

By Senator Gibson

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Senate Memorial

A memorial to the United States Environmental Protection Agency, urging it to allow states to develop and implement their own performance standards, compliance schedules, and guidelines for regulating carbon dioxide emissions from existing power plants.

WHEREAS, the United States holds the world's largest estimated recoverable reserves of coal, and

WHEREAS, the United States Energy Information Administration projects that the carbon dioxide emissions from the electric sector will be 14 percent below 2005 levels by 2020 and that carbon dioxide emissions from the nation's coal-fired power plants will be 19 percent below 2005 levels by 2020, and

WHEREAS, it is in the best interest of the residents of this state to continue to benefit from reliable and affordable electricity provided by coal-fired electric generating plants and clean, renewable energy sources, and

WHEREAS, current carbon dioxide emissions regulations for existing coal-fired power plants threaten the premature closure of plants that have recently invested in pollution controls to meet the United States Environmental Protection Agency (EPA) regulations, and

WHEREAS, on June 25, 2013, President Barack Obama directed the EPA Administrator to issue standards, regulations, or guidelines to address carbon dioxide emissions from new, existing, modified, and reconstructed fossil-fueled power plants and expressly recognized that states play a key role in establishing and implementing such standards, and

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30 WHEREAS, the federal Clean Air Act of 1970, as amended,
31 requires the EPA to establish a procedure under which each state
32 must develop a plan for establishing and implementing standards
33 of performance for existing power plants, and

34 WHEREAS, the Clean Air Act expressly authorizes states, in
35 developing and applying such standards of performance, to take
36 into consideration, among other factors, the remaining useful
37 life of the existing power plant to which such standards apply,
38 and

39 WHEREAS, the EPA's existing regulations give states
40 flexibility in adopting emissions standards, in the interest of
41 making the standards more reasonable, and allow states to adopt
42 compliance schedules that are longer than those recommended, in
43 the interest of taking into account issues such as the cost of
44 control equipment or the physical impossibility of installing
45 necessary control equipment, and

46 WHEREAS, the people of this state support an all-inclusive
47 energy strategy that allows states to develop guidelines and
48 state-based performance standards that provide them with the
49 flexibility to regulate existing coal-fired power plants within
50 their jurisdictions, NOW, THEREFORE,

51
52 Be It Resolved by the Legislature of the State of Florida:

53
54 That the United States Environmental Protection Agency is
55 urged to respect the primacy of states and to rely on state
56 regulators, who take into account the unique policies, energy
57 needs, resource mix, and economic and environmental priorities
58 of their respective states in developing performance standards,

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59 compliance schedules, and guidelines for regulating carbon
60 dioxide emissions from existing power plants.

61 BE IT FURTHER RESOLVED that a copy of this memorial be
62 dispatched to the Administrator of the United States
63 Environmental Protection Agency.