AFPI
AMERICA FIRST POLICY INSTITUTE

VIA EMAIL

August 7, 2025

Environmental Protection Agency
EPA Docket Center, WJC West Building, Room 3334
1301 Constitution Avenue NW
Washington, DC 20004

RE: "Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units," **[Docket No. EPA-HQ-OAR-2025-0124]**

To Whom It May Concern:

On June 17, 2025, the Environmental Protection Agency (EPA) Administrator issued a proposed rule to repeal all greenhouse gas emissions standards for fossil fuel–fired electric generating units under Clean Air Act Section 111 (Docket ID EPA-HQ-OAR-2025-0124).

The America First Policy Institute (AFPI) finds that the proposed reconsideration of these standards for power plants, commonly known as the "Clean Power Plan 2.0," or the Carbon Pollution Standard, is a crucial step to preserving the strength and resilience of the electrical grid and restoring America to a future of energy and industrial dominance. We respectfully submit these comments for the EPA's consideration.

AFPI's Interest

AFPI is a 501(c)(3) nonprofit, non-partisan research institute. AFPI exists to conduct research and develop policies that put the American people first. Our guiding principles are liberty, free enterprise, American military superiority, foreign-policy engagement in the American interest, freedom of conscience, and the primacy of American workers, families, and communities in all we do. In AFPI's view, it is the mandate of policymakers to advance and serve these policy interests above all others.

Introduction

The prior EPA's Clean Power Plan 2.0, as much as the original Clean Power Plan, was an unwarranted federal overreach designed to dictate energy policy to the 50 states, ignoring their unique needs, resources, and economies, in clear violation of the statutory text regarding such powers. As we will explain, this rule does not foster cleaner power at the source.
Rather, it was designed to forcibly phase out the reliable, affordable fuels that built the

American economy and on which robust industry, modern medical care, cutting-edge artificial intelligence, and the daily lives of millions of American citizens depend.

Why would previous administrations pursue a goal which would lead inexorably to such an end? Prior administrations sought to implement a "net zero" policy that targeted a "carbon-free" energy policy, contingent upon the reduction and ultimately the elimination of fossil fuel energy sources under increasing regulatory pressure. However, the intermittent and so-called renewable energy sources favored as a replacement for fossil fuels cannot, and for the foreseeable future will not, offer the reliability and cost-effectiveness (among other factors) required to displace fossil fuels through market-driven forces alone.[1] Any realistic projection of a "net-zero" scenario recognizes the inevitable loss of energy reliability, a reduction in human standards of living and a heavy reliance on government intervention.

Problematically for prior EPA Administrators, such a far-reaching policy as "net zero" could never pass through Congress, so regulatory avenues became the preferred means of promoting the policy. The proposed repeal of the Carbon Pollution Standard stops this federal encroachment on the states. The America First Policy Institute applauds this return to common sense, federal balance, and the constitutional and even-handed application of law.

The Vital Importance of Ending the Clean Power Plan 2.0

It has become evident that America's electrical grid has been approaching a reliability crisis due to an overreliance on intermittent energy such as wind and solar power. Multiple Federal Energy Regulatory Commission (FERC) Commissioners have confirmed the growing danger in testimony before Congress. In written testimony before a hearing held by the U.S. Senate Committee on Energy & Natural Resources on May 4th, 2023, Commissioner James Danly stated, "Intermittent renewable resources like wind and solar are simply incapable, by themselves, of ensuring the stability of the bulk electric system. As the wholesale markets' prices are distorted by subsidies, the generation assets with the attributes required for system stability will retire and system stability will be imperiled. Given these market failures, there will be, in

[1] Holechek, J. L., Geli, H. M. E., Sawalhah, M. N., & Valdez, R. (2022). Can renewable energy replace fossil fuels by 2050? *Sustainability, 14*(8), 4792. https://doi.org/10.3390/su14084792; *The Catastrophic Costs of Government-Dictated Green Energy: Hearing on "The Cost of the Biden–Harris Energy Crisis" Before the H. Comm. on the Budget, 118th Cong.* (Apr. 26, 2023) (statement of Alex Epstein, Founder & President, Center for Industrial Progress); van Kooten, C. (2021, December 13). "'Renewable' energy can't replace fossil fuels." Fraser Institute. https://www.fraserinstitute.org/commentary/renewable-energy-cant-replace-fossil-fuels; Orr, I., & Rolling, M. (2024, March 30). *How to destroy the myth of cheap wind and solar*. *Energy Bad Boys* (Substack). https://energybadboys.substack.com/p/how-to-destroy-the-myth-of-cheap.

