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*Alaska v. EPA: Supreme Court Upholds the EPA's Authority Under the Clean Air Act*

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Abstract by Melissa Sutton

The author explores the case of *Alaska v. EPA* in which the Supreme Court addressed whether the Clean Air Act (CAA) authorizes the United States Environmental Protection Agency (EPA) to block construction of a major new pollutant-emitting facility once a state has determined the facility has satisfied the CAA.

The article begins with a discussion of the relevant CAA provisions and moves into an account of the factual background of the *Alaska* case. The article then examines the Supreme Court's 5-4 decision, ruling that the CAA conferred such authority on the EPA. The article points out that the decision came in the wake of numerous lawsuits that challenged—sometimes successfully—the EPA's authority to determine compliance with the CAA. The author concludes that while the decision is seen as an affirmation of the EPA's authority to administer the CAA, it is also seen by some as a defeat of states' rights.