

Suggested EPA Actions to Comply with Executive Order 14154, Unleashing American Energy

On January 20, 2025, President Trump issued Executive Order 14154, *Unleashing American Energy*. Section 3(b) of that Order requires:

“Within 30 days of the date of this order, the head of each agency shall, in consultation with the director of the Office of Management and Budget (OMB) and the National Economic Council (NEC), develop and begin implementing action plans to suspend, revise, or rescind all agency actions identified as unduly burdensome under subsection (a) of this section, as expeditiously as possible and consistent with applicable law. The head of any agency who determines that such agency does not have agency actions described in subsection (a) of this section shall submit to the Director of OMB a written statement to that effect and, absent a determination by the Director of OMB that such agency does have agency actions described in this subsection, shall have no further responsibilities under this section.”

Here are some actions EPA potentially could take to remove unduly burdensome barriers to the identification, production, transportation and use of energy.

Office of Air and Radiation (OAR)

- **As part of its regulatory requirements for obtaining air permits, EPA will consider modeling emissions from new and modified facilities using more realistic probabilistic analysis of historical data, rather than assuming that all sources simultaneously emit at maximum levels every minute of every hour of every day during the worst-possible meteorological conditions.** This will prevent overinflated estimates of air impacts that prevent new projects from receiving permits to construct.
- **EPA will consider increasing the use of its New Source Review flexible permitting program, which simplifies the review process for new facilities and modifications to old facilities.** This will encourage innovation and reduce costs for facilities requiring frequent updates.
- **EPA will consider exempting new facility operators with pending applications from redoing costly and time-consuming air quality modeling when a new standard is adopted.** This will reduce costs and increase regulatory certainty for new facilities as well as incentivize investments in new infrastructure.
- **As part of its assessment of regulatory and policy impacts on the power sector, EPA may calculate the firm capacity of solar and wind as the equivalent available backup or storage capacity.** This will more accurately account for the intermittency of certain power generation resources relative to others, driving investment in reliable power generation and innovation in backup and storage solutions.

- **EPA will consider rescinding and replacing fleetwide tailpipe emission standards that are unachievable for any existing internal combustion engine (ICE) light-duty vehicles and replace them with achievable standards by vehicle class and drivetrain.** This approach will reverse a legally questionable de facto partial ban on ICE vehicles and likely save consumers and automakers hundreds of billions of dollars in the coming decade.
- **EPA will consider rescinding its fleetwide GHG tailpipe standards for heavy-duty vehicles— requiring ~45% electric trucks by 2032—and replacing them with achievable standards for each class of trucks and each drivetrain.** This would reverse EPA's partial ban on ICE trucks and likely save truckmakers, consumers and businesses hundreds of billions of dollars in the coming decade .
- **EPA will consider withdrawing its authorization of waivers from federal standards for California to establish its tailpipe emission standards (de facto fuel economy standards), and parallel technology-specific sales mandates, since this authority is exclusively federal under the Energy Policy and Conservation Act.** This would prevent California and like-minded states from setting national energy policy by imposing 100% EV sales mandates and spreading the costs through nationwide sales.
- **EPA will consider withdrawing its authorization for California's Advanced Clean Trucks program, which would mandate 40-75% electric trucks by 2035.** This would prevent a de facto EV truck mandate in California and other states planning to follow suit and spreading the costs of compliance through ICE truck sales nationwide.
- **EPA will consider withdrawing its authorization of a waiver from federal standards for California's Omnibus regulation, which imposes unachievable oxides of nitrogen (NOx) standards for liquid-fueled trucks.** This may prevent a costly de facto EV truck mandate in California and other states poised to follow suit.
- **EPA will consider revisiting and rejecting any approvals for state implementation plans to meet the NAAQS that contain EV sales mandates or state emission limits that set de facto state-mandated fuel economy standards.** This will prevent states from embedding likely unlawful rules into air quality plans.

All Departments (including EPA National Center for Environmental Economics)

- **EPA will consider abandoning the Value of Statistical Life (VSL) method, which unreasonably values delaying death by even one day at \$10+ million, and instead calculate benefits estimates based on average remaining life years.** This will end a practice that inflates estimates of rulemaking benefits.
- **EPA will consider adjusting its projected benefits of regulations to account for the often large uncertainties about their occurrence.** This would revise an unreasonable practice of inflating benefit calculations by treating speculative benefits as guaranteed.

