

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 29

BY REPRESENTATIVE HARRISON

ENVIRONMENT/AIR: Urges and requests the United States Environmental Protection Agency not to adopt the proposed guidelines on carbon dioxide emissions from existing fossil fuel-fired electric units

1 A CONCURRENT RESOLUTION

2 To urge and request the United States Environmental Protection Agency to withdraw the  
3 proposed guidelines for reducing carbon dioxide emissions from fossil fuel-fired  
4 power plants pursuant to Section 111(d) of the federal Clean Air Act and that in the  
5 event the United States Environmental Protection Agency adopts the proposed  
6 guidelines, urge and request the governor and the attorney general to use every  
7 means at their disposal, including taking legal action, to prevent the guidelines from  
8 being implemented.

9 WHEREAS, Louisiana benefits from electricity prices that are significantly below  
10 the national average price of electricity; and

11 WHEREAS, Louisiana has benefitted from a diverse mix of electricity sources that  
12 includes natural gas, coal, nuclear, renewable resources, and others; and

13 WHEREAS, maintaining a diverse, reliable, and affordable electricity supply is vital  
14 to Louisiana's economic growth, jobs, and the well-being of its citizens; and

15 WHEREAS, on June 25, 2013, the President of the United States issued a  
16 memorandum to the Administrator of the United States Environmental Protection Agency  
17 (EPA) directing the EPA to develop guidelines to control greenhouse gas emissions from  
18 existing fossil fuel-fired power plants pursuant to Section 111(d) of the federal Clean Air Act  
19 and to seek input from states; and

1           WHEREAS, on June 2, 2014, the EPA issued proposed guidelines limiting carbon  
2 dioxide emissions from fossil fuel-fired power plants in Louisiana and other states pursuant  
3 to Section 111(d) of the federal Clean Air Act; and

4           WHEREAS, Act No. 726 of the 2014 Regular Session requires the Department of  
5 Environmental Quality, in any response to the EPA guidelines promulgated pursuant to  
6 Section 111(d) of the Clean Air Act, to develop performance standards based on measures  
7 that can be implemented at each fossil fuel-fired electric generating unit in the state; and

8           WHEREAS, the EPA's proposed guidelines for reducing carbon dioxide emissions  
9 from fossil fuel-fired power plants conflict with the statutes of the state of Louisiana; and

10          WHEREAS, the EPA's proposed guidelines are not based on measures that can be  
11 implemented at each fossil fuel-fired electric generating unit, but instead require significant  
12 changes in the manner in which electricity is produced and necessitate a significant reduction  
13 in the use of electricity by consumers in the state of Louisiana; and

14          WHEREAS, the EPA's proposal is based on emission reduction measures that  
15 directly involve the production and regulation of electricity, which is the prerogative of the  
16 states, not EPA; and

17          WHEREAS, the EPA does not have the legal authority to require reductions in  
18 carbon dioxide emissions from coal-fired power plants pursuant to Section 111(d) of the  
19 federal Clean Air Act, nor to require reductions in carbon dioxide emissions based on  
20 changes to the electric system of any state; and

21          WHEREAS, the Louisiana Public Service Commission has estimated that the EPA  
22 proposal would cost Louisiana ratepayers \$3.96 billion to \$5.7 billion; and

23          WHEREAS, an analysis conducted by National Economic Research Associates  
24 Economic Consulting has projected that the EPA proposal could result in average annual  
25 electricity price increases in Louisiana of sixteen to twenty-two percent during the period  
26 2020 to 2029, with a peak year increase of twenty to twenty-four percent; and

27          WHEREAS, the EPA's proposal would have a major impact on the consumers of  
28 electricity in Louisiana, especially low-income and middle-income families, and the  
29 economy of the state of Louisiana; and

1           WHEREAS, entities responsible for reliability of the electric grid in Louisiana,  
2 including the Midcontinent Independent System Operator and the Southwest Power Pool,  
3 have stated that the EPA's proposal threatens the reliability of the electric grid.

4           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
5 urge and request that the United States Environmental Protection Agency withdraw the  
6 proposed guidelines for reducing carbon dioxide emissions from fossil fuel-fired power  
7 plants pursuant to Section 111(d) of the federal Clean Air Act.

8           BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge  
9 and request that, in the event the United States Environmental Protection Agency adopts the  
10 proposed guidelines, the governor and the attorney general use every means at their disposal,  
11 including taking legal action, to prevent the guidelines from being implemented.

12           BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted  
13 to the Administrator of the United States Environmental Protection Agency, the governor,  
14 and the attorney general.

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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)]

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HCR 29 Engrossed

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Harrison

Urges and requests the U.S. Environmental Protection Agency (EPA) to withdraw the proposed guidelines for reducing carbon dioxide emissions from fossil fuel-fired power plants pursuant to Section 111(d) of the federal Clean Air Act.

Urges and requests that, in the event the EPA adopts the proposed guidelines, the governor and the attorney general use every means at their disposal, including taking legal action, to prevent the guidelines from being implemented.