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THE SURGE

BY THE COMPETITIVE ENTERPRISE INSTITUTE

Welcome to the latest edition of *The Surge*! In this edition:

- EPA proposes to repeal the Biden EPA's Clean Power Plan 2.0
- President Trump signs CRA resolutions on California waivers into law
- It's now crunch time for getting rid of the Inflation Reduction Act's 'green' subsidies

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EPA Proposes Repeal of Biden's Clean Power Plan 2.0

On Wednesday, the Environmental Protection Agency (EPA) [proposed](#) the repeal of Biden's greenhouse gas regulation of power plants (Clean Power Plan 2.0). As part of the proposed rule, the agency is arguing that "greenhouse gas emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution." If this were to be upheld in court, it would put an end to greenhouse gas regulation of power plants. In addition, the agency is focusing on the unrealistic assumptions made in the Biden rule regarding technological feasibility. There are many issues that CEI and allies will need to address in the comment period to support this critical proposal. The comment period will end 45 days after the proposed rule is published in the *Federal Register*.

Read More

- [CEI praises EPA Administrator for proposing the repeal of greenhouse gas rule and to amend mercury rule](#)
- [Proposed Repeal of CPP 2.0](#)

- [EPA Press Release](#)
- [EPA GHG Rule Page](#)

EPA Proposes the Repeal of Biden Amendments to Mercury Regulation

In addition to the proposed repeal of the Clean Power Plan 2.0, the EPA on Wednesday [proposed](#) the repeal of the Biden EPA's 2024 amendments to the Mercury and Air Toxics Standards for power plants (MATS). For many years, the EPA has been pushing MATS regulation even though the agency has struggled to find any monetized benefits from reducing emissions of mercury from power plants. In the 2024 rule, the agency was unable to quantify a single dollar worth of benefits from reducing mercury emissions. According to the EPA, the 2024 rule has a net cost. The comment period for this proposed rule also ends 45 days after it is published in the *Federal Register*.

Read More

- [CEI praises EPA Administrator for proposing the repeal of greenhouse gas rule and to amend mercury rule](#)
- [Proposed Repeal of Biden Amendments to MATS](#)
- [EPA Press Release](#)
- [EPA MATS Page](#)

President Trump Signs CRA Resolutions Rescinding EPA's CA Waivers

Yesterday, President Donald Trump [signed into law](#) three Congressional Review Act (CRA) resolutions of disapproval killing off the Biden EPA's waivers given to California to transform the nation's car and truck industry. This includes a CRA resolution rescinding the Biden EPA waiver greenlighting California's [Advanced Clean Cars II](#), a rule that would have banned the sale of new gas-powered cars by 2035. As a result of these resolutions, the EPA can't take an action that is "substantially the same."

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- [EPA's decision to allow California to ban new gas-powered cars by 2035 reversed after President Trump signs CRA resolution](#)
- [Trump, Congress overturn California's gas-car ban](#)

Senators Should Stay Strong and Repeal the IRA Subsidies

Lobbyists for the companies hoping to cash in on the many alternative energy subsidies in the Inflation Reduction Act (IRA) are [crying foul](#) now that the recently-passed [House budget reconciliation bill](#) pares back several of the biggest handouts. But none of their defenses of these market-distorting giveaways holds water. Deliberations are ongoing in the Senate over its version of the bill, and Senators should at least retain – or better yet strengthen – the House limits placed on these ill-advised provisions.

Read More

- [Senate should reject lobbyist sales pitches for alternative energy subsidies](#)

United Nations Report Says Climate Change Policies Can Exacerbate Wildfires

Many forests today in the western United States are [overgrown](#). This is one of the main [reasons](#) why wildfires have become so much more destructive recently than they have been historically. When fires have more fuel to burn through, they are more destructive. A recent [report](#) from the United Nations University, describes how climate change policies, like carbon markets and the Paris Agreement, further exacerbate this problem by planting more trees in the wrong forests.

Read More

- [UN report says tree planting can result in more greenhouse gas emissions](#)

President Trump Signs Four Executive Orders on Nuclear Power

President Trump recently signed four executive [orders](#) related to nuclear power. These [lay the groundwork](#) for reforming nuclear regulation and enabling nuclear power to play a role in meeting rising power demand. If successful, the Trump administration believes its efforts will increase nuclear capacity to [400 gigawatts](#) (GW) by 2050—double the target [pledged](#) by the Biden administration.

Read More

- [New nuclear executive orders come at a time when power demand is rising](#)

ESA Reform: Congress Should Adopt Policy That Will Help End Sue and Settle Abuse

The Endangered Species Act (ESA) is overdue for an update. Significant [amendments](#) haven't been made to the law in 37 years. Fortunately, Rep. Bruce Westerman's (R-AR) [bill](#), the ESA Amendments Act of 2025, offers a [myriad](#) of provisions that would amend the ESA to better reflect what we know now about recovering species. If passed, one such provision would replace the one-year deadline imposed on the Fish and Wildlife Service (FWS) to respond to petitions with the [National Listing Workplan](#). Doing this would help ensure that outside organizations are not able to control FWS' ESA agenda through [sue and settle](#) strategies.

Read More

- [Congress should codify the National Listing Workplan](#)

FEATURING OUR FRIENDS

[Trump's Executive Orders Are the First Steps in a Nuclear Revolution](#), Jack Spencer, The Heritage Foundation.

[New Proof That Urban Heat Islands Bias Surface Temperature Measurements](#), H. Sterling Burnett, The Heartland Institute.

[Supreme Court Narrows the Scope of Environmental Reviews](#), Institute for Energy Research.

[The Uglier Side of Electric Vehicles: Disposing of the EV Batteries](#), Ronald Stein, P.E., The Heartland Institute.

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