The Clean Power Plan (CPP) was the Obama Administration’s signature climate effort. This 2015 regulation aimed to move state power grids away from coal and toward renewable energy. It immediately became ensnared in litigation and never went into effect. It’s now considered irrelevant for all practical purposes. Yet the Supreme Court is now set to address numerous challenges to this zombie regulation. It’s time to put the CPP to rest.

When fully implemented, the Clean Power Plan was intended to cut carbon emissions 30% below the 2005 level by 2030. The rule required states to submit initial compliance plans in 2016, with final implementation plans in 2018. Compliance was set to begin in 2022, ramping up toward 2030 emission reduction goals. None of that has happened. So if the plan were upheld by the Supreme Court next Spring, it would be 2025 before the state plans went into effect, and the 2030 target would be postponed until 2037.

The architects of the Clean Power Plan failed to anticipate just how fast the power system would change due to other economic and regulatory forces. Even without the Clean Power Plan, carbon emissions from power generators fell about 15% from the 2015 level. The end result is that we’re already pretty close to the CPP’s target.

The reason why the plan has no further practical relevance is a rapid shift in the mix of sources for generating electricity. Coal is the worst culprit from the perspective of climate change. Between 2015 and 2019, the amount of electricity generated from coal dropped by a third. Note that this dramatic declined happened: (a) in just four years, and (b) despite Trump’s vigorous efforts to rescue the coal industry.

In short, nothing would be lost by repealing the Clean Power Plan. Doing so would give EPA a fresh slate for approaching the problem. It might also discourage the Supreme Court from devoting time and effort to resolve the legal issues raised by the Plan. The Court’s opinion could create barriers for future EPA carbon regulations, and the rightwing majority might use the occasion to strip other agencies of regulatory powers. In other words, repeal would be all benefits, no cost.

The Clean Power Plan was a noble effort. It’s time to give it a decent burial.