

1 SJR57
2 158793-4
3 By Senators Reed, Bedford, Williams, Sanford, McGill,
4 Holtzclaw, Allen, Holley, Dunn, Keahey, Brewbaker, Ward,
5 Bussman, Marsh, Beason, Waggoner, Orr, Glover, Dial, Taylor,
6 Scofield, Hightower, Coleman, Ross, Smitherman, Fielding,
7 Smith, Beasley, and Blackwell
8 RFD: Rules
9 First Read: 20-FEB-14

1 SJR57

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4 ENROLLED, SJR57,

5 URGING THE ENVIRONMENTAL PROTECTION AGENCY TO
6 SUPPORT THE STATE REGULATION OF CARBON DIOXIDE EMISSIONS FROM
7 EXISTING POWER PLANTS BY RECOGNIZING STATE DEVELOPED
8 STANDARDS.

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

13 WHEREAS, Alabama supports an inclusive energy
14 strategy because it is in the best interest of Alabama and the
15 nation; and

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

18 WHEREAS, coal provides affordable and reliable
19 electricity to the citizens of Alabama; and

20 WHEREAS, carbon regulations for existing coal-fueled
21 power plants could threaten the affordability and reliability
22 of Alabama's electricity supplies and, therefore, threaten the
23 well-being of its citizens; and

1 WHEREAS, carbon dioxide emissions from U.S.
2 coal-fueled power plants represent only three percent of
3 global anthropogenic greenhouse gas emissions; and

4 WHEREAS, the U.S. Energy Information Administration
5 projects that U.S. electric sector carbon dioxide emissions
6 will be 14 percent below 2005 levels in 2020 and that carbon
7 dioxide emissions from U.S. coal-fueled power plants will be
8 19 percent below 2005 levels in 2020; and

9 WHEREAS, on June 25, 2013, the President directed
10 the Administrator of the U.S. Environmental Protection Agency
11 (EPA) to issue standards, regulations, or guidelines to
12 address carbon dioxide emissions from new, existing, modified,
13 and reconstructed fossil-fueled power plants; and

14 WHEREAS, the President expressly recognized that
15 states "will play a central role in establishing and
16 implementing carbon standards for existing power plants"; and

17 WHEREAS, the Clean Air Act requires EPA to establish
18 a "procedure" under which each state shall develop a plan for
19 establishing and implementing standards of performance for
20 existing sources within the state; and

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

1 WHEREAS, the EPA's implementing regulations (40
2 C.F.R. 60.20-29), provide that states may adopt "less
3 stringent emissions standards or longer compliance schedules"
4 than EPA's guidelines based on factors such as "unreasonable
5 cost of control," "physical impossibility of installing
6 necessary control equipment," or other factors that make less
7 stringent standards or longer compliance times "significantly
8 more reasonable"; and

9 WHEREAS, it is in the best interest of electricity
10 consumers in Alabama to continue to benefit from reliable,
11 affordable electricity provided by coal-based electricity
12 generating plants; now therefore,

13 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
14 HOUSES THEREOF CONCURRING, That the EPA, in developing
15 guidelines for regulating carbon dioxide emissions from
16 existing power plants, must maintain Alabama's and other
17 states' authority as provided by the Clean Air Act, to rely on
18 state regulators to develop performance standards for carbon
19 dioxide emissions that take into account the unique policies,
20 energy needs, resource mix, and economic priorities of Alabama
21 and other states.

22 BE IT FURTHER RESOLVED, That the EPA should issue
23 guidelines and approve state-established performance standards
24 that are based on the application of adequately demonstrating

1 carbon dioxide-specific controls at fossil-fueled power
2 plants.

3 BE IT FURTHER RESOLVED, That the EPA must maintain
4 Alabama's and other states' authority as provided in the Clean
5 Air Act, to set less stringent performance standards and
6 longer compliance schedules for power plants within their
7 jurisdiction.

8 BE IT FURTHER RESOLVED, That the EPA must maintain
9 Alabama's and other states' authority as provided in the Clean
10 Air Act, to have maximum flexibility implementing compliance
11 mechanisms for state-established carbon dioxide performance
12 standards for fossil-fueled power plants within their
13 jurisdiction.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR57
Senate 20-FEB-14
I hereby certify that the within Senate Joint Resolution
originated in and was adopted by the Senate.

Patrick Harris
Secretary

House of Representatives
Adopted: 26-FEB-14

By: Senator Reed