

## **EPA Rules and Closely Related Rules Targeted for Potential Rollback**

This list includes EPA proposals or rules that the Trump Administration is working to delay, reconsider and/or review. It also includes closely related rules or proposals of other agencies. Endnotes provide links that lead to more information on each rollback effort.

*If you have information on ongoing EPA rollback actions not on this list, please contact [saveepa.guide@gmail.com](mailto:saveepa.guide@gmail.com).*

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## Air and Climate Protection

### Carbon Pollution Standards for New Power Plants – Withdrawal

The Trump Administration has announced<sup>i</sup> plans to “withdraw” national emission standards for controlling climate-changing CO<sub>2</sub> emissions from new fossil-fuel-fired power plants – as well as from plants that are reconstructed or modified. These standards trigger a Clean Air Act requirement for state plans to control CO<sub>2</sub> emissions from existing power plants, the basis for EPA’s “Clean Power Plan.” (See Clean Power Plan entry.)

*Status: A March 28, 2017, Trump executive order<sup>ii</sup> calls for review of this final rule. The Unified Agenda lists withdrawal of this rule among “long-term actions” not expected within in the next 12 months; its timing is “to be determined.”*

### Clean Power Plan Rule for Reducing Carbon Pollution from Existing Power Plants -- Repeal

Despite the serious impacts of climate change now and in the future, the Trump administration is proposing to repeal the federal Clean Power Plan (CPP) rule to control our country’s biggest source of climate pollution — fossil-fuel-fired power plants. The Administration has proposed to repeal now and consider whether to replace the rule later. If not withdrawn, by 2030, the CPP would help achieve a 32 percent reduction in CO<sub>2</sub> emissions from the power sector relative to the 2005 level. CO<sub>2</sub> reduction strategies also would cut emissions of other air pollutants that are associated with increases in heart attacks, hospital admissions for asthma attacks, and deaths. EPA’s 2015 analysis shows that the health, environmental and other economic benefits of the CPP are large, dwarfing the costs to comply. The net benefits (the benefits minus costs) were estimated to range from between \$26 billion to \$45 billion in 2030.

*Status: EPA proposed<sup>iii</sup> to withdraw the CPP on October 16, 2017. EPA will accept public comment on the proposal to repeal the CPP until December 15, 2017. A public hearing will be held if anyone requests one. For more information on this rollback proposal and how to comment see [Defending the Clean Power Plan](#).*

### Landfill Gas Standards for Municipal Landfills – Delay and Reconsideration

The Trump EPA is reconsidering 2016 requirements that would require more municipal landfills to control landfill gas, which includes climate-changing methane pollution and other smog-forming and toxic pollutants. Landfills are the country’s third-largest source of methane pollution, a “super-pollutant” with a global warming potential more than 25 times that of carbon dioxide. In response to an industry petition, the agency is reconsidering certain aspects of two related rules -- national standards for new landfills and guidelines for state regulation of existing landfills.

*Status: EPA announced the reconsideration in a May 5, 2017, letter, and on May 31, 2017, stayed both rules until August 29, 2017. The Unified Agenda includes two simultaneous actions scheduled for summer 2017 to “further extend” the stay.<sup>iv</sup>*

## **Methane Standards for Oil and Gas Sector (EPA) – Delay and Reconsideration**

The Trump EPA has proposed to delay and is reconsidering key elements of standards to cut methane, smog-forming pollutants, and toxic air pollution from new, reconstructed and modified facilities in the oil and gas sector. Oil and gas wells and other facilities are this country's largest emitter of methane, a "super-pollutant" with a global warming potential more than 25 times that of carbon dioxide. Oil and gas facilities are also significant contributors to smog pollution in the West and other parts of the country.

