

Regular Session, 2014

HOUSE BILL NO. 1217

BY REPRESENTATIVE LAMBERT

ENVIRONMENT/AIR: Provides for carbon dioxide emissions from certain electric generating units

1 AN ACT

2 To enact R.S. 30:2060.1, relative to air emission standards, to provide for carbon dioxide
3 emissions from certain electric generating units; to provide for adjustments; to
4 provide for the authority to promulgate rules and regulations; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2060.1 is hereby enacted to read as follows:

8 §2060.1. Carbon dioxide emission control program

9 A. This Section shall be known and may be cited as the "Louisiana Carbon
10 Dioxide Emission Fuel-Fired Electrical Generating Unit Control Law".

11 B. In developing a plan for the implementation of any guidelines for
12 greenhouse gas emissions issued by the United States Environmental Protection
13 Agency in accordance with Section 111(d) of the Clean Air Act, 42 U.S.C. 7111(d),
14 the department shall establish separate standards of performance for carbon dioxide
15 emissions for each category of existing fossil fuel-fired electric generating units
16 based on the type of fuel burned, adjusted as provided in Subsection C of this
17 Section, based on the following:

18 (1) The best system of emission reduction that has been adequately
19 demonstrated for fossil fuel-fired electric generating units that are subject to the

1 standard of performance, taking into account the cost of achieving such reduction
2 and any non-air quality health and environmental impact and energy requirements.

3 (2) Reductions in emissions of carbon dioxide that can reasonably be
4 achieved through measures undertaken at each fossil fuel-fired electric generating
5 unit.

6 (3) Efficiency improvements and other measures that can be undertaken at
7 each fossil fuel-fired electric generating unit to reduce carbon dioxide emissions
8 from the unit without switching to other fuels, co-firing with other fuels, or limiting
9 the utilization of the unit.

10 C. In establishing standards of performance in Subsection B of this Section,
11 the department shall consider in all cases whether to adopt less stringent standards
12 or compliance schedules that are longer than those provided for in the applicable
13 federal rules or guidelines based on the following:

14 (1) Consumer impacts, including any disproportionate impacts of energy cost
15 increases on lower-income populations.

16 (2) Unreasonable costs of reducing emissions resulting from plant age,
17 location, or basic process design.

18 (3) Physical difficulties with or impossibility of implementing emission
19 reduction measures.

20 (4) The absolute cost of applying the performance standard to the unit.

21 (5) The expected remaining useful life of the unit.

22 (6) The economic impacts of closing the unit, including expected job losses,
23 if the unit is unable to comply with the performance standard.

24 (7) The need to maintain the reliability of the electric grid.

25 (8) Any other factors specific to the unit that should be considered by the
26 department in establishing reasonable performance standards or reasonable
27 compliance schedules.

28 D. The department may implement, to the maximum extent permissible, the
29 standards of performance established in this Section through adopting and

1 promulgating rules and regulations that provide flexibility in complying with such
2 standards, including the averaging of emissions, emissions trading, or other
3 alternative implementation measures that are determined to further the interests of
4 Louisiana and its citizens.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lambert

HB No. 1217

Abstract: Creates the "Louisiana Carbon Dioxide Emission Fuel-fired Electrical Generating Unit Control Act".

Proposed law authorizes the Dept. of Environmental Quality to establish standards of performance for measuring carbon dioxide emissions from existing fossil fuel-fired electric generating units.

Proposed law provides criteria for the standards of performance.

Proposed law provides that the department can set adjusting standards of performance on fossil fuel-burned electric generating units and further determine if state standards are to be less stringent or allow for longer compliance schedules than those provided for in applicable federal rules or guidelines.

Proposed law authorizes the department to promulgate rules and regulations that provide for the maximum flexibility in complying with the standards established by proposed law.

(Adds R.S. 30:2060.1)