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## Air Law and Regulations Newsletter

### **North Dakota Supreme Court to Decide Flared Gas Royalty Case**

On December 17, 2015, the North Dakota Supreme Court heard arguments in the case of Vogel v. Marathon Oil Company, a case that addresses the ability of a mineral interest owner to pursue royalty payments for flared natural gas. The appeal in Vogel follows the state district court's order granting Marathon Oil Company's ("Marathon") motion to dismiss. The North Dakota Supreme Court's decision in Vogel should clarify which procedural mechanisms must be followed by plaintiffs seeking to obtain royalty payments for gas that is alleged to have been flared in violation of the Control of Gas and Oil Resources Act. More specifically, Vogel should clarify the role of the North Dakota Industrial Commission ("NDIC") in adjudicating claims for royalty payments under the Control of Gas and Oil Resources Act.

Full article can be found here:

<http://www.crowleyfleck.com/news/95/North-Dakota-Supreme-Court-to-Decide-Flared-Gas-Royalty-Case>

### **The United States Supports the December 2015 Paris Agreement on Climate Change – What Does This Mean for American Commerce and Industry?**

For a week in December 2015, representatives from countries around the world met in Paris, France to discuss climate change. On December 12, 195 countries including the United States reached agreement to support a long-term, global plan for reducing carbon emissions known as the "Paris Agreement." Secretary of State John Kerry, who attended the Paris talks, summarized his views on the importance of the Paris Agreement by remarking "we have reached an agreement that, fully implemented, will help us transition to a global clean energy economy and ultimately prevent the worst, most devastating consequences of climate change from ever happening."

Full article can be found here:

<http://www.crowleyfleck.com/news/96/The-United-States-Supports-the-December-2015-Paris-Agreement-on-Climate-Change---What-Does-This-Mean-for-American-Commerce-and-Industry?>

**Air Emissions and the White House’s Regulatory Plan and Unified Agenda for 2016**

On November 19, 2015 the White House published its Regulatory Plan and Unified Agenda for 2016. The Regulatory Plan and Unified Agenda describe the regulatory and deregulatory priorities of various United States agencies for the upcoming year, including the most significant actions which are expected to be proposed or enacted. In its Statement of Priorities, the United States Environmental Protection Agency (EPA) identified two specific, primary priorities for 2016 related to addressing climate change and improving air quality.

Full article can be found here:

<http://www.crowleyfleck.com/news/98/Air-Emissions-and-the-White-House’s-Regulatory-Plan-and-Unified-Agenda-for-2016>

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