A CONCURRENT RESOLUTION

Disapproving the Environmental Quality Board regulations on a CO2 Budget Trading Program.

WHEREAS, The Environmental Quality Board proposed at 50 Pa.B. 6212 (November 7, 2020) regulations on a CO2 Budget Trading Program in accordance with sections 5(a)(1) and (8) and 6.3 of the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act; and

WHEREAS, On July 13, 2021, the Environmental Quality Board approved "CO2 Budget Trading Program" Regulations (Environmental Quality Board Regulation #7-559 and Independent Regulatory Review Commission #3274) (regulations); and

WHEREAS, On August 18, 2021, the Environmental Resources and Energy Committee of the Senate, in accordance with section 5.1(j.2) of the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, voted to disapprove the regulations; and

WHEREAS, On September 1, 2021, notwithstanding the
disapproval of the Senate Oversight Committee, the Independent Regulatory Review Commission (IRRC) voted to approve the regulations; and

WHEREAS, In a letter dated September 1, 2021, the IRRC notified the Environmental Resources and Energy Committee of the Senate that the IRRC adopted an order approving the regulations; and

WHEREAS, The Environmental Resources and Energy Committee of the Senate has determined that the submitted regulations should be disapproved by the General Assembly; and

WHEREAS, The Environmental Resources and Energy Committee of the Senate is reporting this resolution under section 7(d) of the Regulatory Review Act for action by the Senate, which shall have 30 calendar days or 10 legislative days, whichever is longer, from the date on which the concurrent resolution has been reported to adopt the concurrent resolution; and

WHEREAS, The House of Representatives shall have 30 calendar days or 10 legislative days, whichever is longer, from the date on which the concurrent resolution has been adopted by the Senate to adopt the concurrent resolution; therefore be it RESOLVED (the House of Representatives concurring), That the General Assembly disapprove the Environmental Quality Board regulations on a CO2 Budget Trading Program; and be it further RESOLVED, That, in accordance with section 7(d) of the Regulatory Review Act, this resolution constitute a bar to promulgation of the regulations.