

The Supreme Court Update - March 9, 2026

by Andrew Brantingham, Ian Blodger, Jessica M. Leano, and Brock Huebner

On March 9, 2026, the Supreme Court of the United States granted certiorari in one case:

Department of the Air Force v. Prutehi Guahan, No. 25-579: This case addresses the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42 U.S.C. 6901 *et seq.*, a comprehensive environmental statute under which the Environmental Protection Agency may authorize state and territorial regulators to administer permitting programs for hazardous-waste-treatment facilities in their respective jurisdictions, including those operated by the federal government. The questions presented are: 1. Whether the federal government's submission to a state or territorial regulator of an application to renew a RCRA permit is "final agency action" that is immediately reviewable under the Administrative Procedure Act; and 2. Whether the federal government must comply with the general environmental-review procedures of the National Environmental Policy Act of 1969 before submitting a permit-renewal application under RCRA, which sets forth its own specific procedures to review environmental impacts in the context of hazardous-waste treatment.

Related People

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