EPA Moves to Repeal Biden–Harris-Era Power Plant Emissions Rules

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On June 11, 2025, the US Environmental Protection Agency, under Administrator Lee Zeldin, proposed repealing two key Biden–Harris-era rules targeting greenhouse gas and air toxic emissions from fossil fuel–fired power plants. The first component would revoke the greenhouse gas standards issued under Section 111 of the Clean Air Act, which included both the 2015 Clean Power Plan and its 2024 replacement. According to the EPA, these rules impose substantial compliance burdens, contribute to rising electricity costs, and create risks to grid reliability. The agency framed the repeal as a course correction aligned with the US Supreme Court's 2022 decision in *West Virginia v. EPA*, which limited the agency's authority to mandate generation-shifting emissions strategies without clear congressional authorization.

The second component of the proposal targets recent amendments to the Mercury and Air Toxics Standards (MATS), which had tightened restrictions on hazardous air pollutants emitted by coal-fired plants. The proposed rollback would restore the 2012 standards, which the agency claims are more cost-effective and less disruptive to plant operations. The EPA estimates that repealing both sets of regulations could save the power sector approximately $19 billion through 2046—roughly $1.2 billion annually—by reducing compliance and infrastructure costs.

Citing legal uncertainty, stakeholder input, and a broader policy shift favoring energy affordability and reliability, the EPA emphasized that the proposed changes reflect a recalibrated approach to environmental regulation. The agency also reaffirmed its intent to gather public comment on additional provisions, including efficiency standards for new gas-fired plants and carbon capture requirements for modified coal units.

Although concerns have been raised regarding the EPA's proposals, EPA must take public comments under its rulemaking process. A virtual public hearing will occur on July 8, 2025, from 11:00 a.m.–7 p.m. ET on the proposed repeal of Greenhouse Gas (GHG) Emissions Standards for Fossil Fuel-Fired Electric Generating Units, and public comments must be received on or before August 7, 2025. As to MATS, a remote hearing is set for July 10, 2025, from 11:00 a.m.–7 p.m. ET, with public comments due on or before August 11, 2025.

MG+M's Environmental Litigation Group will continue to monitor developments surrounding the proposed repeal. Our team regularly advises and assists clients in navigating evolving federal standards, including Clean Air Act obligations and related litigation risks.

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