

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CALIFORNIA,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants.

Civil Action No. 26-cv-2185 (BAH)

Judge Beryl A. Howell

ORDER

Upon consideration of plaintiff California’s Motion for a Preliminary Injunction, ECF No. 13; defendants the U.S. Environmental Protection Agency’s (and its Administrator, in his official capacity) (collectively, “EPA”) Motion to Dismiss, ECF No. 20; defendant-intervenors American Petroleum Institute and American Fuel & Petrochemical Manufacturers’ Motion to Dismiss, ECF No. 22-5; the memoranda and exhibits submitted in support and opposition; and the entire record herein, for the reasons set forth in the accompanying Memorandum Opinion, it is hereby:

ORDERED that defendants’ Motion to Dismiss, ECF No. 20, is **DENIED**; it is further

ORDERED that defendant-intervenors’ Motion to Dismiss, ECF No. 22-5, is **DENIED**; it is further

ORDERED that plaintiff’s Motion for a Preliminary Injunction, ECF No. 13, is **GRANTED**; it is further

ORDERED that defendant EPA take all necessary steps within the agency’s control to restore the *status quo*, as it existed before EPA’s June 12, 2026 press release, as to the four Clean Air Act preemption waiver orders referenced in the press release and titled “Motor Vehicle Evaporative Emissions and Greenhouse Gas (‘Advanced Clean Cars I’ (ACCI)),” “Reinstatement of ACC I,” “Small Offroad Engine (SORE) Amendments,” and “Greenhouse Gas Emission Standards – 2009 and Subsequent Model Years”; it is further

ORDERED that defendant EPA withdraw or correct EPA's reclassifications of these four Clean Air Act Section 209(b) waiver orders, and other such reclassifications, from orders to rules in all public statements, including the June 12, 2026 press release; it is further

ORDERED that defendant EPA is **ENJOINED** and **STAYED**, pursuant to 5 U.S.C. § 705, from giving effect to the reclassification of these four Clean Air Act Section 209(b) waiver orders, and other such reclassifications, from orders to rules; it is further

ORDERED that defendant EPA submit, by September 21, 2026, a status report summarizing the steps taken to comply with this order; and it is further

ORDERED that this Order shall remain in effect until further order of this Court.

SO ORDERED.

This is an appealable order.

Date: September 2, 2026



A handwritten signature in cursive script, reading "Beryl A. Howell", is written over a horizontal line.

BERYL A. HOWELL
United States District Judge