

FACT SHEET

Proposal to Repeal Greenhouse Gas Emissions Standards for Fossil Fuel-fired Power Plants

SUMMARY OF ACTION

- On June 11, the U.S. Environmental Protection Agency (EPA) proposed to repeal greenhouse gas (GHG) emissions standards for fossil fuel-fired power plants promulgated under Section 111 of the Clean Air Act. Under EPA's initiative to *Power the Great American Comeback*, this proposed action would help restore American energy dominance by removing unnecessary burdens on fossil fuel-fired electric generating units (EGUs).
- EPA is proposing to repeal all GHG standards for the power sector. Specifically, those requirements include the:
 - New Source Performance Standards (NSPS) for coal and gas power plants, promulgated on October 23, 2015,
 - NSPS for coal-fired steam generating units undertaking a large modification and NSPS for new gas power plants promulgated in the Carbon Pollution Standards (CPS) on May 9, 2024, and
 - Emission guidelines for existing coal-, oil-, and gas-fired steam generating units, also promulgated in the CPS on May 9, 2024.
- EPA is proposing that the Clean Air Act (CAA) requires the Agency to find that the targeted emissions from fossil fuel-fired power plants contribute significantly to dangerous air pollution before issuing regulations. EPA is further proposing that GHG emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution.
- As an alternative, EPA is proposing to repeal the most burdensome set of requirements promulgated in the CPS for new and existing fossil fuel-fired power plants. These include:
 - Emission guidelines for existing coal-, oil-, and gas -fired steam generating units promulgated in the CPS on May 9, 2024,
 - The carbon capture and sequestration/storage (CCS)-based standards for coal-fired EGUs undertaking a large modification, and
 - The CCS-based standards for new base load stationary combustion turbines.
- EPA estimates that this proposal would save up to \$19 billion in regulatory costs over about two decades beginning in 2026, or about \$1.2 billion a year.

REGULATORY IMPACT ANALYSIS

- In accordance with Executive Orders (E.O.) 12866 and 13563, the guidelines of OMB Circular A-4, and EPA's Guidelines for Preparing Economic Analyses, EPA prepared a Regulatory Impact

Analysis (RIA) to analyze the emissions changes, costs and benefits associated with this proposed deregulatory action.

- The RIA estimates are presented two ways – as present values (PV) and equivalent annualized values (EAV). The PV is the costs or benefits over the period of 2026-2047. The EAV represents the value for each year of the analysis. The value of costs and benefits are reported in 2024 dollars (2024\$), discounted to 2025 at a 3 percent and 7 percent discount rate. Figures presented in this fact sheet reflect a 3 percent discount rate.
- EPA estimates that the proposal would save up to \$19 billion in regulatory costs over about two decades beginning in 2026, or about \$1.2 billion a year.
- The proposed repeal would result in nationwide changes of carbon dioxide (CO₂), which is the regulated pollutant. EPA estimates emissions changes for several snapshot years that cover about two decades, including 2028, 2030, 2035, 2040, 2045.
 - Due to the uncertainties related to monetization of impacts from changes in emissions, the RIA does not monetize these impacts.
- EPA also estimates nationwide changes in emissions of nitrogen oxides (NO_x), sulfur dioxide (SO₂), and fine particulate matter (PM_{2.5}) for the snapshot years.

BACKGROUND

- In 2015, EPA first regulated GHG emissions from power plants under CAA Section 111 by promulgating the NSPS for new fossil fuel-fired EGUs (2015 NSPS) and emission guidelines for existing EGUs (Clean Power Plan (CPP)).
- The 2015 NSPS established the best systems of emission reduction (BSER) for new, modified, and reconstructed fossil fuel-fired EGUs, which included partial-CCS for new coal-fired steam generating units. Additionally, the 2015 NSPS established BSERs for new or reconstructed natural gas-fired stationary combustion turbines that operate at base load and non-base load.
- The CPP established that the BSER to limit GHG emissions from existing fossil fuel-fired power plants included generation shifting measures, which require a shift from one type of electricity generator to another throughout the power grid.
- In 2019, EPA repealed the CPP and replaced it with the Affordable Clean Energy (ACE) rule which established that the BSER for existing coal-fired EGUs is heat rate improvements.
- In 2021, the D.C. Circuit Court of Appeals vacated the ACE Rule including its repeal of the CPP.
- In 2022, the Supreme Court reversed the D.C. Circuit's decision. In *West Virginia v. EPA*, the Court held that EPA lacks the authority to base its regulation on a generation shifting BSER. As a result of the Court's decision, the CPP Repeal was upheld and ACE reinstated.
- On May 9, 2024, EPA promulgated CPS, which included a suite of final actions, including a repeal of the ACE Rule, emission guidelines for existing coal-, oil-, and natural gas-fired steam

generating units, NSPS for new and reconstructed turbines, and standards for coal-fired EGUs that undertake a large modification.

HOW TO COMMENT

- EPA will hold a virtual public hearing for the proposed action 15 days after publication of this proposal in the *Federal Register*. Further details about the public hearing, including registration, will be available at [Greenhouse Gas Standards and Guidelines for Fossil Fuel-Fired Power Plants](#).
- EPA will accept comments for 45 days after the proposal is published in the *Federal Register*.
- Comments, identified by Docket ID No. EPA-HQ-OAR-2025-0124, may be submitted via one of the following methods:
 - Go to <https://www.regulations.gov/> and follow the online instructions for submitting a comment (our preferred method).
 - Send an email message to a-and-r-docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2025-0124.
 - Fax your comments to: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2025-0124.
 - Mail: U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA-HQ-OAR-2025-0124, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
 - Hand/Courier Delivery: EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.-4:30 p.m., Monday-Friday (except federal holidays).

FOR MORE INFORMATION

- Interested parties can download a copy of the proposed rule and fact sheet from EPA's website at [Greenhouse Gas Standards and Guidelines for Fossil Fuel-Fired Power Plants](#).
- This action and other background information are also available online at <https://www.regulations.gov/>. Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2025-0124.