

# EPA to Fight Industry, States Over Power Plant Rules on Thin Ice

Media Mentions

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The US Court of Appeals for the District of Columbia Circuit is set to hear oral arguments in *West Virginia v. Environmental Protection Agency* on December 6, but Bracewell's **Jeff Holmstead** told *Bloomberg Law* that the case will likely be halted by President-elect Donald Trump in 2025.

"It is highly unlikely that the court will decide the case," said Holmstead. "Within a few weeks of taking office, the Trump administration will ask the court to hold the case in abeyance so that new political officials can decide whether they want to defend the rule."

At issue in the case will be the feasibility of EPA's plans to rely on carbon capture and sequestration technology as a main industry solution to tackle the more stringent emission limits.

"It will still be interesting to hear the questions from the DC Circuit judges," Holmstead stated. "It will give us a sense of whether they have specific concerns about EPA's determination that CCS has been adequately demonstrated for different types of power plants."

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