*Status: FINAL RULE AT OMB. A March 28, 2017, executive order calls for EPA to review the emissions standards and, if appropriate, propose rules suspending, revising or rescinding them.<sup>v</sup> The delay proposal was published June 16, 2017, with public comments accepted through August 9, 2017. The draft final rule was submitted to OMB for review on September 22, 2017. For more information, click [here](#). The Unified Agenda calls for the delay action to be finalized in August 2017, and does not include an action to change the rule.*

## **Methane Rule for Federal and Indian Lands (Department of Interior, Bureau of Land Management) – Review**

A March 28, 2017, Trump executive order<sup>vi</sup> directs the Bureau of Land Management to review its rule to reduce natural resource waste and loss of royalties from new and existing oil and gas facilities on federal and Indian lands. The rule, issued on November 18, 2016, is designed to reduce the loss of natural gas through venting, flaring and leaks during the production of oil and gas on those lands. Methane is the primary component of natural gas.

*Status: OPEN FOR COMMENT. BLM on June 15, 2017, administratively postponed compliance deadlines for portions of the rule that had not yet gone into effect.<sup>vii</sup> On October 5, 2017, a federal court struck down that action, which means the delayed provisions take effect. On the same day, BLM proposed for public comment a new delay of the compliance deadlines for certain rule provisions; the comment period expires November 6, 2017.<sup>viii</sup> The Unified Agenda includes this delay and suspension of implementation dates, as well as a future revision or rescission rule.<sup>ix</sup> For more information, click [here](#).*

## **Mercury and Air Toxics Standards (MATS) for Power Plants – Review**

The Trump EPA is considering whether to reopen 2012 toxic air pollution standards for fossil-fuel-fired power plants – even though power plants have already complied and are achieving large pollution reductions. The rule cuts emissions of mercury and other toxic air pollutants, as well as reducing emissions that form fine-particle pollution (soot) and ground-level ozone (smog). Exposure to methylmercury through eating fish can interfere with nervous system development in fetuses and young children, and other toxic pollutants from power plants are associated with cancer and other serious illnesses. Fine particles and ozone are associated with premature death, heart and lung ailments, hospitalizations and emergency room visits.

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*Status: In a court filing,<sup>x</sup> EPA stated its intent to review the rule; EPA has yet to announce a next step. The Unified Agenda does not include a listing for this review.*

### **Ozone National Air Quality Standards (NAAQS) – Review**

The Trump EPA has stated that it “intends to closely review” the current national air quality standards for ground-level ozone (smog). The standards, which are supposed to protect public health and the environment from harm, were set in 2015 after extensive scientific review and advice from an expert scientific advisory committee. Ozone is associated with premature death, worsening of mortality, exacerbation of asthma attacks, and a variety of respiratory problems including permanent lung damage from long-term exposure.

*Status: In a court filing,<sup>xi</sup> EPA stated its intention to review the rule; EPA has yet to announce a next step. The Unified Agenda does not include a listing for this review.*

### **Startup/Shutdown/Malfunction Rule for Industrial Facilities – Reconsideration**

The Trump EPA is reconsidering a 2015 rule that directed 36 states to make their rules consistent with the Clean Air Act by removing provisions that treat excess emissions during startup, shutdown and malfunctions as not subject to emission limits and not in violation.

*Status: A federal court on April 25, 2017, granted EPA’s request to delay a lawsuit while the agency reviews the rule for possible modification or repeal.<sup>xii</sup> The Unified Agenda does not include a listing for this review.*

### **National Emission Standards for Hazardous Air Pollutants (NESHAP) for Manufacture of Amino/Phenolic Resins – Proposed Reconsideration**

The Trump EPA is proposing to weaken air toxics limits for laminate resin manufacturing, including proposing to revise the MACT standards for back-end CPVs (continuous process vents) at existing sources. EPA is also soliciting comment on 1) whether the agency should modify the front-end CPV MACT standards for existing sources, and 2) whether the EPA should extend the compliance date for the proposed revised back-end CPV MACT standards for existing sources. Finally, EPA is proposing work practice requirements for storage vessels at new and existing sources during planned routine maintenance of emission control systems.

