A Dialogue Between State Energy Offices and the U.S. EPA on Section 111(d)

November 2013
Clean Air Act Section 111
National Association of State Energy Officials

November 21, 2013

U.S. Environmental Protection Agency
Office of Air and Radiation
The President’s Climate Action Plan

- Calls on the federal government to work with states, cities, industries, consumers and the international community to address one of the greatest challenges of our time

- Reinforces the federal commitment to:
  - Cut harmful pollution
  - Protect our country from the impacts of climate change
  - Lead an international effort to address a changing climate

- Directs EPA to set flexible carbon pollution standards, regulations or guidelines, as appropriate, for power plants under section 111 of the Clean Air Act
EPA’s Task Using the Clean Air Act Authority

Issue carbon pollution guidelines for existing power plants

► Issue federal guidelines for the states
  ➢ Work in partnership with states
  ➢ States will develop plans that set standards for existing sources
  ➢ States use EPA guidelines as a reference

► Federal guidelines should build on states’ leadership and experience with programs that reduce GHGs

► Will follow the agency’s open and transparent review process, including public comment and a public hearing
Stakeholder Engagement

Over the past few months, EPA has engaged with multiple stakeholders to design a program for existing power plants:

- States
- Leaders in the power sector
- Labor leaders
- Non-governmental organizations
- Tribal officials
- Members of the public

Common themes:

- Timing
- Flexibility
- Credit for early action
Discussion Questions

http://www2.epa.gov/carbon-pollution-standards/questions-state-partners

1. What is your experience with programs that reduce CO$_2$ emissions in the electric power sector?
2. How should EPA set the performance standard for state plans?
3. What requirements should state plans meet, and what flexibility should be provided to states in developing their plans?
4. What can EPA do to facilitate state plan development and implementation?
Next Steps: Actions and Timing

► Per the President’s Directive

► EPA will issue proposed carbon pollution standards, regulations, or guidelines, as appropriate, for modified, reconstructed and existing power plants
  ➢ By no later than June 1, 2014

► EPA will issue final standards, regulations or guidelines, as appropriate
  ➢ By no later than June 1, 2015

► EPA will include in the guidelines addressing existing power plants a requirement that states submit to EPA the implementation plans
  ➢ By no later than June 30, 2016
Ongoing Engagement

► Continue discussions
  ► Within States - Connect with your stakeholders and state colleagues, especially air offices and utility commissioners

► With EPA – Share your insights on important design considerations
  • To initiate separate meetings with EPA, contact Lora Strine strine.lora@epa.gov
  • Submit written design suggestions to carbonpollutioninput@epa.gov

► For general information:
  http://www2.epa.gov/carbon-pollution-standards
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