

**By** the Committee on Environmental Preservation and Conservation;  
and Senator Gibson

592-03287-14

20141174c1

## Senate Memorial

A memorial to the Congress of the United States,  
urging Congress to direct the United States  
Environmental Protection Agency to use specified  
criteria in developing guidelines for regulating  
carbon dioxide emissions from existing fossil-fueled  
electric generating units.

WHEREAS, a reliable and affordable energy supply is vital  
to Florida's economy and job growth, as well as the overall  
interests of its citizens, and

WHEREAS, Florida supports an all-inclusive energy strategy  
because it is in the best interest of the state and the nation,  
and

WHEREAS, the United States has an abundant supply of coal  
that provides economic and energy security benefits, including  
affordable and reliable electricity, and

WHEREAS, carbon regulations for existing coal-fueled  
electric generating units could threaten the affordability and  
reliability of Florida's electricity supplies, and

WHEREAS, such regulations impose additional financial  
burdens on electric generating units that have invested in  
pollution controls to meet the recent mercury regulations of the  
United States Environmental Protection Agency, and

WHEREAS, such burdens risk the closure of electric  
generating units resulting in substantial job loss, and

WHEREAS, carbon dioxide emissions from coal-fueled electric  
generating units in the United States represent only 3 percent  
of global anthropogenic greenhouse gas emissions, and

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30 WHEREAS, the United States Energy Information  
31 Administration projects that carbon dioxide emissions from the  
32 nation's electric sector will be 14 percent below 2005 levels in  
33 2020, and

34 WHEREAS, the United States Energy Information  
35 Administration projects that carbon dioxide emissions from the  
36 nation's coal-fueled electric generating units will be 19  
37 percent below 2005 levels in 2020, and

38 WHEREAS, on June 25, 2013, the President of the United  
39 States directed the United States Environmental Protection  
40 Agency to issue standards, regulations, and guidelines to  
41 address carbon dioxide emissions from new, existing, modified,  
42 and reconstructed fossil-fueled electric generating units, and

43 WHEREAS, the President of the United States has recognized  
44 that states will play a central role in establishing and  
45 implementing carbon standards for existing electric generating  
46 units, and

47 WHEREAS, the Clean Air Act requires the United States  
48 Environmental Protection Agency to establish a procedure under  
49 which each state must develop a plan for establishing and  
50 implementing standards of performance for existing fossil-fueled  
51 electric generating units within the state, and

52 WHEREAS, the Clean Air Act expressly allows states, in  
53 developing and applying such standards of performance, to take  
54 into consideration, among other factors, the remaining useful  
55 life of an existing fossil-fueled electric generating unit to  
56 which such standards apply, and

57 WHEREAS, the existing regulations of the United States  
58 Environmental Protection Agency provide that states may adopt

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59 less stringent emissions standards or longer compliance  
60 schedules than the agency's guidelines based on factors such as  
61 unreasonable cost of control, physical impossibility of  
62 installing necessary control equipment, or other factors that  
63 make less stringent standards or longer compliance times  
64 significantly more reasonable, and

65 WHEREAS, it is in the best interest of electricity  
66 consumers in Florida to continue to benefit from reliable,  
67 affordable electricity provided by coal-based electric  
68 generating units, NOW, THEREFORE,

69

70 Be It Resolved by the Legislature of the State of Florida:

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72 That the Congress of the United States is urged to direct  
73 the United States Environmental Protection Agency, in developing  
74 guidelines for regulating carbon dioxide emissions from existing  
75 fossil-fueled electric generating units, to:

76 (1) Respect the primacy of Florida and rely on state  
77 regulators to develop performance standards for carbon dioxide  
78 emissions which take into account the unique policies, energy  
79 needs, resource mix, and economic priorities of the state.

80 (2) Issue guidelines and approve state-established  
81 performance standards that are based on reductions of carbon  
82 dioxide emissions determined to be achievable by measures  
83 undertaken at fossil-fueled electric generating units.

84 (3) Allow Florida to set less stringent performance  
85 standards or longer compliance schedules for fossil-fueled  
86 electric generating units.

87 (4) Give Florida maximum flexibility to implement carbon

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88 dioxide performance standards for fossil-fueled electric  
89 generating units.

90 BE IT FURTHER RESOLVED that copies of this memorial be  
91 dispatched to the President of the United States, to the  
92 Administrator of the United States Environmental Protection  
93 Agency, to the President of the United States Senate, to the  
94 Speaker of the United States House of Representatives, and to  
95 each member of the Florida delegation to the United States  
96 Congress.