*Status: CLOSED FOR COMMENT. Proposed in FR on August 24, 2017<sup>xiii</sup>, comment period closed on October 23, 2017.*

### **Vehicle Climate Pollution Standards for Cars and Light Trucks – Reconsideration**

(See also related Fuel Economy Standards entry below)

The Trump EPA has announced that it will reconsider a 2016 determination that it is feasible for automakers to meet previously issued standards for climate pollution that apply to model year 2022-2025 cars and light trucks. The agency is also reopening the climate pollution standards

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for model year 2021 cars and light trucks. Motor vehicles are the country's second-largest source of climate pollution. The standards being reviewed are designed to cut climate pollution and improve fuel efficiency while bolstering energy security and spurring manufacturing innovation.

*Status:* In response to industry petitions, EPA on March 15, 2017, published a notice of intent<sup>xiv</sup> to reconsider its mid-term evaluation of the feasibility of the model year 2022-2025 standards. On August 10, 2017, EPA issued a joint notice with the National Highway Traffic Safety Administration (NHTSA) that reopened the comment period on its 2016 determination and also asked for comment on the model year 2021 standards. A public hearing was held September 6, 2017. The comment period ended October 5, 2017. For more information, click [here](#). The Unified Agenda does not include a listing for this action.

### **Fuel Economy Standards for Cars and Light Trucks (National Highway and Traffic Administration) – Reconsideration and Standard-Setting**

(This non-EPA action is being taken in conjunction with EPA's vehicle standards reconsideration described above because lowering carbon dioxide emissions and improving fuel economy are closely linked.)

The Trump National Highway Traffic Safety Administration (NHTSA) is considering setting model year 2022-2025 corporate average fuel economy (CAFE) standards for cars and light trucks that would be weaker than NHTSA's prior "best estimate" of what these standards should be. The "best estimate" levels were consistent with EPA's closely related climate pollution standards for model year 2022-2025 cars and light trucks, but were not finalized because NHTSA lacks statutory authority to issue standards so soon for the later model years. NHTSA is also re-evaluating its final model year 2021 fuel economy standards, which mirror EPA's standards for that model year.

*Status:* NHTSA on July 26, 2017, published a notice of intent<sup>xv</sup> to prepare environmental impact statements for model year 2022-2025 fuel economy standards for cars and light trucks. The public comment period was open through August 25, 2017. For more information, click [here](#). On August 10, 2017, NHTSA issued a joint notice with EPA on standards for model year 2022-2025 cars and light trucks. The comment period for this notice ended October 5, 2017. For more information, click [here](#). The Unified Agenda includes a rulemaking to establish 2022-2025 fuel economy standards.

### **Civil Penalties for Violating Fuel Economy Standards (National Highway Traffic Administration) – Reconsideration**

The Trump National Highway Traffic Safety Administration (NHTSA) is reconsidering inflation increases in the civil penalty rate for automakers violating corporate average fuel economy (CAFE) standards. The amount of the civil penalty was originally set by statute in 1975, and for most of the time since then has been constant. NHTSA raised the rate in 2016 following a formula in a recently passed law, but the agency is now reconsidering the level.

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*Status: CLOSED FOR COMMENT. NHTSA in July 12, 2017, Federal Register notice<sup>xvi</sup> requested public comment on the appropriate inflationary adjustment for CAFÉ civil penalties. The comment period ended October 10, 2017.*

### **Vehicle Climate Pollution Standards for Medium- and Heavy-Duty Trucks – Review**

The Trump EPA is weighing whether to reconsider standards for climate pollution from new medium- and heavy-duty trucks for model years 2019-2027. In August 2016, EPA and NHTSA jointly finalized those “Phase 2” standards, which improve fuel efficiency and cut climate pollution, while bolstering energy security and spurring manufacturing innovation.