time, a catastrophic reliability event."[2] In an opening statement for the same hearing, Commissioner Mark Christie stated that "The United States is heading for a reliability crisis. I do not use the term 'crisis' for melodrama, but because it is an accurate description of what we are facing… Dispatchable generating resources are retiring far too quickly and in quantities that threaten our ability to keep the lights on. The problem generally is not the addition of intermittent resources, primarily wind and solar, but the far too rapid subtraction of dispatchable resources, especially coal and gas."[3]

Since 2023, issues of reliability have only worsened. Commissioner Christie stated during his final meeting as FERC Chair in July 2025 that "the reliability threat is not on the future horizon. It is now here."[4] Indeed, according to the North American Electric Reliability Corporation's (NERC) December 2024 Long-Term Reliability Assessment, much of North America stands at elevated risk of electricity supply shortfalls between 2025 and 2029.[5]

Meanwhile, energy affordability also hangs on a knife's edge, threatening to squeeze American industry and families. U.S. Census data finds that in 2024, more than 50 million Americans were unable to pay at least one energy bill in full in the prior year.[6] Reporting on similar statistics from prior years has documented that a significant number of those families were forced to go without food, medicine, or other necessities as a consequence of high energy bills.[7] These phenomena owe their existence principally to the "whole of government" approach to climate change championed by the Biden administration, including and especially the Environmental Protection Agency. The "Clean Power Plan 2.0" was a primary element of this approach. The greenhouse gas emissions standards it attempted to enforce would have shuttered reliable and resilient fossil fuel-powered plants while mandating an ineffective replacement in the form of unreliable solar and wind.

---

[2] *Oversight of the Federal Energy Regulatory Commission*, U.S. Senate Committee on Energy and Natural Resources. 118th Cong. (May 4, 2023) (written statement of James P. Danly, Commissioner, FERC). https://www.energy.senate.gov/services/files/0A896B12-2895-4F68-A367-74009F2975C4.

[3] *Oversight of the Federal Energy Regulatory Commission*, U.S. Senate Committee on Energy and Natural Resources, 118th Cong. (May 4, 2023) (opening statement of Mark C. Christie, Commissioner, FERC). https://www.energy.senate.gov/services/files/1D618EDD-7CED-4BC5-8F09-C8F0668FE608.

[4] Camacho, F. A. J. (2025, July 25). *FERC chair signs off with warning: Reliability crisis is here*. E&E News by POLITICO. https://www.eenews.net/articles/ferc-chair-signs-off-with-warning-reliability-crisis-is-here/.

[5] North American Electric Reliability Corporation. (2024). *2024 Long-Term Reliability Assessment*. https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_Long%20Term%20Reliability%20Assessment_2024.pdf.

[6] Household pulse survey. (n.d.). https://www.census.gov/data-tools/demo/hhp/#/?measures=ENERGYBILL. Accessed August 6, 2025.

[7] Leber, R. (2023). *Why your gas bill might be way higher this winter*. https://www.vox.com/science-and-health/2023/1/11/23537727/gas-energy-bills-electricity-expensive-winter.

This attempt to force coal and natural gas plants into premature retirement could not have come at a less opportune time. After decades of flat trend lines for electricity demand, the dawn of artificial intelligence and increasing (sometimes forced) consumer and industrial electrification has ushered in an explosion in demand growth. 10-year projections from NERC show summer and winter peak demand rising by over 132 GW in summer (up from just 80 GW of growth projected in 2024) and by 149 GW in winter (up from just 92 GW of growth projected in 2024).[8]

The United States has roughly 172 GW of operating coal-fired power, which provides about 1/6 of our electricity.[9] Approximately 27 GW are targeted for closure by 2028[10], and 80 GW are projected to close by 2035[11], in no small part due to past EPA rules. The EPA's Clean Power Plan 2.0 would have been the death knell for much of the remaining capacity because of the mandate that all existing coal power plants, as well as new natural gas power plants which are in use more than 40% of the time, must capture 90% of their CO2 emissions by 2032 or (in the case of existing coal, engage in generation-shifting by co-firing with 40% natural gas[12]), or commit to retiring prior to 2039. As we will detail below, this sets an impossible standard with no viable commercial examples of such technology existing then or now.

