

citizen environmentalism

setts Comer AEP Kivalina

Massachu-

1970

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EPA

<sup>(1)</sup> 2003

Massachusetts v. EPA

Jan v. Defenders of Wildlife Lujan II

Lujan II

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Injury in

fact

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traceability

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redressibility <sup>[1]</sup>

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Lujan II

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[1]

EPA

EPA

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quasi sovereignty

[4]

2 Covington Northwest  
2004 Covington v. Jefferson County

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Northwest Environmental Defense Center v. Owens Corning Corporation

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Covington

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Massachusetts  
Northwest

[7] Covington

Massachusetts

Massachusetts

Covington Northwest  
Northwest

Covington

3 Natural Resources Defense Council

Natural Resources Defense Council v. EPA

Natural Re-

1997

2005

EPA

EPA

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[1]Massachusetts v. EPA, 549 U.S. at 517.

[2]Massachusetts v. EPA , 415 F.3d 53 (D.C. Cir. 2005).

[3]Massachusetts. v. EPA, 127 S. Ct. at 1455–1456.

[4]Massachusetts. v. EPA, 127 S. Ct, at 1454–1455.

[5]Covington v. Jefferson County,358 F.3d 626–641 (9th Cir. 2004).

[6]Northwest Environmental Defense Center v. Owens Corning Corporation, 434 F. Supp. 2d at 963.

[7]Massachusetts v. EPA, 549 U.S. 497, 526 (2007)

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LujanII

fairly traceable

Massachusetts

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meaningful contribution

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Massachusetts

AEP

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2004 American Electric Power Co. (AEP) v. Connecticut

2009

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2011

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2005 Comer v. Murphy Oil USA

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Katrina

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Katrina

2010

contribution

Comer

[1]Natural Resources Defense Council v. EPA,464 F.3d 1 (D.C. Cir. 2006), at 3–7.

[2]Massachusetts v. EPA, 415 F.3d at 53–54.

[3]Massachusetts v. EPA, 415 F.3d at 1457

[4]Massachusetts v. EPA, 415 F.3d at 1457

[5]American Electric Power Co. v. Connecticut, 582 F.3d 369.

[6]American Electric Power Co. v. Connecticut , 131 S. Ct. 2527 (2011), reversing 582 F.3d 309 (2d Cir. 2009).



Katrina

2009

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<sup>[1]</sup>

panel

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Stearns

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Comer Kivalina

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Scalia

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EPA

Comer Kivalina

Kirliina

Phillip Pro

Massachu-

setts

EPA

[6]

Lujan II

[1]Massachusetts v. EPA, 549 U.S. 497, 523 (2007)

[2]Maxwell L. Stearns, Standing Back from the Forest: Justiciability and Social Choice, 83 Cal. L. Rev. 1995, p.1309.

[3]Carrie Scrufari. Down The Rabbit-Hole Of Standing: Injury, Traceability, And Redress In Greenhouse Gas Litigation. 3 Charlotte L. Rev. 2011(1), p.121.

[4]Katherine A. Guarino.The Power Of One: Citizen Suits In The Fight Against Global Warming, 38 B.C. Envtl. Aff. L. Rev., 2011, p.155.

[5]Lujan v. Defenders of Wildlife(90-1424), 504 U.S. 555(1992), at 576.

[6]Native village of Kivalina v. ExxonMobil, 8 (9th Cir. September 21, 2012) 11676.





[1]

Massachusetts Covinton  
EPA

Comer Kivalina EPA

AEP

EPA

AEP Comer Kivalina

Benjamin

Ewing Douglas A. Kysar 2011 11

[2] 2008 California v.

General Motors Corp

[3]

voice

vote

[1]F. Andrew Hessick. Standing, Injury in Fact, and Private Rights, 93 Cornell L. Rev., 2008, p.289.

[2]Benjamin Ewing & Douglas A. Kysar, Prods and Pleas: Limited Government in an Era of Unlimited Harm, 121 Yale L. J, 2011, p.351.

[3]Unopposed Motion to Dismiss Appeal, California v. Gen. Motors Corp., No. 07-16908 (9th Cir. June 19, 2009)