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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 15 Session of  
2018

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INTRODUCED BY COSTA, FONTANA, WILLIAMS, STREET, HUGHES AND  
TARTAGLIONE, JANUARY 26, 2018

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REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 26, 2018

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AN ACT

1 Providing for cost-effective reductions of greenhouse gas  
2 emissions and for the powers and duties of the Environmental  
3 Quality Board and the Department of Environmental Protection.

4 The General Assembly of the Commonwealth of Pennsylvania

5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania  
8 Climate Change Mitigation Act.

9 Section 2. Findings.

10 The General Assembly finds and declares as follows:

11 (1) Climate change caused by human action is a real and  
12 significant threat to the health, welfare and economy of the  
13 people of this Commonwealth and to the sustainability of our  
14 way of life.

15 (2) Pennsylvania has been and remains a significant  
16 emitter of greenhouse gases.

17 (3) As a trustee of this Commonwealth's natural  
18 resources, the General Assembly has a constitutional duty to

1 conserve and maintain these resources for future generations  
2 and to safeguard Pennsylvanians' rights to clean air, pure  
3 water and the values of a healthy environment.

4 (4) The most comprehensive scientific analysis has  
5 determined that keeping global temperatures at or below 1.5°  
6 Celsius over preindustrial levels is necessary to avoid the  
7 worst impacts of climate change.

8 (5) Reducing Statewide greenhouse gas emissions by 30%  
9 or more in 2025, compared to 2005 levels, is technologically  
10 feasible and can be achieved cost effectively and with  
11 significant net economic benefits for this Commonwealth.

12 (6) Consequently, the Commonwealth has a moral, ethical  
13 and fiduciary responsibility to contribute to ongoing  
14 international, national, State and local efforts to mitigate  
15 climate change by reducing its emissions of greenhouse gases  
16 by 30% or more in 2025, based on 2005 levels.

17 Section 3. Definitions.

18 The following words and phrases when used in this act shall  
19 have the meanings given to them in this section unless the  
20 context clearly indicates otherwise:

21 "Baseline." The level of greenhouse gas emissions emitted  
22 from all sources in this Commonwealth in 2005, expressed in tons  
23 of carbon dioxide equivalent.

24 "Board." The Environmental Quality Board.

25 "Climate change action plan." The plan required under  
26 section 7 of the act of July 9, 2008 (P.L.935, No.70), known as  
27 the Pennsylvania Climate Change Act.

28 "Department." The Department of Environmental Protection of  
29 the Commonwealth.

30 "Greenhouse gases" or "GHGs." Gases in the earth's

1 atmosphere that absorb and reemit infrared radiation, including  
2 carbon dioxide, nitrous oxide, methane, hydrofluorocarbons,  
3 perfluorocarbons and sulfur hexafluoride.

4 "Multistate target." A limit on greenhouse gas emissions  
5 that applies to the total emissions of greenhouse gases in this  
6 Commonwealth and one or more other jurisdictions, including  
7 states and cities of the United States and the District of  
8 Columbia.

9 Section 4. Environmental Quality Board.

10 The board shall have the power and its duties shall be to:

11 (1) Adopt by regulation a Statewide greenhouse gas  
12 emissions limit, to be achieved by 2025, that is equivalent  
13 to a level of emissions 30% or more below baseline emissions  
14 or to adopt a multistate greenhouse gas emissions limit if  
15 the board finds that the limit will:

16 (i) by 2025, achieve greater emission reductions  
17 across all participating jurisdictions than would be  
18 achieved in those jurisdictions if the Commonwealth  
19 adopted its own limit; and

20 (ii) be more cost effective.

21 (2) In consultation with the Climate Change Advisory  
22 Committee, develop and promulgate regulations necessary to  
23 cost effectively meet the limit adopted under this section.  
24 The regulations shall be consistent with the climate change  
25 action plan and may include any of the following:

26 (i) Market-based mechanisms, such as the imposition  
27 of emission caps and a system for the purchase,  
28 redemption and trading of carbon dioxide allowances that  
29 represent units of emissions.

30 (ii) Performance-based standards for sources of

1 greenhouse gas emissions in the electric power,  
2 transportation, building, industrial, commercial and  
3 agricultural sectors.

4 (iii) Measures to reduce emissions from the electric  
5 power sector by expanding generation from renewable  
6 sources and increasing the energy efficiency of end uses  
7 and transmission.

8 (iv) Measures to achieve long-term carbon  
9 sequestration.

10 Section 5. Department of Environmental Protection.

11 The department shall have the power and its duties shall be:

12 (1) Within 90 days of the effective date of this  
13 section, to determine and publish in the Pennsylvania  
14 Bulletin the level of baseline emissions, following a public  
15 comment process.

16 (2) To implement and enforce regulations promulgated by  
17 the board under this act.

18 (3) Beginning three years after the effective date of  
19 this section, to require that each climate change action plan  
20 submitted by the department includes the following:

21 (i) An assessment of the progress toward meeting the  
22 goals established under this act.

23 (ii) Recommendations that would result in more cost-  
24 effective progress toward the goals established under  
25 this act.

26 (iii) Recommendations for modifying the goals  
27 established under this act to capture additional cost-  
28 effective emission reductions and further emission  
29 reductions to maintain global temperatures at or below  
30 1.5° Celsius over preindustrial levels.

1 Section 6. Effective date.

2 This act shall take effect in 60 days.