



# Briefing Notice

## EPA's Clean Power Plan: Will it Work and Will it Be Upheld?

Wednesday, April 8, 2015  
2:00 PM – 3:30 PM  
B-318 Rayburn House Office Building

Please RSVP to expedite check-in: [www.eesi.org/040815cleanpowerplan#rsvp](http://www.eesi.org/040815cleanpowerplan#rsvp)  
Live webcast (connection permitting) will be streamed at: [www.eesi.org/livecast](http://www.eesi.org/livecast)

The **Environmental and Energy Study Institute** (EESI) invites you to a briefing examining key policy and legal issues associated with the Environmental Protection Agency's proposed rules to limit carbon dioxide (CO<sub>2</sub>) emissions from existing power plants, which account for 38.7 percent of domestic carbon emissions. According to the EPA, its proposed Clean Power Plan (CPP) would lead to a 30 percent cut in carbon emissions from the power sector by 2030, compared to 2005 levels. How will these cuts be implemented? And will the CPP hold up in court?

- **Michael Burger**, Executive Director, Sabin Center for Climate Change Law, Columbia Law School
- **Kenneth A. Colburn**, Senior Associate, U.S. Program, The Regulatory Assistance Project

The CPP sets a customized goal for each state, which takes into account its existing policies and the unique structure of its energy system. The states will have interim goals for 2020-29, and a final target for 2030. The EPA will offer states flexibility to achieve their goals by providing four "building blocks" that states can use to achieve reductions: 1) Improving the efficiency of fossil fuel power plants; 2) Switching to plants that emit less carbon, such as natural gas combined cycle plants; 3) Installing zero-emission plants powered by renewable or nuclear energy; 4) Increasing end-use energy efficiency (for example, by installing high efficiency lighting in buildings). Other options not encompassed by these building blocks could also be used. EPA received nearly 4 million comments on the proposed CPP and has signaled it will adjust the final rule based on this feedback.

Though EPA's rules have yet to be finalized, several parties have already vowed to launch legal challenges against it. In landmark 2007 and 2014 decisions, the Supreme Court found that EPA has the authority to regulate greenhouse gas emissions from mobile sources and most stationary sources under Title II of the Clean Air Act. The CPP is based on a different part of the Act, namely section 111(d) relating to Existing Source Performance Standards.

EPA estimates its rule will offer public health and climate benefits of \$55 to \$93 billion annually by 2030, while costing \$7.3 to \$8.8 billion per year. Reducing carbon emissions will lower exposure to particle pollution and ozone, thereby preventing 140,000 to 150,000 cases of asthma in children, and 2,700 to 6,600 premature deaths by 2030. Overall, the EPA says for every dollar invested in this rule, there will be a \$7 return in health benefits.

This briefing is the first in a series examining the Clean Power Plan and its implications.

**This event is free and open to the public.**  
**For more information, contact Laura Small at [lsmall@eesi.org](mailto:lsmall@eesi.org) or (202) 662-1892.**