*Status: A federal court on May 8, 2017, granted a request by the Trump EPA to put a lawsuit on hold while EPA reviews a petition by the Truck Trailer Manufacturers’ Association to reconsider the rule.<sup>xvii</sup> A proposal reportedly is under review at the Office of Management and Budget. The Unified Agenda does not include a listing for this review.*

## **Energy subsidies**

### **Subsidies for Coal and Nuclear Power Plants (Grid Resiliency Pricing Rule -- DOE-FERC) – Proposal**

The Department of Energy (DOE) is proposing that the Federal Energy Regulatory Commission (FERC) finalize a rule that would subsidize generation of electricity by coal and nuclear power plants by paying them for the costs of all the electricity they generate regardless of whether the electricity is needed. This would disadvantage electricity from natural gas and renewable resources. DOE advocates this on grounds that the subsidy is needed for grid reliability, a claim that cannot be supported. The proposal would have an adverse effect on consumer electricity prices, the economy, and the environment. Yet no analysis of these impacts is offered by DOE.

*Status: COMMENT PERIOD CLOSED. This rule was proposed<sup>xviii</sup> on October 10, 2017, and the comment period closed on October 23, 2017. For more information, see [Opposing Subsidies for Coal and Nuclear Power Plants](#).*

## Water Protection

### Clean Water Act Protections for Bristol Bay, Alaska (Pebble Mine) – Withdrawal

The Trump EPA has proposed to withdraw restrictions on discharge of mining wastes in Alaska’s Bristol Bay watershed, the largest sockeye salmon spawning area in the world.

*Status: COMMENT PERIOD CLOSED. The proposed withdrawal was published on July 19, 2017 and the public comment period closed on October 17, 2017. For more information, click [here](#). The Unified Agenda does not include a listing for this review.*

### Clean Water Rule to Protect “Waters of the U.S.” (WOTUS) – Two Proposals

The Trump Administration has proposed to remove Clean Water Act protections from two million miles of waterways and millions of acres of wetlands. Rollback of this rule would put drinking water at risk for 117 million Americans.

The Unified Agenda calls for two related actions:<sup>xix</sup> (1) a proposal to rescind the 2015 Clean Water Rule and revert to the prior rule defining the “waters of the U.S.,” and (2) a substantive re-evaluation and revision of the definition of “waters of the U.S.” in accordance with a February 28, 2017 executive order.<sup>xx</sup>

*Status of Action 1: The proposed rescission (action 1) was published on July 27, 2017. That public comment period ended September 27, 2017<sup>xxi</sup>. For more information, click [here](#).*

*Status of Action 2: OPEN FOR COMMENT. On August 25, EPA announced that EPA and the Corp of Engineers would hold a series of outreach meetings for the second phase of this effort (action 2, re-evaluation and revision of the definition of “waters of the U.S.”). This includes a series of 9 teleconferences focused on specific stakeholders and one for the general public (ten total), from September 19th through November 21st.; the general public teleconference is on November 21. Finally, EPA has established a docket for written comments at this pre-proposal stage of Action 2. (For more information from Save EPA, click [here](#). For the EPA web page on these processes, see <https://www.epa.gov/wotus-rule/outreach-meetings>). The Unified Agenda calls for proposal of the second action in December 2017.*

### Hydraulic Fracturing Rule (Department of Interior, Bureau of Land Management) – Proposal to Rescind

In response to a Trump executive order<sup>xxii</sup>, BLM has proposed to rescind its 2015 rule to require safeguards when hydraulic fracturing (often called “fracking”) is used to enhance production of oil and gas on federal and Indian lands. The rule would protect water supplies, ensure safe environmental management of fluids that flow back to the surface, and ensure public disclosure of the chemicals used in hydraulic fracturing fluids.

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*Status:* Consistent with the Unified Agenda, a proposal to rescind the rule was published July 25, 2017. The public comment period ended on September 25, 2017.<sup>xxiii</sup> For more information, click [here](#).

