

Press Coverage | January 14, 2026

EPA's Cost Analysis U-Turn May Invite Courtroom Inquiries

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Elizabeth Phillips Corey

Elizabeth Corey, a partner in Troutman Pepper Locke's Environmental + Natural Resources Practice Group, was quoted in the January 14, 2026 *Law360* article, "[EPA's Cost Analysis U-Turn May Invite Courtroom Inquiries](#)."

Elizabeth Corey, an associate in [Troutman Pepper Locke LLP's](#) environmental and natural resources practice group, noted that the NOx rule for gas turbines stemmed from a [2023 consent decree](#) the EPA inked with the [Sierra Club](#) and [Environmental Defense Fund](#).

"The fact that they were not given the opportunity to comment ... I can see how that could create a procedural hurdle for the EPA as well," Corey said.

...

Corey of Troutman said one option for the EPA is to lean on the Supreme Court's May decision in [Seven County Infrastructure Coalition et al. v. Eagle County et al.](#) that directs lower courts to defer more to federal agencies' reviews. Even though Seven County dealt with the scope of environmental reviews of infrastructure projects, the EPA may be able to argue that the high court's conclusion supports its decision to revise how it calculates health benefits, Corey said.

"That underlying thesis from the Supreme Court holds true, where they're deferring to those agency evaluations," Corey said. "We've seen that in other cases since Seven County."

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