

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** POLITICO Pro Energy Whiteboard  
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**Subject:** Pruitt: Future for carbon rules 'yet to be determined'

By Alex Guillén

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EPA Administrator Scott Pruitt said today that he has not yet decided on a path forward regarding the Clean Power Plan and regulation of greenhouse gas emissions from power plants.

"We're going to evaluate our authority under Section 111. We're going to evaluate our authority under the Clean Air Act with respect to stationary sources and make an informed decision about what Congress has empowered us to do in those areas. And that's yet to be determined," Pruitt said at an event hosted by the law firm Faegre Baker Daniels.

Pruitt reiterated his uncertainty about what "tools" EPA can use under the Clean Air Act, though as Oklahoma's attorney general he sued EPA over its use of Section 111(d) to write the Clean Power Plan with fuel shifting requirements.

Agencies tend to get into trouble when they "imagine new authority" or try to "do the job of Congress," Pruitt said.

Pruitt also hinted at a much more restrained approach that he thinks would survive court challenges.

"This Supreme Court, in my view, is a Supreme Court that will say very clearly to all executive agencies, 'do the job of the statute, do the job Congress assigned to you. If you seek to do more than that, it's going to be an issue,'" he said.

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