

Court says EPA air pollution rule is illegal

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A Bush administration rule barring states and local governments from requiring more air pollution monitoring is illegal, a federal appeals court ruled Tuesday.

Appeals court judge Brett Kavanaugh, a former attorney in the Bush White House, wrote the sole dissenting opinion.

He said that while EPA and state and local governments may disagree about whether monitoring requirements will adequately measure compliance, he found "nothing in the statute that prohibits EPA's approach."

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