programs next, including New Source Performance Standards. Power plants and industrial facilities currently subject to these programs will feel the ripple effects of this deregulatory campaign over the coming months.

Under the CAA, states have the primary responsibility to implement permitting programs, subject to the federal rules. Once EPA repeals GHG programs, state GHG permitting of industrial sources under the Clean Air Act also will fall. This will streamline permits to construct and modify power plants, factories, and other large industrial projects that have been subject to increasingly strict GHG requirements over the last two decades.

With EPA disclaiming its authority to regulate GHGs, states may attempt to fill the regulatory void by developing their own GHG regulatory programs to combat climate change that go beyond cap-and-trade programs. Whether this deregulatory action limits arguments that the Clean Air Act preempts these state programs will certainly be subject to litigation. Similarly, this action raises the question of whether the Act continues to preempt common law claims of harm related to GHG emissions from large regulatory sources.

While litigation will challenge this sweeping deregulation, the repeal marks an unmistakable inflection point that will reshape federal environmental law for years to come.

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