

HOUSE JOINT RESOLUTION 663

By Van Huss

A RESOLUTION relative to the regulation of carbon dioxide emissions from fossil-fueled power plants

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

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

WHEREAS, carbon regulations for existing coal-fueled power plants could threaten the affordability and reliability of Tennessee'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) located in the United States 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 that U.S. 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 U.S. 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 Tennessee to continue to benefit from reliable, affordable electricity provided by coal-based electricity generating plants; now, therefore;

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this General Assembly urges the EPA, in developing guidelines for regulating carbon dioxide emissions from existing power plants, to respect the primacy of Tennessee and other states 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 Tennessee and other states.

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 Tennessee and other states to set less stringent performance standards or longer compliance schedules for power plants within their jurisdiction.

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

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Environmental Protection Agency, Washington, D.C.