

Climate Policy Update

April 11, 2024

Good afternoon!

This is Akin's newsletter on climate change policy and regulatory developments, providing information on major climate policy headlines from the past two weeks and forthcoming climate-related events and hearings:

National

- **Senate Votes to Strike Down Biden Highway Climate Rule** (*E&E News*)

The Senate greenlit a Congressional Review Act resolution to “overturn a landmark Transportation Department climate rule, arguing it exceeded the agency’s authority.” In a 53-47 vote, Democrats facing difficult reelections—such as Sens. Sherrod Brown (D-OH) and Jon Tester (D-MT)—sided with their GOP colleagues.

- **Biden Administration’s Initial SAF Subsidy Model to Raise Climate Hurdle for Ethanol** (*Reuters*)

The Biden administration is slated to “release a preliminary climate model for its sustainable aviation fuel (SAF) subsidy program in the coming weeks that is more restrictive than what the corn-based ethanol industry had expected.”

- **New Pollution Rules Aim to Lift Sales of Electric Trucks** (*New York Times*)

The Biden administration’s new regulation is “designed to turbocharge sales of electric or other zero-emission heavy vehicles, from school buses to cement mixers, as part of its multifront attack on global warming.” The Environmental Protection Agency (EPA) expects that—under the new rule—“25 percent of new long-haul trucks, the heaviest on the road, and 40 percent of medium-size trucks, like box trucks and landscaping vehicles, could be nonpolluting by 2032.”

- **Harris, Reagan to Roll Out \$20B EPA Climate Finance Program** (*E&E News*)

Vice President Kamala Harris and EPA Administrator Michael Regan are slated to “unveil the so-called Greenhouse Gas Reduction Fund — EPA’s flagship program under the Inflation

Reduction Act — as President Joe Biden and his allies have made climate spending a key pitch to voters ahead of the November elections.”

- **DOE Releases First-Ever Road Map to Decarbonize Buildings** (*E&E News*)

The Department of (DOE)—in collaboration with EPA, the Department of Housing and Urban Development (HUD) and other federal agencies—announced a plan to slash greenhouse gas emissions from buildings and “aspires to cut emissions from homes, schools, businesses and offices 65 percent by 2035 and 90 percent by 2050.”

- **U.S. Approves \$1.5 Billion Loan to Restart Michigan Nuclear Plant** (*New York Times*)

A \$1.5 billion conditional loan from the DOE will “help a company restart a nuclear power plant in Michigan — the latest step in the government’s effort to revive the nation’s reactors.”

- **Biden Mine Permitting Report Fell Short, Watchdog Says** (*E&E News*)

The Department of the Interior’s (DOI) Office of Inspector General outlined that “the Biden administration’s report on how to reform mine permitting failed to provide a clear path for addressing delays that are hampering critical mineral projects, as required by the bipartisan infrastructure law.”

- **Biden Administration Approves Eighth US Offshore Wind Project** (*Reuters*)

The DOI greenlit the eighth U.S. “commercial-scale offshore wind project, which will be built off the coast of Massachusetts, bringing online electricity to power more than 900,000 homes.”

State and Local

- **Kentucky Governor Vetoes Bill That Would Keep Coal Plants Open** (*E&E News*)

Gov. Andy Beshear (D-KY) “vetoed a bill [...] that would make it harder to retire the state’s fossil fuel power plants.” The Governor noted that the measure “contradicts the state’s ‘all-of-the-above’ energy policy and would hurt the economy.”

- **California Unveils \$4.6B Transmission Plan for Offshore Wind** (*E&E News*)

The California Independent System Operator unveiled a \$6.1 billion plan including “\$4.59 billion that would be “devoted to wires and infrastructure that would carry offshore wind power.” Moreover, the plan includes “19 proposed transmission projects to boost reliability as electrification and electric vehicle use increases.”

- **The Last Coal-Fired Power Plants in New England Are to Close** (*New York Times*)

The final two coal-fired power plants in New England—Merrimack and Schiller stations—are slated to “close by 2025 and 2028, ending the use of a fossil fuel that supplied electricity to the region for more than 50 years.”

- **Los Angeles County’s Climate Costs Foreshadow Legal Showdown** (*E&E News*)

A Center for Climate Integrity report detailed that “protecting Los Angeles County from the ravages of climate change will cost taxpayers at least \$12.5 billion by the end of 2040 [...which] could lay the foundation for the nation’s next lawsuit by a local government against the fossil fuel industry.”

- **Pennsylvania Makes ‘Historic’ Bid for Cash to Slash Emissions** (*E&E News*)

Gov. Josh Shapiro (D-PA) is looking to the EPA for “\$475 million to create Reducing Industrial Sector Emissions in Pennsylvania (RISE PA), which would subsidize new industrial equipment, electrification, and energy efficiency upgrades.”

International

- **UN Climate Chief Presses for Faster Action, Says Humans Have 2 Years Left to ‘Save the World’** (*ABC News*)

The United Nations (U.N.) Executive Climate Secretary Simon Stiell cautioned that “humanity has only two years left ‘to save the world’ by making dramatic changes in the way it spews heat-trapping emissions and it has even less time to act to get the finances behind such a massive shift.”

- **5 Things to Know About Europe’s Landmark Climate Cases** (*E&E News*)

The European Court of Human Rights is anticipated to “rule on three cases [...] that could force European governments to more aggressively tackle climate change.”

- **A First Step Toward a Global Price on Carbon** (*New York Times*)

The International Maritime Organization “essentially committed to creating the world’s first global carbon price.” Specifically, “the proposal would require shipping companies to pay a fee for every ton of carbon they emit by burning fuel.”

- **International Court Issues First-Ever Decision Enforcing the Right to a Healthy Environment** (*Inside Climate News*)

In a landmark case, the Inter-American Court of Human Rights decided that “Peru was responsible for the physical and mental harm that a metallurgical facility’s pollution inflicted on 80 people.” This ruling “sets an important precedent for thousands of communities around the world that are impacted by extreme amounts of industrial air, water, and soil contamination.”

- [Fed Blocks Tough Climate Risk Proposal by Global Banking Watchdog](#) (*Reuters*)

The Basel Committee on Banking Supervision issued a proposal that “banks publish detailed information about the impact of climate change on their businesses,” while the European Central Bank pushed “for the committee to further propose that lenders disclose their strategies to meet climate commitments.” The U.S. Federal Reserve has reportedly blocked the aforementioned efforts.

Check out below for key quotes, federal agency news, and a look at the week ahead in congressional hearings and think tank events:

Quote of the Week

“I’m very confident that there is going to be an economic pricing mechanism by this time next year [...] what form it is going to have and what the name is going to be, I don’t know.”— *Arsenio Dominguez, Secretary General of the IMO on a potential carbon tax* (*New York Times* – [March 28](#))

Congressional Hearings (April 8 - 12, 2024)

Senate

No relevant Senate hearings.

House of Representatives

[Beyond Scope: How the SEC’s Climate Rule Threatens American Markets](#)

House Financial Services

Wednesday, April 10, 10:00 AM ET

Federal Agency Climate News

Department of Energy

[DOE Announces \\$27 Million to Help 40 State, Local and Tribal Communities Lead America’s Equitable and Resilient Clean Energy Future](#) (April 4)

[DOE Releases First Ever Federal Blueprint to Decarbonize America’s Buildings Sector](#) (April 2)

[Biden-Harris Administration Announces \\$4 Billion in Tax Credits to Build Clean Energy Supply Chain, Drive Investments, and Lower Costs in Energy Communities](#) (March 29)

Environmental Protection Agency

[Biden-Harris Administration Announces \\$20 Billion in Grants to Mobilize Private Capital and Deliver Clean Energy and Climate Solutions to Communities Across America](#) (April 4)

[EPA Launches New Website to Improve Transparency in Permitting](#) (April 2)

[Biden-Harris Administration Finalizes Strongest Ever Greenhouse Gas Standards for Heavy-Duty Vehicles to Protect Public Health and Address the Climate Crisis While Keeping the American Economy Moving](#) (March 29)

Biden-Harris Administration Announces \$62 Million to Lower Battery Recycling Costs Across the Nation (March 28)

White House

Biden-Harris Administration Announces Historic \$20 Billion in Awards to Expand Access to Clean Energy and Climate Solutions and Lower Energy Costs for Communities Across the Nation (April 5)

Department of Interior

Biden-Harris Administration Approves Eighth Offshore Wind Project (April 2)

Funding and Comment Opportunities

Solar and Wind Interconnection for Future Transmission

Department of Energy

Close Date: June 28, 2024

Advanced Manufacturing and Recycling Program

Department of Energy

Close Date: June 24, 2024

D.C. Climate Events

Climate Change and Our Health

Politico

Thursday, April 11, 3:45 PM ET

Funding the Future: The Impact of Federal Clean Energy Investments

Environmental and Energy Study Institute

Friday, April 12, 9:30 AM ET

For more information, please contact your regular Akin lawyer or advisor, or:

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