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**From:** POLITICO Pro Energy Whiteboard  
**Sent:** Mon 6/26/2017 2:44:16 PM  
**Subject:** Supreme Court turns down appeal over EPA emissions rules

By Alex Guillén

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The Supreme Court today declined to take up a power company's appeal that argued EPA regulations wrongly made emissions released during industrial accidents illegal.

In a follow-up to a lawsuit before the D.C. Circuit Court of Appeals that saw most of a suite of Obama-era EPA boiler emissions rules upheld, American Municipal Power, an Ohio-based wholesale power supplier, argued that EPA's rules left emitters "at the mercy of EPA enforcement and citizen suits" following accidents that lead to emissions that exceed regulatory limits.

The Trump administration last month argued that it is reasonable to interpret the Clean Air Act so that EPA is not required to account for equipment malfunctions when setting emissions limits. And, the administration added, the varying types and durations of possible malfunctions makes it impossible to account for them ahead of time.

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