### **Toxic Water Rule (Steam Electric Power Effluent Limitations Guidelines & Standards (ELG)) – Delay and Reconsideration**

The Trump Administration has delayed some of the compliance dates for the effluent limitations guidelines and standards for steam electric power plants ("Toxic Water Rule" or "ELG Rule"), which limits toxic metals that power plants dump into rivers and streams. This delay allows time for the Administration to continue considering weakening these limits.

*Status:* On September 18, 2017, EPA finalized a rule postponing some of the earliest compliance dates for the ELG rule that was issued in November 2015, and indicating EPA's intent to issue a proposal to reconsider some of that rule's requirements for existing sources (specifically, Best Available Technology effluent limitations and pretreatment standards for bottom ash transport water and flue gas desulfurization (FGD) wastewater).<sup>xxiv</sup> The proposal to delay the rule had been published on June 6, 2017, and a public hearing was held July 31, 2017. In addition, on August 11, 2017, Pruitt signed a letter indicating EPA's intent to issue such a proposal to reconsider and likely weaken the rule. The Unified Agenda lists the reconsideration proposal among "long-term actions" not anticipated within 12 months.

## **Chemical Accident Prevention and Response**

### **Risk Management Plan Program Revisions – Delay and Reconsideration**

In response to industry petitions, the Trump EPA is reconsidering a January 2017 rule that improves accident prevention and emergency response planning by facilities handling extremely hazardous chemical substances. The rule helps protect local first responders, community members and employees from death or injury due to chemical facility accidents.

*Status:* The rule's effective date is delayed until February 19, 2019, as reconsideration proceeds.<sup>xxv</sup> The Unified Agenda lists the action determining the final rule effective date among "long-term actions" not anticipated within 12 months.

## Pesticides Safeguards

### **Certification Rule for Pesticide Applicators – Delay and Review**

The Trump EPA has delayed and plans to review a rule strengthening protection for workers who apply restricted use pesticides. Published in January 2017, the rule set stronger standards to reduce risks to the individuals applying these pesticides in their daily jobs, and to help protect families, communities, and the environment from pesticide exposure.

*Status:* The rule's effective date is delayed until May 22, 2018. EPA plans to review it under an April 25, 2017, executive order on agriculture.<sup>xxvi</sup> The Unified Agenda lists the timing of the rule's final effective date as "to be determined."

## Radiation Protection

### **Weakening of Proposed Groundwater Contamination Limits for Uranium and Thorium Mining – Re-proposal**

The Trump Administration is considering standards the Obama Administration proposed in January to prevent, monitor and remedy groundwater contamination from uranium extraction operations -- standards weaker than originally proposed in 2015. Radionuclide contamination of drinking water aquifers has been documented at a number of uranium mines in recent years.

*Status:* COMMENT PERIOD CLOSED. The comment period was extended on August 2, 2017, but closed October 16, 2017. For information on the two proposals and how to comment – including suggested talking points -- see [Defending Limits on Uranium Mining Contaminants in Groundwater](#).

## About This List -- Information Sources

The information provided here is based on executive orders, Federal Register notices, the July 20, 2017, Unified Agenda of Regulatory and De-Regulatory Actions<sup>xxvii</sup> issued by the Trump Administration, press statements, press reports, and the trackers listed below.

- Harvard Environmental Law Program tracker for environmental regulatory rollbacks by the Trump Administration: <http://environment.law.harvard.edu/policy-initiative/regulatory-rollback-tracker/>.
- Climate Deregulation Tracker of the Sabin Center for Climate Change Law at Columbia Law School: <http://columbiaclimatelaw.com/resources/climate-deregulation-tracker/>
- Climate Blog of Sabin Center for Climate Change Law at Columbia Law School: <http://blogs.law.columbia.edu/climatechange/2017/06/07/june-2017-updates-to-the-climate-case-charts/>
- The Washington Post deregulatory tracker: [https://www.washingtonpost.com/graphics/politics/trump-rolling-back-obama-rules/?utm\\_term=.1803f09359e5](https://www.washingtonpost.com/graphics/politics/trump-rolling-back-obama-rules/?utm_term=.1803f09359e5)

## Endnotes

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<sup>i</sup> Unified Agenda of Regulatory and Deregulatory Actions.

