

SENATE RESOLUTION NO. 180

BY SENATOR WARD

A RESOLUTION

To urge and request the U.S. Environmental Protection Agency to rely on state regulators when developing guidelines for regulating carbon dioxide emissions from fossil-fueled power plants.

WHEREAS, a reliable and affordable energy supply is vital to Louisiana's economic growth, jobs, and the overall interest of its citizens; and

WHEREAS, Louisiana supports an all-of-the-above energy strategy, because it is in the best interest of Louisiana and the nation; and

WHEREAS, the United States has abundant supplies of coal that provide economic and energy security benefits; and

WHEREAS, coal provides affordable and reliable electricity to the citizens of Louisiana; and

WHEREAS, carbon regulations for existing coal-fueled power plants could threaten the affordability and reliability of Louisiana's electricity supplies and risk substantial job losses through the premature closure of power plants that have just invested in pollution controls to meet the United States Environmental Protection Agency's (EPA) recent mercury regulations; and

WHEREAS, carbon dioxide emissions from coal-fueled power plants represent only three percent of global anthropogenic greenhouse gas emissions; and

WHEREAS, the United States Energy Information Administration projects the electric sector carbon dioxide emissions in the United States will be fourteen percent below 2005 levels in 2020, and that carbon dioxide emissions from coal-fueled power plants in the United States will be nineteen percent below 2005 levels in 2020; and

WHEREAS, on June 25, 2013, the president directed the administrator of the EPA to issue standards, regulations, or guidelines to address carbon dioxide emissions from new, existing, modified, and reconstructed fossil-fueled power plants; and

WHEREAS, the president expressly recognized that states "will play a central role in establishing and implementing carbon standards for existing power plants"; and

WHEREAS, the Clean Air Act requires the EPA to establish a procedure under which each state shall develop a plan for establishing and implementing standards of performance for existing sources within the state; and

WHEREAS, the Clean Air Act expressly allows states, in developing and applying such standards of performance, "to take into consideration, among other factors, the remaining useful life of the existing source to which such standard applies"; and

WHEREAS, the EPA's existing regulations provide that states may adopt "less stringent emissions standards or longer compliance schedules" than the EPA's guidelines based on factors such as "unreasonable cost of control", "physical impossibility of installing necessary control equipment", or other factors that make less stringent standards or longer compliance times "significantly more reasonable"; and

WHEREAS, it is in the best interest of electricity consumers in Louisiana to continue to benefit from reliable, affordable electricity provided by coal-based generating plants.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby request the United States Environmental Protection Agency, in developing guidelines for regulating carbon dioxide emissions from existing power plants, to respect the primacy of Louisiana and to rely on state regulators to develop performance standards for carbon dioxide emissions that take into account the unique policies, energy needs, resource mix, and economic priorities of Louisiana.

BE IT FURTHER RESOLVED that the EPA should issue guidelines and approve state-established performance standards that are based on reductions of carbon dioxide emissions achievable by measures undertaken at fossil-fueled power plants.

BE IT FURTHER RESOLVED that the EPA should allow Louisiana to set less stringent performance standards or longer compliance schedules for power plants within their jurisdiction.

BE IT FURTHER RESOLVED that Louisiana should be given maximum flexibility by the EPA to implement carbon dioxide performance standards for fossil-fueled power plants within their jurisdiction.

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**ENROLLED**

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the administrator of the United States Environmental Protection Agency.

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PRESIDENT OF THE SENATE