- **EPA will consider adopting much higher market-based discount rates for future benefit estimates, to more accurately account for the time-value of money and for Americans becoming wealthier and better equipped to handle challenges in the future.** This may reduce a driver for economy-stifling regulation of energy production and use and more accurately account for factors that economic growth will naturally overcome.
- **Where consistent with OMB guidance, EPA may reconsider its estimates of "co-benefits," or secondary benefits, from new regulations that are already achieved or required by other rules. No more double-counting benefits.** This may reduce redundant regulations and compel EPA to justify rules based on their primary objectives.
- **Where consistent with OMB guidance, EPA may restrict its cost-benefit analyses to impacts on Americans and US residents, eliminating speculative foreign benefits associated with domestic emissions reductions.** This may prevent justifying the legally questionable practice that new regulations may require American businesses and consumers to underwrite policies that benefit foreign entities.
- **EPA may begin including in its cost-benefit estimates not just direct but also indirect costs, e.g., reduced investment and plant closures, job losses and associated deleterious welfare, etc.** This may correct a major double standard in cost-benefit analysis, given that EPA considers a wide swath of indirect benefits.
- **EPA may account for potential public health harms of its regulations, e.g., increased mortality linked to higher energy costs, potential net increases in PM emissions from heavier EVs, etc.** This may prevent many instances where EPA policies would do more harm than good for human health, let alone in general.
- **EPA may use a lower discount rate for quantifying the costs of forgone future investment than for forgone future consumption.** This may properly reflect the compounding economic value of investment and correct the current undervaluation of forgone investment costs.
- **EPA may account for the barriers to entry its regulations create for launching new facilities and promoting healthy competition that lowers costs for consumers.** This may prevent regulations that may seem modest since they allow industry to remain afloat, but actually make it impossible for new entrants into an industry.
- **EPA may employ a weight-of-evidence framework to evaluate empirical data on the harms of regulated substances, applying percentage weights based on evidence quality.** This may compel EPA to assess evidence systematically and prevent regulations based on weak or biased data.
- **EPA may abandon the Linear No Threshold (LNT) and Supralinear models that unreasonably assume any exposure, even declining exposure, to substances like**

PM2.5 results in increases harms—and adopt a threshold-based model grounded in toxicology. This may remove unreasonable bases for justifying various standards.

- **EPA may consider ensuring that its regulations are achievable using commercially available technologies.** This may prevent the practice of mandating unachievable emissions reductions (e.g., 90+% CO2 capture for power plants) based on speculative, unscalable and/or economically infeasible technologies.
- **EPA may consider accounting for reasonably foreseeable adaptations to regulated side-effects (e.g., more efficient home air filters that mitigate PM2.5 exposure risks from indoor air where most people spend 90+% of their time).** This may prevent inflated long-term benefit claims and reduce costly regulation where natural economic growth and technology improvement is sufficient.
- **EPA may consider avoiding imposing product pollution standards that require a change of products or key inputs (e.g., mandating EVs over gasoline cars or hydrogen over natural gas).** This will help prevent de facto product bans disguised as pollution control.
- **EPA may fund multiple studies to independently determine, using the same datasets, whether low ambient concentrations of PM2.5 and ozone actually cause public health effects, including mortality.** This will reveal whether claims that stricter emission standards save lives are scientifically justified.
- **EPA may publish all models, data, and analytical procedures used in regulatory impact analyses to the extent permitted by law.** This may allow independent verification of analyses and push EPA to give genuine science-backed justification for its policies.
- **EPA may only use scientific studies with data available for full third-party replication—no more "secret science."** This may hold EPA accountable to justify significant regulations and enable an honest public assessment.
- **EPA may require expert advisors and researchers, contractors and grant recipients, to disclose all external affiliations, including foreign-funding sources, memberships, and employment history.** This may reveal when the EPA employs or funds impartial scientists and activists.
- **EPA may preserve all interactions between EPA staff and EPA-funded scientists, contractors, and grant recipients, to be made accessible under Freedom of Information Act requests.** This may deter researchers, contractors and grant recipients from succumbing to pressure to tailor studies towards EPA's preconceived conclusions.
- **EPA may re-examine the agency's 2009 "endangerment finding", possibly to consider the benefits associated with energy use prior to determining that GHGs,**

on net, endanger public health. Depending on the results of such a reconsideration, EPA may be able to consider other policy actions holding back the development and use of American energy.

- **EPA may prospectively and retroactively rescind the use of the FrEDI tool for modeling GHG effects, as it likely relies on unrealistic emissions scenarios and other assumptions.** This may prevent EPA, other federal agencies, states and other third-parties from making inaccurate claims that GHG regulations will generate large benefits.
- **EPA may replace references to climate change as a "crisis" or "existential threat" with language reflecting our nation's increasing climate resilience and the US's declining percentage contribution to global emissions.** This may enable a more sober, fact-based approach to setting environmental policy and regulation.
- **EPA may review and consider rescinding its GHG emissions standards for power plants, which would effectively ban existing coal plants and new gas plants.** This may prevent an unmitigated grid reliability disaster at a time when the country needs far more reliable and dispatchable sources of electricity.
- **EPA may reverse Biden-era directives to integrate fossil fuel reduction into its core mission if not statutorily required.** This may refocus EPA and other agencies on their core missions and priorities.
- **EPA may rescind or revise all regulations, policies, guidance, and programs implemented under the Biden Administration's mandated "whole-of-government approach to climate."** This may curb the emotional and ideological targeting of fossil fuels and pave the way for fact-based and data-driven policy.
- **EPA may exclude emissions from properly-conducted prescribed fires from state compliance with federal air pollution standards.** This will promote the rational use of prescribed fires as a critical wildfire prevention measure and improve the safety of humans and wildlife.