



ICYMI: Check out the following snapshot for the most anticipated climate and environment regulations being finalized this spring. Click on the graphic below to see the full breakdown.



Key Climate and Environmental Rulemakings to Watch in 2024

JANUARY

FEBRUARY

MARCH

APRIL

POST-APRIL

- **Section 48 comments due (1/22)**
- **Comments due:**
 - 45X (2/13)
 - 45V (2/26)
- **DOT: CO₂ transportation proposed rule expected**
- **Final rules expected:**
 - **EPA:** medium & heavy-duty truck emissions
 - **DOE:** interstate transmission
 - **DOI:** renewable energy modernization
- **Final rules expected:**
 - **SEC:** climate risk disclosure
 - **CEQ:** GHG in NEPA review
 - **EPA:** Methane fee
 - **DOI:** mineral leases
 - **DOI:** renewable energy on public lands
- **USDA: HBIIP proposed rule expected (June)**
- **Final rules expected:**
 - **EPA:** power plants (Spring)
 - **Treasury:** 30D (June)
 - **DOE:** categorical exclusions (TBD)
 - **FPISC:** FAST-41 (TBD)
 - **FERC:** transmission rule (TBD)

Client Note: Congress Averts Shutdown for the Third Time in FY24

Congress [sent another continuing resolution \(CR\)](#) to the President's desk to avoid a partial government shutdown yesterday. The Senate passed it on a 77-18 vote, shortly before Speaker Johnson (R-LA) found enough support in his party to pass the stop-gap bill by a 314-108 vote under suspension of the rules. House Freedom Caucus members were upset with the Speaker, especially after he denied their request to attach border security provisions to the measure.

The CR extends funding for four appropriations bills: Agriculture, Energy-Water, Military Construction-VA, and Transportation and Housing to March 1st and the remaining eight to March 8th. Although the CR extends funding for six weeks, the chambers are only in session together for six days and ten days respectively between today and each of the March deadlines.

The new March funding timelines will suck up political oxygen as other key bills seek to move in the short term. Senate Majority Leader Schumer is expected to bring up a supplemental Ukraine/Israel/border bill as soon as next week, and the Senate and House tax panel chairmen have eyes on a bipartisan tax

package they want to move very quickly (more on that below). The deadline to reauthorize the Federal Aviation Administration (FAA) has also been pushed to March 8th, and any deal there will likely ride on the same package as the final appropriations agreement. Additionally, House Agriculture Committee Chairman G.T. Thompson's (R-PA) overly optimistic plans to move the chamber's version of the Farm Bill reauthorization in March became even less likely. Finally, it's now the time of year when the Appropriations committees start preparing for next year's spending bills. Because they're still working on FY24, work on FY25 could get pushed back making the next round of spending bills even more difficult.

Bipartisan Tax Deal Comes Together

Running contrary to Congress's inability to reach agreement on anything not seen as an absolute crisis, Senate Finance Chairman Ron Wyden (D-OR) and House Ways and Means Chairman Jason Smith (R-MO) [announced](#) a significant three-year bipartisan tax deal. The bill would expand the child tax credit, increase the low-income housing credit, reinstate immediate business deductions for R&D expenses (which could benefit clean energy businesses facing high interest rates), prevent Taiwanese companies from double-taxation, and provide environmental disaster relief. Ending the employee retention credit from Covid-relief efforts offsets some of the bill's \$78 billion in costs. While narrow in scope, the agreement will precede the heated debate over the expiration of the 2017 Trump tax cuts that comes due at the end of 2025.

SCOTUS Hears Oral Arguments on Chevron Deference

On Wednesday, the Supreme Court heard oral arguments on two cases that seek to overturn the *Chevron* deference, a forty-year legal doctrine that requires courts to defer to reasonable agency interpretations of the law when legislation is ambiguous or gives an agency broad authority. Justices debated whether or not previous cases ruled in accordance with *Chevron* would be in jeopardy and result in sweeping litigation if overturned, and whether the *Skidmore* deference, which forces courts to defer when an agency's action is "persuasive," would be a viable alternative. The conservative justices seemed primed to either overturn or dramatically limit *Chevron* deference, while the three liberal jurists emphasized the need to insulate the judicial branch from policymaking and preserve the Administration's flexibility to interpret laws. A final ruling is expected by early summer and could have sweeping impacts on environmental, health, labor and other regulations.

[Funding Opportunities](#)

This week, DOE announced [their intent](#) to issue \$25 million in support for clean energy projects on Tribal lands and [announced](#) \$6.5 million in funding for small, innovative R&D solar projects focused on photovoltaics (PV) and concentrating solar-thermal power (CSP). Applications for the latter are due March 6th.

Concept papers for the [\\$59 million in funding](#) for projects focused on RD&D of clean hydrogen technologies are due Friday, January 26th.

Clients in the News

[Brimstone](#) [announced](#) the launch of the [Decarbonized Cement and Concrete Alliance](#), a coalition of ten companies committed to accelerating the development of green cement and concrete technologies.

Charm Industrial's unique process for injecting bio-oil underground to sequester carbon and seal up wells that have been leaking greenhouse gasses was [highlighted](#) in *Wired*.

Lori Lodes from Climate Power and Leah Donahey from the League of Conservation Voters were named among the [9 climate advocates to watch this year](#).

Next Week: [Hearings to Watch](#)

Wednesday, January 24th

Senate Budget Committee

“Hearings to examine how the climate crisis threatens ocean industries.”

(10:00 AM EST), watch [here](#)

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