

EPA to Reconsider Power Plant Regulations

March 24, 2025 Mary Mendoza, Clarissa Mills, Victor Salazar

PRACTICES Environmental, Traditional Power

Administrator Lee Zeldin has announced that the Environmental Protection Agency (EPA) will reconsider regulations on power plants. A suite of four climate action rules, seen as building on the Obama-era Clean Power Plan and commonly referred to as the Clean Power Plan 2.0, were finalized by the Agency in April of 2024. The Agency listed reconsideration of these regulations as the first item in its March 12, 2025, deregulation agenda announcement.

In its press release, EPA did not state how it plans to alter or replace the current rules that focus on:

- Greenhouse gas standards and guidelines
- Mercury and air toxics standards
- Steam electric power generating effluent guidelines and standards
- Coal combustion residual regulations for inactive surface impoundments and management units

With the reconsideration of a plan that encompasses climate, air, water and waste regulation, the regulatory framework seems unpredictable. Multiple key elements of the climate action rules contained a phased approach, and the reconsideration could delay compliance deadlines or alter the regulatory requirements. Additionally, pending litigation challenging one of EPA's rules could create confusion. In 2024, groups of states, energy companies and other industry groups challenged the new greenhouse gas standards issued for fossil fuel-fired power plants. In October of 2024, the Supreme Court of the United States issued a short order allowing the rule to be implemented while the litigation is pending.

We recommend that power plant operators monitor the evolving reconsiderations and subsequent rulemaking. Early preparation for potential stakeholder engagement and collaboration with industry associations can help mitigate the impact of potential changes during this transition period.

If you have any questions or need assistance in preparing for potential impacts, please contact a member of Haynes Boone's [Environmental](#) or [Power](#) Practices to discuss.