

Industry Lawyers Flag Legal Worries in Power Plant GHG ‘Contribution’ Plan

Media Mentions

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Industry lawyers warn that EPA’s sweeping proposal that power plant greenhouse gases do not “significantly contribute” to harmful emissions may violate the Supreme Court’s decision in *Loper Bright v. Raimondo*, which directed courts to interpret the “best” reading of a statute.

“A court may question whether the best reading of the statute allows EPA to put substantial weight on policy preferences” when making that determination – “especially when that when those policy preferences may cut against the overall purpose” Bracewell’s **Brittany Pemberton** said during a July 8 webinar, as quoted by *Inside EPA*.

Also quoted from the webinar, Bracewell’s **Jeff Holmstead** said such a reliance on administration priorities is “puzzling” given Trump officials’ interest in ensuring no future administration can issue strong GHG regulations after the Trump administration scraps the current rules.

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