FOR IMMEDIATE RELEASE
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AMERICAN COAL COUNCIL STATEMENT ON U.S. SUPREME COURT DECISION IN WEST VIRGINIA VS EPA

WASHINGTON, DC, 18July 4, 2022 – From the historic stay of the Obama-era Clean Power Plan to the decision now rendered in its decision in West Virginia v. EPA, the Supreme Court of the United States has demonstrated its concern about Environmental Protection Agency’s attempts to exceed the Agency’s authority.

In today’s decision, the Court’s majority wrote, "Congress did not grant EPA in Section 111(d) of the Clean Air Act the authority to devise emissions caps based on the generation shifting approach the Agency took in the Clean Power Plan."

The American Coal Council has noted the Clean Power Plan’s transformational regulatory scheme for the regulation of CO2 from the power sector would have put EPA in the driver’s seat picking and choosing energy winners and losers.

The decision is a win for what’s needed in America – reasonable, lawful regulation within the boundaries set forth by Congress and a diverse energy portfolio that protects businesses and consumers. Coal power plants directly support the reliability of the electric grid with their ability to produce power 24/7. They are both an operational and market hedge in the generation asset mix. This is critically important given the increasing warnings about capacity shortfalls and the potential for blackouts during peak demand periods.

The American Coal Council represents the collective interests of the coal industry, from the hole-in-the-ground to the plug-in-the-wall, and includes membership by coal suppliers and traders, coal consumers, coal transportation companies, and coal support services firms.

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