<https://www.reginfo.gov/public/do/eAgendaMain>

See also Executive Order 13783:

<https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth> Unified Agenda of Regulatory and Deregulatory Actions:

<https://www.reginfo.gov/public/do/eAgendaMain>

See also April 4, 2017, Federal Register notice:

<https://www.federalregister.gov/documents/2017/04/04/2017-06519/review-of-the-standards-of-performance-for-greenhouse-gas-emissions-from-new-modified-and>

<sup>ii</sup> See April 11, 2017, report in The Washington Post:

[https://www.washingtonpost.com/news/energy-environment/wp/2017/04/11/d-c-circuit-grants-epas-request-to-delay-smog-rule-case/?utm\\_term=.5ab591cc00c1](https://www.washingtonpost.com/news/energy-environment/wp/2017/04/11/d-c-circuit-grants-epas-request-to-delay-smog-rule-case/?utm_term=.5ab591cc00c1)

<sup>iii</sup> Regulations.gov <https://www.regulations.gov/searchResults?rpp=25&po=0&s=epa-hq-oar-2017-0355&fp=true&ns=true>

<sup>iv</sup> See <https://www.epa.gov/stationary-sources-air-pollution/municipal-solid-waste-landfills-new-source-performance-standards>, and <https://www.gpo.gov/fdsys/pkg/FR-2017-05-31/pdf/2017-10752.pdf>.

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[See also](https://www.reginfo.gov/public/do/eAgendaMain) Unified Agenda of Regulatory and Deregulatory Actions, July 20, 2017.  
<https://www.reginfo.gov/public/do/eAgendaMain>

<sup>v</sup> See also Executive Order 13783:

<https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth>

<sup>vi</sup> Executive Order 13783: <https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth>

<sup>vii</sup> Bureau of Land Management Federal Register notification dated June 15, 2017 (82 FR 27430) regarding administrative postponement of certain compliance deadlines in BLM methane rule: <https://www.federalregister.gov/documents/2017/06/15/2017-12325/waste-prevention-production-subject-to-royalties-and-resource-conservation-postponement-of-certain>

<sup>viii</sup> Bureau of Land Management Federal Register notice dated October 5, 2017, proposing to suspend or delay certain requirements in the 2016 BLM methane rule: <https://www.federalregister.gov/documents/2017/10/05/2017-21294/waste-prevention-production-subject-to-royalties-and-resource-conservation-delay-and-suspension-of>

<sup>ix</sup> Unified Agenda of Regulatory and Deregulatory Actions:  
<https://www.reginfo.gov/public/do/eAgendaMain>

<sup>x</sup> April 7, 2017, EPA court filing with the U.S. Court of Appeals for the D.C. Circuit, reported in The Washington Post on April 18, 2017: [https://www.washingtonpost.com/news/energy-environment/wp/2017/04/18/epa-seeks-delay-over-rule-curbing-coal-plants-toxic-pollution/?utm\\_term=.40764a0319bb](https://www.washingtonpost.com/news/energy-environment/wp/2017/04/18/epa-seeks-delay-over-rule-curbing-coal-plants-toxic-pollution/?utm_term=.40764a0319bb).  
Court filing available at: <http://www.environmentallawandpolicy.com/wp-content/uploads/sites/186/2017/04/mats.pdf>