This wholesale elimination of a crucial source of reliable energy would have posed an existential threat to the standards of health and well-being the EPA is charged with safeguarding. A failure to provide reliable and affordable energy puts life-saving and life-improving amenities such as heating and air conditioning, water treatment and sanitation, perinatal and geriatric care, and the provision of emergency services gravely at risk.

---

[8] North American Electric Reliability Corporation. (2024). 2024 Long-Term Reliability Assessment. https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_Long%20Term%20Reliability%20Assessment_2024.pdf

[9] Frequently asked questions (FAQs) - U.S. energy information administration (EIA). (n.d.). https://www.eia.gov/tools/faqs/faq.php?id=427&t=2. Accessed August 6, 2025.

[10] U.S. Energy Information Administration. (2025, July 14). *Most of the planned coal capacity retirements are in the Midwest or Mid-Atlantic regions*. Today in Energy. https://www.eia.gov/todayinenergy/detail.php?id=65744.

[11] America's Power. (2025, July 8). "Public Hearing on EPA's Proposed Repeal of Greenhouse Gas Emissions Standards for Fossil Fuel-Fired Electric Generating Units." *Statement of Michelle Bloodworth*. https://americaspower.org/issue/public-hearing-on-epas-proposed-repeal-of-greenhouse-gas-emissions-standards-for-fossil-fuel-fired-electric-generating-units-statement-of-michelle-bloodworth/.

[12] The specific requirement in the CPS is that the unit "co-fir[e] with natural gas, at a level of 40 percent of the unit's annual heat input."

The proposed revision to the rule remedies numerous errors in the previous rule, which threatens the well-being of American citizens. Our analysis will focus on three key ways in which the proposed rule improves on the status quo.

The EPA's Approach Restores a Federalist Approach and Respects State Authority.

America's Founders wisely created a federalist structure where the division of power and its primacy at the local level would protect liberty, foster innovation, keep accountability close, and serve as a defense against tyranny sprung from a far-flung capital city. In short, they created a system where Washington would serve the States, not rule them. Unfortunately, the Founders' experiment in federalism stands gravely threatened after many years of mission creep from federal bureaucracies, first among them the EPA.

The proposed rule will reverse this trend by affirming the Clean Air Act's (CAA) statutory history and text, which leaves the prevention and control of air pollution as "the primary responsibility of States and local governments."[13] The U.S. Supreme Court has found the same to be true, acknowledging that "the regulation of utilities is one of the most important of the functions traditionally associated with the police power of the States."[14]

The proposed rule adopts the correct approach to utility regulation by recognizing that state and local leaders are better equipped than Washington to ensure grid reliability for their citizens. The optimal energy mix for hydroelectric-rich Washington is not the same as for natural gas-rich Pennsylvania or coal-rich Wyoming. Empowering states to manage their own energy futures will lead to more diverse, resilient, and cost-effective solutions than any central plan from the EPA.

Nonetheless, the prior rule usurped the rightful prerogative of the States, without Constitutional authority; and without an act of Congress—the representative of the People and the States—delegating to EPA the power to promulgate such a rule. Congress repeatedly declined to propose any policy that would force a transition away from reliable energy, as Supreme Court Justice Gorsuch would later demonstrate in his concurring opinion in *West Virginia v. EPA*.[15] Nevertheless, President Obama stated in his 2013 State of the Union address that "if Congress

---

[13] 42 U.S.C. § 7401 et seq.

[14] *Arkansas Elec. Co-op. Corp. v. Arkansas Pub. Serv. Com'n*, 461 U.S. 375, 377 (1983) (citing *Munn v. Illinois*, 94 U.S. 113 (1877).

[15] 597 U.S. 697, 744-45 (2022) (Gorsuch J. concurring in the judgment) (citing *Climate Change, The History of a Consensus and the Causes of Inaction, Hearing before the Subcommittee on Environment of the House Committee on Oversight and Reform*, 116th Cong., 1st Sess., pt. I (Apr. 9, 2019) and noting that Congress has "debated the matter frequently" and has "'conspicuously and repeatedly declined' to adopt legislation similar to the Clean Power Plan." (citation omitted)).

won't act [to regulate greenhouse gas emissions] soon . . . I will,"[16] and subsequently instructed the EPA to promulgate the original Clean Power Plan. The America First Policy Institute found, accordingly, that "the Clean Power Plan interfered with the 'traditional responsibility' of states in the field of regulating electrical utilities for determining questions of need, reliability, cost, and other related state concerns."[17] The prior Administration's CPP 2.0 continued in the same vein even as the original CPP was ruled impermissible by the U.S. Supreme Court.

Why would two prior administrations overstep the bounds of federalism in ways that appear on their face both knowing and willful? Forcing states to shut down fully functional power plants against their will is the definition of federal overreach. The America First Policy Institute suggests their overstep was because the goal of these administrations was the elimination of American fossil fuels to appease domestic and global climate elites. In doing so, prior EPA Administrators treated states as mere administrative provinces of the federal government, not as sovereign entities.

But the truth remains, and the better path is, to recognize the practical knowledge of the states as to their specific circumstances and the variation between the unique challenges to energy provision each locality must solve. Energy portfolios are not the same across the states and each will have different demands and constraints. Equally, states will face different challenges in stewarding their environments—the United States contains 15 different broad, level I ecological regions.[18] It would be foolish to reduce these challenges to a one-size-fits-all framework or try to manage them from afar in Washington.

Thankfully, the proposed rule aims to return the states to their rightful place of preeminence in regulating their electrical utilities for reliability, cost, and air quality. In doing so, the proposed rule realigns itself with the original intent of Congress. It builds a balanced and cooperative relationship on environmental regulation between the states and the federal government.

The Revised Rule Recognizes that the EPA's Authority Is Source-Specific, Not Sector-Wide.

It is worth noting at the outset that the ideal nature of commercial regulation is to provide industry with general rules of the road which empower individual firms to meet health and safety goals under a flexible framework. In contrast, the CPP 2.0 reflects a political agenda to remake

---

[16] Barack Obama, *State of the Union Address*, February 12, 2013, 113th Cong., 159 Cong. Rec. 22, S.652.
[17] *West Virginia v. Environmental Protection Agency*, Brief for the America First Policy Institute as Amicus Curiae, p. 16, 597 U.S. 697 (2022) (quoting *PG&E v. State Energy Comm'n*, 461 U.S. 190, 205 (1983) ("Need for new power facilities, their economic feasibility, and rates and services, are areas that have been characteristically governed by States.")
[18] U.S. Environmental Protection Agency. (2024, December 13). *Ecoregions of North America*. https://www.epa.gov/eco-research/ecoregions-north-america.

our energy system rather than allowing for an individualized assessment of what is technologically feasible and cost-effective for a given facility.

The America First Policy Institute has long recognized that the original Clean Power Plan purposefully and knowingly overstepped its authority under the Clean Air Act. As an amicus to *West Virginia v. EPA*, AFPI wrote that "the Clean Power Plan delivered exactly what it promised: a centralized plan to "clean" the American energy industry from the top down. It did this, not by working with states to ensure that existing sources are regulated in a way that "reflects . . . the best system of emission reduction" that EPA believes has been "adequately demonstrated," as section 111(d) directs, but by setting unachievable "standards of performance" for disfavored sources—like coal-fired plants—and then requiring those sources either to shut down or buy emission credits from competitors using favored sources within the energy market, like wind and solar power."[19]

The prior administration's revision of the CPP proposed to follow the same intellectual rubric—generation-shifting mandates—in all but name, requiring 90% carbon capture and storage for both existing long-term coal-fired power plants and for new natural gas plants which operate at 40% or more of their annual capacity factor. For medium-term coal-fired power plants, the rule also imposes a generation-shifting mandate by requiring co-firing with 40% natural gas. In promulgating this rule as such, EPA claimed to avoid the "major questions" issue raised in *West Virginia*. However, this claim crumbles upon even light inspection: CCS is viable only with multi-state infrastructure, including pipelines, hubs, and sequestration wells.[20] Similarly, co-firing with gas requires significant infrastructure investments to ensure natural gas supply. Therefore, compliance with the rule extends beyond any single "source" boundary, perpetuating the major-questions problem the prior administration's EPA claimed to avoid: that large-scale decarbonization of the grid is a matter of vast economic significance that Congress has not clearly assigned to EPA via Section 111.

The consequences of the prior administration's unlawful and unconstitutional usurpation of power would have been highly detrimental. Independent federal data show the U.S. coal fleet is already anticipated to contract from 172 GW today to just 145 GW by the end of 2028, a roughly 16% decrease in less than four years.[21] NERC's most recent reliability assessment documents

---

[19] *Supra*, fn. 15.

[20] Tea Woo Kim, Hyun Chul Yoon, & Joo Yong Lee. (2024). Review on carbon capture and storage (CCS) from source to sink; part 1: Essential aspects for CO2 pipeline transportation. *International Journal of Greenhouse Gas Control*, *137*, 104208–104208. https://doi.org/10.1016/j.ijggc.2024.104208.

[21] U.S. Energy Information Administration. (2025, July 14). *Most of the planned coal capacity retirements are in the Midwest or Mid-Atlantic regions*. Today in Energy. https://www.eia.gov/todayinenergy/detail.php?id=65744.

78 GW of confirmed retirements and another 37 GW of announced retirements, such that approximately half of the United States will be at an elevated resource-shortfall risk by 2030.[22] This risk to reliability is sizable: the Department of Energy estimated in 2018 that power outages cost the U.S. economy $150 billion annually, to say nothing of the cost to human lives when heating, cooling, or other services fail.

The labor impacts of the prior administration's proposed policies would have also been stark. Peer-reviewed analysis from 2025 finds that closures of coal-fired power plants negatively affect workers' annual income, with adverse impacts even more profound for men than for women; the study also found that labor force participation declined significantly following generator closures in affected Appalachian counties for older workers, suggesting "discouragement, early retirement, or structural barriers to reemployment" play a key role.[23] A 2019 study found that the shutdown of just two coal-fired power plants in Ohio resulted in the loss of over 1,100 jobs in the Appalachian region and predicted that workers who successfully transitioned to other jobs would experience wage decreases. Research also suggests that coal-fired power plant closures may double the burden of work on women in coal regions.[24]

The impacts of fossil fuel-fired power plants do not only impact jobs and wages. In northwest Colorado, for example, local school districts in Moffat and Routt counties expect to lose up to 50 percent of their property-tax base once the Craig Station complex shuts down.[25] Similarly, the loss of the two Ohio power plants mentioned above were projected to cost around $8.5 million in lost tax revenue for local government services for Adams County in 2017 alone.[26] Other studies show that the impacts of plant closures on the coal industry may be felt across other government services more broadly,[27] such as rural fire services and hospitals in coal-dependent regions. These ripple effects, which would have been both caused and exacerbated by the previous

---

[22] North American Electric Reliability Corporation. (2024). *2024 Long-Term Reliability Assessment*. https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_Long%20Term%20Reliability%20Assessment_2024.pdf.

[23] Pham, T., Jolley, G. J., Bone, C., & Balson, A. (2025). The impacts of coal-fired power plants' closures on local employment, gender employment gap, and gender wage gap. *Journal of Regional Analysis & Policy*, *55(1)*, 63–83. https://jrap.scholasticahq.com/article/134015-the-impacts-of-coal-fired-power-plants-closures-on-local-employment-gender-employment-gap-and-gender-wage-gap.

[24] Walk, P., Braunger, I., Semb, J., Brodtmann, C., Oei, P.-Y., & Kemfert, C. (2021). Strengthening gender justice in a just transition: A research agenda based on a systematic map of gender in coal transitions. *Energies*, 14(18), 5985. https://doi.org/10.3390/en14185985.

[25] Morton, N. (2025, March 11). *Coal plants are closing. For some schools, that means lost revenue and fewer jobs for graduates*. The Hechinger Report. https://hechingerreport.org/coal-plants-are-closing-for-some-schools-that-means-lost-revenue-and-fewer-jobs-for-graduates/.

[26] Dayton Power & Light. (2019). The economic, fiscal, and workforce impacts of coal-fired power plant closures in Appalachian Ohio. https://www.sciencedirect.com/science/article/pii/S1757780223006650.

[27] Morris, A. C., Kaufman, N., & Doshi, S. (2021). Revenue at risk in coal-reliant counties. *Environmental and Energy Policy and the Economy, 2(1)*, 83–116. https://doi.org/10.1086/711307.

proposed rule, jeopardize thousands of well-paying jobs, hundreds of millions in local revenue, and the economic resilience of dozens of energy communities nationwide.

The Revised Rule Recognizes that Carbon Capture and Storage is neither Scalable nor Cost-Effective.

As noted above, after SCOTUS rejected the original Clean Power Plan, the prior administration promulgated a new rule that claimed to disavow generation-shifting mandates. It did nothing of the sort. The CPP 2.0 simply proposed a new route for issuing a system-wide shift, requiring strict adherence—under threat of forced retirement—to 90% carbon capture and storage (CCS) mandates for existing long-term coal-fired power plants and new natural gas-fired power plants operating above an annual generation capacity factor greater than 40%. As noted previously, generation-shifting for medium-term coal plants is imposed by the requirement for 40% co-firing with natural gas.

Does this mandate achieve the standard for appropriate regulation under the Clean Air Act? Under the statutory language, any standard of performance promulgated under Section 111 must reflect the "degree of emission limitation achievable through the application of the best system of emission reduction which… the Administrator determines has been adequately demonstrated."[28] The term "adequately demonstrated" is key here. Essentially, power plants should not be forced to use unproven and commercially non-viable technologies to achieve a regulatory goal.

It is difficult to conclude that the sector-wide mandate for 90% CCS is anything of the sort.

1. Carbon capture and storage is not an "adequately demonstrated" technology.

The two most prominent, large-scale CCS projects for coal plants have demonstrated the non-viability of a 90% capture rate. Of the more than 3,000 fossil fuel power plants in North America, just two have attempted to employ CCS at a commercial scale.[29] Over nine years of operation, Canada's coal-fired Boundary Dam Unit 3 project captured just 57% of the CO2 from one of its three units, never once reaching its 90% goal.[30] The Petra Nova project in Texas, despite its status as a beneficiary of more than $195 million in government funding,[31] captured

[28] 42 U.S.C. § 7411 (2018 & Supp. V 2023).
[29] Epstein, A. (2024, May 22). *How EPA's Power Plant Rule will destroy our grid*. Energy Talking Points. https://energytalkingpoints.com/how-epas-power-plant-rule-will-destroy-our-grid/.
[30] Schlissel, D., & Kalegha, M. (2024, April 30). *Carbon capture at Boundary Dam 3 still an underperforming failure*. Institute for Energy Economics & Financial Analysis (IEEFA). https://ieefa.org/resources/carbon-capture-boundary-dam-3-still-underperforming-failure.
[31] Carbon Capture Demonstration Projects Program. (n.d.-a). https://www.energy.gov/oced/CCdemos. Accessed August 6, 2025.

perhaps 55-58% of its unit's CO2 before being shut down.[32] The previous EPA's rule effectively mandated that a revolutionary scientific and economic breakthrough occur on a massive scale in under a decade. Such an expectation is not serious; to claim this technology is "adequately demonstrated" is to deliberately ignore the facts.

Even if CCS at the source were technically feasible and affordable, the logistical challenges of implementing it system-wide are immense and have not yet been overcome, nor would they likely be superated on a near-term timescale. It would require building a nationwide network of pipelines and massive, permanent storage sites—infrastructure that doesn't exist and would face a gauntlet of permitting hurdles. The few profitable uses for captured carbon dioxide, such as enhanced oil recovery, can only absorb a tiny fraction of total emissions. There is no demonstrated, scalable plan for the rest.

2. Carbon capture and storage is not cost-effective.

The cost of CCS makes it impossible to scale across the industry, in no small part because the cost of capturing CO2 is multiples greater than the cost of the fuel itself. Conceptually, a ton of coal may cost $40, but capturing the 1.76 tons of CO2 it produces would cost nearly $150 at the current subsidy rate of $85/ton.[33] Another analysis, from Harvard's Belfer Center for International Affairs, estimated in 2022 that the cost of carbon capture ranges up to $132/ton and $150/ton for coal and natural gas, respectively.[34] At such a rate, the cost of capturing the emissions would be three to four times the price of the fuel itself.

