

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 29

BY REPRESENTATIVES HARRISON, STUART BISHOP, BROWN, BURFORD, CARMODY, COX, GAROFALO, HAVARD, MIGUEZ, NORTON, PYLANT, RICHARD, STOKES, TALBOT, AND WHITNEY

A CONCURRENT RESOLUTION

To urge and request the United States Environmental Protection Agency 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 and that in the event the United States Environmental Protection Agency adopts the proposed guidelines, urge and request the governor and the attorney general to use every means at their disposal, including taking legal action, to prevent the guidelines from being implemented.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request that the United States Environmental Protection Agency 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.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request that, in the event the United States Environmental Protection Agency 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.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE