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B-338762

October 1, 2026

The Honorable Shelley Moore Capito
Chairman
The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and Public Works
United States Senate

The Honorable Brett Guthrie
Chairman
The Honorable Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce
House of Representatives

Subject: *Environmental Protection Agency: Partial Repeal of the Carbon Pollution Standards for Fossil Fuel-Fired Electric Generating Units*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Environmental Protection Agency (EPA) entitled "Partial Repeal of the Carbon Pollution Standards for Fossil Fuel-Fired Electric Generating Units" (RIN: 2060-AW55). We received the rule on September 16, 2026. It was published in the *Federal Register* on September 17, 2026. 91 Fed. Reg. 58954. The effective date of the rule is November 16, 2026.

This rule repeals most provisions of the 2024 Carbon Pollution Standards for greenhouse gas emissions from fossil fuel-fired electric generating units based on a reevaluation of the best system of emission reduction for the relevant subcategories. According to EPA, it is repealing the emission guidelines for existing fossil fuel-fired steam generating units, the carbon capture and sequestration/storage (CCS)-based standards for coal-fired steam generating units undertaking a large modification, and the CCS-based standards for new base load stationary combustion turbines (*i.e.*, Phase 2 standards).

Enclosed is our assessment of EPA's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact me (202) 512-8156.

Shirley A. Jones
Managing Associate General Counsel

Enclosure

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
ENVIRONMENTAL PROTECTION AGENCY
ENTITLED
“PARTIAL REPEAL OF THE CARBON POLLUTION STANDARDS FOR FOSSIL FUEL-FIRED
ELECTRIC GENERATING UNITS”
(RIN: 2060-AW55)

(i) Cost-benefit analysis

The Environmental Protection Agency (EPA) prepared an analysis of the costs and benefits of this rule. 91 Fed. Reg. 58954, 58994 (Sept. 17, 2026). According to EPA, the rule will result in present value cost savings of \$160 billion at a three percent discount rate, and \$95 billion at a seven percent discount rate. *Id.* EPA estimated that the rule will result in savings at an equivalent annualized value of \$10 billion at a three percent discount rate, and \$8.6 billion at a seven percent discount rate. *Id.* EPA also estimated that over the 2026 to 2047 period, the present value of the estimated real resource cost savings is \$280 billion using a three percent discount rate and \$180 billion using a seven percent discount rate discounted to 2025. *Id.* EPA stated that over the same timeframe, the equivalent annualized value of the estimated real resource cost is \$18 billion using a three percent discount rate, and \$16 billion using a seven percent discount rate. *Id.* Finally, EPA estimated that the present value of the social cost savings is approximately \$310 billion in 2024 dollars between 2026 and 2047, discounted to 2025, and the equivalent annualized value is \$23 billion. *Id.*

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

The EPA Administrator certified that this rule will not have a significant economic impact on a substantial number of small entities. 91 Fed. Reg. at 58995.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

EPA determined that this rule does not contain an unfunded mandate of \$100 million or more (adjusted annually for inflation) in 1995 dollars, and does not significantly or uniquely affect small governments. 91 Fed. Reg. at 58995. EPA also stated that the rule imposes no enforceable duty on any state, local, or tribal governments, or the private sector. *Id.*

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On June 17, 2025, EPA published a proposed rule. 90 Fed. Reg. 25752. EPA stated that they received comments on the proposed rule. 91 Fed. Reg. at 58967. EPA responded to comments in the rule. *Id.* at 58967–58988. EPA noted that it did not address comments on particular changes outlined in the proposed rule. *See id.* at 58988.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

EPA determined that this rule contains information collection requirements under the Act. 91 Fed. Reg. at 58995.

Statutory authorization for the rule

EPA promulgated this rule pursuant to section 7411 of title 42, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

EPA stated that this rule is significant under the Order and was submitted to the Office of Management and Budget for review. 91 Fed. Reg. at 58994.

Executive Order No. 13132 (Federalism)

EPA determined that this rule does not have federalism implications. 91 Fed. Reg. at 58995.