

Bucks County Appeals Dismissal of Climate Change Lawsuit

August 27, 2025

Pittsburgh, PA and Washington, DC

The Foundation Mineral and Energy Law Newsletter

Pennsylvania – Oil & Gas

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On June 16, 2025, Bucks County, Pennsylvania filed a notice of appeal to the Superior Court of Pennsylvania challenging the court of common pleas' dismissal of Bucks County's climate change lawsuit against 14 energy companies and the industry's largest trade association, the American Petroleum Institute (API).

The complaint alleged that the energy companies and the API should be held financially liable for climate change impacts. Specifically, Bucks County alleged that the defendants engaged in a decades-long disinformation campaign that was designed to discredit climate science, create doubt around the impact of burning fossil fuels, and delay the transition to a low carbon future. Bucks County also alleged that the campaign worsened emissions, accelerated global warming, and brought devastating climate impacts to the county. The lower court dismissed the complaint for a lack of subject matter jurisdiction due to federal preemption, concluding that our federal structure does not allow any state law to address the claims in the complaint. *Bucks Cnty. v. BP P.L.C.*, No. 2024-01836 (Pa. Ct. Com. Pleas May 16, 2025).

Similar suits have been brought by cities and states around the country. Some courts have held that these cases properly belong in state court, but courts in Delaware, Maryland, New Jersey, and New York have made rulings similar to the court of common pleas in the Bucks County case. The superior court received the original record on August 12, 2025, and will proceed from there.

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