
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 438 Session of
2014

INTRODUCED BY SOLOBAY, KASUNIC, WHITE, HUTCHINSON, BOSCOLA,
SCARNATI AND COSTA, SEPTEMBER 18, 2014

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
SEPTEMBER 18, 2014

A RESOLUTION

1 Urging the Environmental Protection Agency, in developing
2 guidelines for regulating carbon dioxide emissions from
3 existing power plants, to respect the primacy of this
4 Commonwealth and other states and to rely on state regulators
5 to develop performance standards for carbon dioxide emissions
6 that take into account the unique policies, energy needs,
7 resource mix and economic priorities of this Commonwealth and
8 other states.

9 WHEREAS, A reliable and affordable energy supply is vital to
10 this Commonwealth's economic growth, jobs and the overall
11 interests of its citizens; and

12 WHEREAS, This Commonwealth supports an all-of-the-above
13 energy strategy because it is in the nation's and its best
14 interests; and

15 WHEREAS, The United States has abundant supplies of coal that
16 provide economic and energy security benefits; and

17 WHEREAS, Coal provides affordable and reliable electricity to
18 the citizens of this Commonwealth; and

19 WHEREAS, Carbon regulations for existing coal-fueled power
20 plants could threaten the affordability and reliability of this

1 Commonwealth's electricity supplies and risk substantial job
2 losses through the premature closure of power plants that have
3 just invested in pollution controls to meet the Environmental
4 Protection Agency's (EPA) recent mercury regulations; and

5 WHEREAS, Carbon dioxide emissions from coal-fueled power
6 plants in the United States represent only 3% of global
7 anthropogenic greenhouse gas emissions; and

8 WHEREAS, The United States Energy Information Administration
9 projects that the nation's electric sector carbon dioxide
10 emissions will be 14% below 2005 levels in 2020 and that carbon
11 dioxide emissions from coal-fueled power plants will be 19%
12 below 2005 levels in 2020; and

13 WHEREAS, On June 25, 2013, the President of the United States
14 directed the Administrator of the EPA to issue standards,
15 regulations or guidelines to address carbon dioxide emissions
16 from new, existing, modified and reconstructed fossil-fueled
17 power plants; and

18 WHEREAS, The President expressly recognized that states "will
19 play a central role in establishing and implementing carbon
20 standards for existing power plants"; and

21 WHEREAS, The Clean Air Act requires the EPA to establish a
22 procedure under which each state shall develop a plan for
23 establishing and implementing standards of performance for
24 existing sources within the state; and

25 WHEREAS, The Clean Air Act expressly allows states, in
26 developing and applying such standards of performance, "to take
27 into consideration, among other factors, the remaining useful
28 life of the existing source to which such standard applies"; and

29 WHEREAS, The EPA's existing regulations provide that states
30 may adopt "less stringent emissions standards or longer

1 compliance schedules" than EPA's guidelines based on factors
2 such as "unreasonable cost of control," "physical impossibility
3 of installing necessary control equipment" or other factors that
4 make less stringent standards or longer compliance times
5 "significantly more reasonable"; and

6 WHEREAS, It is in the best interest of electricity consumers
7 in this Commonwealth to continue to benefit from reliable,
8 affordable electricity provided by coal-based electricity
9 generating plants; therefore be it

10 RESOLVED, That the Senate urge the EPA, in developing
11 guidelines for regulating carbon dioxide emissions from existing
12 power plants, to respect the primacy of this Commonwealth and
13 other states and to rely on state regulators to develop
14 performance standards for carbon dioxide emissions that take
15 into account the unique policies, energy needs, resource mix and
16 economic priorities of this Commonwealth and other states; and
17 be it further

18 RESOLVED, That the EPA should issue guidelines and approve
19 state-established performance standards that are based on
20 reductions of carbon dioxide emissions achievable by measures
21 undertaken at fossil-fueled power plants; and be it further

22 RESOLVED, That the EPA should allow the Commonwealth and
23 other states to set less stringent performance standards or
24 longer compliance schedules for power plants within their
25 jurisdiction; and be it further

26 RESOLVED, That the Commonwealth and other states should be
27 given maximum flexibility by the EPA to implement carbon dioxide
28 performance standards for fossil-fueled power plants within
29 their jurisdiction.