

ALERTS**Start Your Clocks: EPA Publishes Greenhouse Gas Rules For Utilities**

October 23, 2015 | [Atlanta](#) | [Chicago](#) | [Columbus](#) | [Dallas](#) | [Delaware](#) | [Elkhart](#) | [Fort Wayne](#) | [Grand Rapids](#) | [Indianapolis](#) | [Los Angeles](#) | [Minneapolis](#) | [South Bend](#)

On October 23, the new Environmental Protection Agency (EPA) Clean Air Act Rules for greenhouse gas (GHG) emissions from existing electric generating utilities were published in the Federal Register. See Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, [80 Fed. Reg. 64662](#) (Oct. 23, 2015) (to be codified at 40 C.F.R. Part 60). This starts the clock on possible challenges in the D.C. Circuit Court of Appeals, with 60 days to appeal the “Clean Power Plan” for existing sources. Prior challenges by some states and industries were dismissed as premature. See, *In re Murray Energy Corp.*, 788 F.3d 330, 2015 BL 180996 (D.C. Cir. 2015).

EPA also promulgated a proposed rule for a federal implementation plan for GHG emissions from new electric utility generating units. See Federal Plan Requirements for Greenhouse Gas Emissions From Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations, [80 Fed. Reg. 64966](#) (Oct. 23, 2015). Comments on the proposed federal implementation plan, providing carbon trading as the default program for states which fail to adopt their own implementation plan, are due by January 21, 2016.

For more information, contact the Barnes & Thornburg attorney with whom you work, or Joel Bowers at 574-237-1287 or joel.bowers@btlaw.com; Beth Davis at 404-264-4025 or beth.davis@btlaw.com; Charles Denton at 616-742-3974 or Charles.Denton@btlaw.com; Michael Elam at michael.elam@btlaw.com or 312-214-5630; Cheryl Gonzalez at 317-231-7557 or Cheryl.Gonzalez@btlaw.com; Tim Haley at 317-231-6493 or timothy.haley@btlaw.com; or Anthony Sullivan at 317-231-7472 or tony.sullivan@btlaw.com.

© 2015 Barnes & Thornburg LLP. All Rights Reserved. This page, and all information on it, is proprietary and the property of Barnes & Thornburg LLP. It may not be reproduced, in any form, without the express written consent of Barnes & Thornburg LLP.

This Barnes & Thornburg LLP publication should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.

Visit us online at www.btlaw.com and follow us on Twitter [@BTLawNews](https://twitter.com/BTLawNews).

RELATED PEOPLE**Joel T. Bowers**

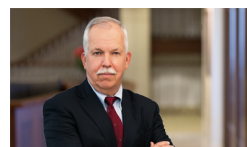
Partner
South Bend

P 574-237-1287
F 574-237-1125
joel.bowers@btlaw.com

**Charles M. Denton**

Partner
Atlanta, Grand Rapids

P 616-742-3974
F 404-264-4033
charles.denton@btlaw.com

**Michael H. Elam**

Partner
Chicago, Indianapolis

P 312-214-5630
F 312-759-5646
michael.elam@btlaw.com

**Anthony C. Sullivan**

Partner
Indianapolis

P 317-231-7472
F 317-231-7433
tony.sullivan@btlaw.com

RELATED PRACTICE AREAS