<sup>xi</sup> The Washington Post, April 7, 2017: [https://www.washingtonpost.com/pb/news/energy-environment/wp/2017/04/07/trumps-epa-makes-first-moves-on-obama-era-smog-protections/?outputType=accessibility&nid=menu\\_nav\\_accessibilityforscreenreader](https://www.washingtonpost.com/pb/news/energy-environment/wp/2017/04/07/trumps-epa-makes-first-moves-on-obama-era-smog-protections/?outputType=accessibility&nid=menu_nav_accessibilityforscreenreader). See also court order: [http://www.environmentallawandpolicy.com/wp-content/uploads/sites/186/2017/04/epa2017\\_0722.pdf](http://www.environmentallawandpolicy.com/wp-content/uploads/sites/186/2017/04/epa2017_0722.pdf)

<sup>xii</sup> <http://www.environmentallawandpolicy.com/2017/04/d-c-circuit-delays-ssm-rule-litigation/>

<sup>xiii</sup> <https://federalregister.gov/d/2017-17514>

<sup>xiv</sup> EPA news release dated March 15, 2017, announcing a notice of intent (82 FR 14671) published March 15, 2017, to reconsider its mid-term evaluation of the standards' feasibility: <https://www.epa.gov/newsreleases/epa-reexamine-emission-standards-cars-and-light-duty-trucks-model-years-2022-2025>

<sup>xv</sup> National Highway Traffic and Safety Administration web page on corporate average fuel economy: <https://www.nhtsa.gov/laws-regulations/corporate-average-fuel-economy>

<sup>xvi</sup> NHTSA Federal Register notice, “Reconsideration of final rule; request for comments,” July 12, 2017. <https://www.federalregister.gov/documents/2017/07/12/2017-14526/civil-penalties>

<sup>xvii</sup> Columbia Law School Climate Law Blog, June 2017 Updates to the Climate Case Charts: <http://blogs.law.columbia.edu/climatechange/2017/06/07/june-2017-updates-to-the-climate-case-charts/>

<sup>xviii</sup> See Federal Register <https://www.federalregister.gov/documents/2017/10/10/2017-21396/grid-resiliency-pricing-rule>

<sup>xix</sup> Unified Agenda of Regulatory and Deregulatory Actions: <https://www.reginfo.gov/public/do/eAgendaMain>

<sup>xx</sup> Executive Order, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule,” February 28, 2017. <https://www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic>

<sup>xxi</sup> Joint Army Corps of Engineers/EPA Federal Notice extending public comment period, August 22, 2017. <https://www.epa.gov/sites/production/files/2017-08/documents/2017-17739.pdf>

<sup>xxii</sup> According to the BLM web page on the hydraulic fracturing rule, “The BLM’s proposal supports Administration priorities that: require agencies to seek ways to reduce the costs of regulatory compliance (Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs), and; require the Secretary to review four specific rules, including the BLM’s 2015 final rule on hydraulic fracturing (Executive Order 13783, Promoting Energy Independence and Economic Growth). See <https://www.blm.gov/node/13073>.

<sup>xxiii</sup> BLM web page: <https://www.blm.gov/node/13073>. See also Unified Agenda of Regulatory and Deregulatory Actions: <https://www.reginfo.gov/public/do/eAgendaMain>

<sup>xxiv</sup> <https://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines-2015-final-rule>

<sup>xxv</sup> EPA web page on Risk Management Program Amendments: <https://www.epa.gov/rmp/final-amendments-risk-management-program-rmp-rule#rule-summary>

<sup>xxvi</sup> The January 4, 2017, certification rule (82 FR 952) is being delayed in accordance with the Presidential directives as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” and the principles identified in the April 25, 2017 Executive Order “Promoting Agriculture and Rural

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Prosperity in America.” See delay notice (82 FR 25529)

<https://www.federalregister.gov/documents/2017/06/02/2017-11458/pesticides-certification-of-pesticide-applicators-delay-of-effective-date>

<sup>xxvii</sup> Unified Agenda of Regulatory and Deregulatory Actions, July 20, 2017.

<https://www.reginfo.gov/public/do/eAgendaMain>