



# The Decade Since January

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# A lot has changed

- ❑ New Faces
- ❑ Executive Orders
- ❑ Regulatory Pauses
- ❑ Changes on the Hill
- ❑ Courts are Acting
- ❑ Industry is Responding

# New Faces

- ❑ EPA Administrator Regan
- ❑ OAR and other appointments
- ❑ DOT Secretary Buttigieg, NHTSA appointments
- ❑ White House, Climate Advisors Kerry & McCarthy
- ❑ DOE Secretary Granholm, appointments at EERE
- ❑ FERC Chairman Glick; 3-2 Republican majority
- ❑ “Build Back Better” site had \$1.7 trillion “whole of government” plan

# Executive Orders

- ❑ Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis
  - ✓ Re-join Paris Agreement
  - ✓ Review 48 Deregulatory Actions: [The List at EPA](#) from “Build Back Better”
  - ✓ National security reviews for climate impacts
  - ✓ Pause new O&G leases; revoke KXL permit
  - ✓ Eliminate fossil fuel subsidies by Federal Govt
  - ✓ Establish Climate Conservation Corps
  - ✓ Social cost of carbon
  - ✓ HFCs – leak detection, Kigali
- ❑ Orders on restoring & elevating science, establishing environmental justice institutional infrastructure

# De-Regulatory Pauses

- ❑ Benefit-Cost Analysis (Among others at EPA)
- ❑ Promoting Energy Independence & Economic Growth
- ❑ Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects
- ❑ Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects
- ❑ Efficient Federal Operations (Restores “Planning for Federal Sustainability in the Next Decade”)
- ❑ The 2-for-1 Rule

# Changes on the Hill

- ❑ New Senate Leadership (EPW, Approps, etc).
- ❑ New bills
  - ✓ HB 794 Calling for a Climate Emergency Declaration
  - ✓ HB 740 Ordering a Infrastructure Climate Resilience Study by DOT
  - ✓ HB 780 Restoring Climate & Health Programs to CDC
  - ✓ HB 744 Including Climate Considerations in FEMA's Strategic Plan
  - ✓ HB 260 Considering Women's Roles In Changing Climate
  - ✓ HR 29 Teaching Climate Science In Schools
  - ✓ HR 59 Blocking Paris Agreement Unless Renegotiated
- ❑ Much broader range for action (likely through reconciliation)
- ❑ COVID stimulus
- ❑ Appropriations will matter

# The Courts are Making Decisions

- ❑ ACE Rule vacated in court 1/19/21
- ❑ DC Circuit granted EPA's and NHTSA's 2/1/21 motion to hold SAFE Part 1 in abeyance
- ❑ Transparency In Regulatory Science vacated 2/1/21
- ❑ These rules are under review by Biden EPA and also subject to litigation:
  - ✓ Safe Part 2
  - ✓ Aircraft GHGs (fin. 1/11/21)
  - ✓ New Power Plant NSPS under 111b (fin 1/13/21)
  - ✓ Methane NSPS for O&G
  - ✓ Trailer sections of Phase II Heavy Duty rule (stayed 9/20)

# Companies are responding

- ❑ GM, Toyota, Hyundai, others withdraw from SAFE litigation
- ❑ Investments in EVs: GM “aspires to eliminate tailpipe emissions from new light-duty vehicles by 2035”; multibillion battery investments for GM, Ford, VW
- ❑ EEI Op-Ed: 100% zero emissions “possible with the right alignments”
- ❑ EPSCA announcements: support for broad electrification, decarbonization through market design



# Questions?

You pay me to answer 'em!