

# Info Alert

## National Conference of State Legislatures Office of State-Federal Relations

Jan. 7, 2015

### **EPA Updates Timeline on GHG Emission Regulations for Power Plants**

On Jan. 7, Janet McCabe, acting administrator for the Office of Air at the Environmental Protection Agency (EPA), [announced](#) updates to the agency's regulations on carbon dioxide emissions from new, existing and modified power plants.

McCabe first noted that EPA will release the proposed rules affecting new power plants, originally [proposed](#) in September 2013, and the proposed rules for existing and modified power plants, originally [proposed](#) in June 2014, together as one rule package. According to McCabe, there are many "cross-cutting issues" in the separate rules, so the agency will plan to finalize them at the same time, as a suite of rules.

As for when these final rules will be released, McCabe announced that they will not be able to make the deadline of finalizing the rules by June 2015, which was set by the president in his [Climate Action Plan](#) in June 2013. The agency noted that the extension of the comment period on the existing power plants proposal by 45 days was a factor in the agency not being able to meet the June 2015 deadline. The suite of rules will now be expected to be finalized by "mid-summer" 2015, according to EPA. EPA did not give any specifics as to whether state implementation plan timelines would be extended in the final rule, given the delay in the finalization date of the regulations.

Additionally, EPA announced they will begin to develop a federal "model plan" for implementation that state's can look at as they develop their own state implementation plans. States will be given the option to use the federal plan if they wish, but EPA encouraged states to continue to work on plans that are tailored to their unique characteristics. The model plan will go through a normal rule making process and be open for public comment. The agency expects the model federal plan proposal to be released in mid-summer 2015, around the same time as the final rules for power plants are unveiled.

As a reminder, [NCSL submitted comments](#) to EPA on its proposed regulations for existing power plants in December 2014. For any additional questions or concerns please contact NCSL staff [Ben Husch](#) (202-624-7779) or [Melanie Condon](#) (202-624-3597).