

EPA to Delay Greenhouse Gas Rules

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For the second time in two weeks, EPA announced that it will either delay or drop air emissions rules that had been criticized by industry. The first was the [withdrawal of new ozone NAAQS](#), and yesterday's announcement that EPA will miss a September 30, 2011 deadline for proposing new source performance standards (NSPS) to limit greenhouse gas (GHG) emissions from power plants marks the second. EPA stated that it will issue a new schedule for proposing the rules. EPA is required to propose the NSPS under a settlement agreement reached last year between EPA and numerous environmental groups and states. Another settlement agreement requires EPA to propose NSPS for GHG emissions from petroleum refineries.

EPA was originally required to propose NSPS for power plant GHG emissions by July 26, 2011. Earlier this year the deadline was extended to September 30th. With the date for proposing the rule pushed back twice so far, it is unlikely that the rule will be finalized by May 26, 2012, as currently required by the settlement agreement. It also raises the question of whether the petroleum refinery NSPS will be delayed as well. Those rules are currently required to be proposed by December 10, 2011 and finalized by November 10, 2012.

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