

# Proposal Is Beginning, Not End, of Regulatory Process

## Key Dates Affecting EPA CO<sub>2</sub> Emissions Regulation

<u>Date</u>	<u>Action Item</u>	<u>Legal Vulnerabilities</u>	<u>Political Vulnerabilities</u>
June 2, 2014	EPA issues proposed regulations	Parties affected by the EPA's regulations could challenge the proposal in court; however, establishing standing could prove difficult	
November 4, 2014	Congressional midterms		Since Republicans won the Senate in 2014, Congress could pass legislation depriving the EPA of the authority to impose these regulations, although President Obama would likely veto any such bill
June 1, 2015	EPA issues final regulations	Once final standards are issued, producers whose emissions will be capped by the EPA will almost certainly challenge the regulations in court	
June 30, 2016	States submit plans for meeting standards	The impact of the regulations on energy prices and consumption could lead to further legal controversy and potential action by individuals, businesses, or states	
November 4, 2016	Presidential election		A Republican victory in 2016 could lead to an administration attempting to claw back the regulatory authority permitted by President Obama; however, the effort could face difficulties if EPA regulations are already being implemented

### Analysis

- The EPA's June 2014 proposal to reduce carbon emissions must still undergo a comment period, revisions, and an implementation planning process before states are required to put real changes in place
- Throughout the rule-making process, efforts to implement these standards could be derailed by a court's decision to limit the EPA's authority, and changes to the political landscape could cause a similar diminution of the EPA's powers