



NEWSLETTER
FIRST QUARTER 2022

The Climate Report

Examining regulatory, litigation, and transactional legal issues related to government and industry response to climate change in the United States and in many jurisdictions worldwide on a quarterly basis since 2009.

LAWYER SPOTLIGHT



Jane Borthwick Story

As environmental, health, and safety compliance requirements increase in complexity, it's more critical than ever for businesses to stay in line with industry regulations to protect their workers and the public. [Jane Story](#), a partner in Jones Day's Government Regulation Practice, advises clients on a diverse range of compliance and regulatory matters, including management of removal and remedial actions at Superfund sites, defending against federal and state enforcement actions for alleged violations of environmental law, and environmental reporting requirements and options for voluntary self-disclosure.

Her active litigation practice includes representing clients in Comprehensive Environmental Response, Compensation and Liability Act cases, addressing issues such as the scope of arranger liability and the intricacies of cost recovery versus contribution claims. She also analyzes and manages risks associated with environmental liabilities in business transactions, assisting clients with environmental due diligence and developing options for management of material liabilities.

Jane is located in the Firm's Pittsburgh Office. She sits on the Council of the Environment and Energy Law Section of the Allegheny County Bar Association, where she currently chairs the Section's CLE programming. She is also a member of the Section of Environment, Energy, and Resources of the American Bar Association and the Environmental and Energy Law Section of the Pennsylvania Bar Association.

REGULATORY ISSUES & UPDATES



First Year of Implementation for the Taxonomy Regulation in the European Union

The delegated regulation includes a new comprehensive and unified reporting methodology to direct investments toward environmentally sustainable economic activities.

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EPA Issues Stringent Greenhouse Gas Emissions Standards for Passenger Cars and Light Trucks

EPA's final rule sets revised greenhouse gas emissions standards for passenger cars and light-duty trucks with model years 2023-2026.

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New Guidelines on State Aid for Climate, Environmental Protection, and Energy in the European Union

The European Commission has adopted new Guidelines on State Aid for Climate, Environmental Protection, and Energy, offering increased opportunity for businesses to receive State aid.

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French Regulations Foster a More Climate-Compatible Building Industry

New legislation should accelerate the development of a more climate-compatible building industry in France and increase the use of efficient energy sources.

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LITIGATION ISSUES & UPDATES

Climate Change and Investor-State Dispute Settlement

Investor-State Dispute Settlement, or ISDS, is becoming an increasingly important avenue for companies to take to resolve climate change disputes.

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Climate Change Litigation in the European Union: The Netherlands

Relying on the Hague District Court's ruling in the Royal Dutch Shell case, a Dutch environmental group has called on the chief executives of the "Netherlands' large polluters" to draft a "climate plan" before April 15, 2022, detailing the actions they will take to reduce their companies' CO2 emissions by 45% in 2030.

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UK Government Faces Judicial Review Challenge Over Net Zero Strategy

Separate legal action by two environmental organizations claims the government's proposals to meet the UK carbon budgets and net zero by 2050 are unlawful and a breach of human rights.

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TRANSACTIONAL ISSUES & UPDATES



UK Government Publishes Third Climate Change Risk Assessment January 17, 2022

The assessment includes 61 UK-wide climate risks, with eight specific areas identified for immediate action in the next two years.

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