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Clean Power Plan

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The Clean Power Plan, which includes regulations issued under the Clean Air Act, requires existing power plants across the country to slash 2005-level carbon emissions by 32 percent over the next 15 years. Utility companies would also ensure that at least 28 percent of their electricity generation comes from wind, solar, or other renewable sources.

By 2030, the new rules would prevent up to 3600 premature deaths, 1700 non-fatal heart attacks, 90 000 asthma attacks in children and avoid 300 000 missed work and school days, according to the Administration's **estimates**.

"It also shows the world that the United States is committed to leading global efforts to address climate change," says the Administration's **summary**. And the plan is essential if the USA is going to carry out its climate change plan submitted to the UN Framework Convention on Climate Change in preparation for December's global conference in **Paris**.

Each state has been assigned a reduction target based on their current carbon pollution levels. They must start by 2022, and if not, the federal government can step in to do it for them, setting the stage for a barrage of lawsuits.

But the last time Obama left it to the states to carry out a major legacy-making domestic policy, everyone ended up at the Supreme Court, arguing over the Affordable Care Act. Twenty-six states filed **lawsuits** to overturn the law. As readers may remember, the court ruled that Medicaid expansion was optional, and as of last month, 20 states have opted out. And 27 states have declined to set up their own health insurance exchanges, the Internet-based system that enables individuals and families to purchase

private insurance policies. They left that job to the federal Department of Health and Human Services (HHS), which had a terrible **time** rolling out the exchanges last year. This year was much improved. (Another 10 run exchanges either in partnership with or with support from HHS, while 14 states operate their own exchanges.)

States can tailor their own carbon-reduction plans to their unique circumstances, EPA chief Gina McCarthy wrote in the agency's **blog** three weeks ago. "States can run their more efficient plants more often, switch to cleaner fuels, use more renewable energy, and take advantage of emissions trading and energy efficiency options," she said. EPA also has model plan they can adopt that's guaranteed to meet the requirements.

"But states don't have to use our plan—they can cut carbon pollution in whatever way makes the most sense for them," McCarthy.

And if it doesn't?

On August 5, two days after the EPA announced the final rules, West Virginia and 15 other states asked the agency for a **delay**. "Absent an immediate stay, the [rules] will coerce the States to expend enormous public resources and to put aside sovereign priorities to prepare State Plans of unprecedented scope and complexity. In addition, the States' citizens will be forced to pay higher energy bills as power plants shut down."

While EPA considers the request, the states filed a lawsuit August 13 asking a federal court to order a **postponement**. On Monday, the US Court of Appeals for the District of Columbia told EPA to respond by August 31.

