



Institute for
Policy Integrity

NEW YORK UNIVERSITY SCHOOL OF LAW

FOR IMMEDIATE RELEASE – August 21, 2018

Contact: Derek Sylvan | (212) 998-6085 | derek.sylvan@nyu.edu

STATEMENT ON THE EPA’S REPLACEMENT OF THE CLEAN POWER PLAN

Today, the EPA released a proposed rule that would replace the Clean Power Plan with a set of insufficiently strong emissions standards for power plants. The approach used in the proposed rule is inconsistent with science, economics, and regulatory practice by administrations of both parties over several decades.

Richard Revesz, Lawrence King Professor of Law and Dean Emeritus at NYU School of Law and director of the Institute for Policy Integrity, has released the following statement:

“In regulating greenhouse gas pollution, the EPA is legally required to use the ‘best system of emission reduction,’ not a mediocre or downright counterproductive system of emission reduction. This proposal is an enormous step backwards, and it will have severe repercussions for public health and the climate.”

Related Resources:

- A report from the Institute for Policy Integrity revealing that [the costs of complying with the Clean Power Plan would likely be far lower than anticipated](#), due to changes in the electric sector since the rule was issued.
- An article offering a detailed [examination of regulatory precedents for the Clean Power Plan](#), showing that the rule is consistent with regulatory practices of both parties dating back several decades.
- Our report analyzing claims from the September 2016 oral argument in litigation over the Clean Power Plan, which [highlights that there is substantial precedent for “beyond-the-fenceline” pollution reduction measures](#).

- Our analysis of [how the EPA addressed statutory boundaries in the design of the Clean Power Plan](#), explicitly acknowledging and respecting each of the constraints on EPA's regulatory authority in Clean Air Act Section 111.
- A New York Times op-ed by Richard Revesz and Jack Lienke on [the economic manipulations that the EPA used to make repealing the Clean Power Plan appear justified](#).
- A forthcoming [academic article](#) by Richard Revesz and Kimberly Castle on environmental standards, thresholds, and the role that benefits from particulate matter reductions play in the Clean Power Plan and other regulations.

Revesz and other members of our staff are available for interviews on this matter.

###

[The Institute for Policy Integrity](#) at New York University School of Law is a non-partisan think tank dedicated to improving the quality of government decisionmaking. The institute produces original scholarly research in the fields of economics, law, and regulatory policy; and advocates for reform before courts, legislatures, and executive agencies.