Additionally, CCS processes are not a cost-free rider to power plant operations; they consume a sizable amount of the facility's generation capacity to run. This "parasitic load" significantly reduces the plant's net electricity output, making it less efficient and more expensive. According to estimates from the MIT Energy Initiative's Howard Herzog, a coal-fired power plant might consume 20-25% of the energy it produces in the operation of a CCS system; a natural gas-fired

[32] The ill-fated Petra Nova CCS Project: NRG Energy throws in the towel. (n.d.-b). https://ieefa.org/resources/ill-fated-petra-nova-ccs-project-nrg-energy-throws-towel. Accessed August 6, 2025.
[33] Sidley Austin LLP. (2025, July 15). *The "One Big Beautiful Bill" Act – navigating the new energy landscape*. https://www.sidley.com/en/insights/newsupdates/2025/07/the-one-big-beautiful-bill-act-navigating-the-new-energy-landscape.
[34] Moch, J. M., Xue, W., & Holdren, J. P. (2022, January 21). *Carbon capture, utilization, and storage: Technologies and costs in the U.S. context*. Belfer Center for Science and International Affairs, Harvard Kennedy School. https://www.belfercenter.org/publication/carbon-capture-utilization-and-storage-technologies-and-costs-us-context.

power plant might consume 15%.[35] The British Geological Survey provides even higher estimates for coal-fired power, at 25-40% consumed.[36]

Furthermore, the prior administration's cost analysis assumes that tax subsidies for carbon capture, such as the 45Q tax credit, are a permanent feature of the business landscape. They are not. The President's One Big Beautiful Bill Act maintains the existing deadline, requiring projects to "begin construction" before 2033 to take advantage of the subsidy. Forcing an industry to make multi-billion-dollar, multi-decade investments based on a time-limited subsidy is the height of irresponsibility and guarantees massive capital risk.

In all, CCS requirements under the previous rule were unattainable by utilities, according to industry representatives such as the Edison Electric Institute,[37] under any reasonable constraints of time or treasure, and effectively mandated a revolutionary scientific and economic breakthrough to occur on a massive scale in under a decade. The CCS requirement was not a serious policy proposal; it guaranteed electric generators would fail.

The EPA proposes to repeal purposefully unworkable requirements for system-wide CCS. This wise decision will ensure that Americans have access to the affordable and reliable energy that powers modern life. The necessities and comforts of the American standard of living, which depend on scalable, dispatchable, and cost-effective energy, are many and include plentiful air conditioning and heating; hospitals and first response; ICUs and elderly care. Environmental quality, which has improved dramatically over the past 40 years,[38] thanks to the proliferation of energy throughout society (primarily fossil fuels), also depends on the economic prosperity that affordable energy creates.[39] Americans will be glad to see the diverse benefits of the energy dominance agenda once again on the horizon and at their doorsteps.

---

[35] If a fossil fuel power plant uses carbon capture and storage, what percent of the energy it makes goes to the CCS equipment? (n.d.). https://climate.mit.edu/ask-mit/if-fossil-fuel-power-plant-uses-carbon-capture-and-storage-what-percent-energy-it-makes. Accessed August 6, 2025.

[36] British Geological Survey. (n.d.). *Understanding carbon capture and storage*. Retrieved August 6, 2025, from https://www.bgs.ac.uk/discovering-geology/climate-change/carbon-capture-and-storage/.

[37] "CCS is not yet ready for full-scale, economy-wide deployment, nor is there sufficient time to permit, finance, and build the CCS infrastructure needed for compliance by 2032." Sarah Durdaller, S. (n.d.). EEI Statement on EPA's Package of Final Rules for Power Plants. https://www.eei.org/en/news/news/all/eei-statement-on-epa-package-of-final-rules-for-power-plants. Accessed August 6, 2025.

[38] U.S. Environmental Protection Agency. (2025, May 6). *Air quality – national summary*. https://www.epa.gov/air-trends/air-quality-national-summary.

[39] Todd Moss & Jacob Kincer. (2023). *How does energy impact economic growth? An overview of the evidence*. https://energyforgrowth.org/wp-content/uploads/2023/03/2023-Update-Energy-and-Job-Creation-2.pdf.

AFPI
AMERICA FIRST POLICY INSTITUTE

Conclusion

Thank you for the opportunity to comment on the proposed greenhouse gas emissions rule and for your consideration of these comments. Harming access to reliable and cost-effective energy, as the prior administration's proposed rule would have, constitutes an existential risk to the well-being of all Americans, particularly those in need, as well as to the prospects for an American economic revival now and in the coming few years. We are grateful that the proposed rule would, on a key front, end the war on reliable energy. For these reasons, we urge the Environmental Protection Agency to proceed as proposed with its final rule.

Ted Ellis
DIRECTOR, POWER AMERICA
THE AMERICA FIRST POLICY INSTITUTE