

# Hydrogen May Disappear From EPA's Power Plant Rule. Here's What That Means.

Media Mentions

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Bracewell's **Scott Segal** recently spoke with *E&E News* about [EPA potentially removing hydrogen from the mix](#) in its final rule to limit power plant pollution, leaving unclear what technology will replace hydrogen to underpin EPA's final standard for new intermediate gas plants.

In its May draft rule, EPA identified two benchmark technologies — carbon capture and “green” hydrogen — to be the basis of its standard for new large, frequently operated gas plants. But if green hydrogen is not yet a cost-effective option and new lucrative production tax credits not filling the gap, EPA is going to have to choose something new.

Segal said EPA should formulate its own definition for low-emission hydrogen or green hydrogen. He added that the Treasury did EPA a “disservice” by making it “difficult for a responsible regulatory agency to use hydrogen as the basis of a regulatory standard.”

EPA relied heavily on the tax credit to argue that the fuel will be a cost-effective option for power plants and thus a suitable benchmark technology for the Clean Air Act rule. But last December — months after EPA released its draft power plant rule — the Treasury Department proposed strict guidance for the kinds of hydrogen that would be eligible for the tax credit.

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