



CLEAN POWER PLAN - LINKS and NOTES

FACT SHEET: Overview of the Clean Power Plan

CUTTING CARBON POLLUTION FROM POWER PLANTS

<https://www.epa.gov/cleanpowerplan/fact-sheet-overview-clean-power-plan>

3/1/17: Trump Readies Executive Order To Dismantle EPA's Clean Power Plan

Trump will order the Environmental Protection Agency (EPA) to review the Clean Power Plan (CPP) rule limiting carbon dioxide emissions from power plants. That same order is also expected to lift an Department of Interior moratorium covering new coal mining leases on federal lands.

<http://dailycaller.com/2017/03/01/trump-readies-executive-order-to-dismantle-epas-clean-power-plan/#ixzz4bxEMgEgk>

Trump Signs Order To Roll Back Obama's 'Waters Of the U.S.' Rule

<http://dailycaller.com/2017/02/28/trump-signs-order-to-rollback-obamas-waters-of-the-u-s-rule/#ixzz4bxECqwhm>

Biomass Power Association is still evaluating the rule and its potential impacts on the industry, for both existing plants and potential new facilities. From the outset, the rule squarely acknowledges the benefits of biomass in the preamble, stating, "The EPA recognizes that the use of some biomass-derived fuels can play an important role in controlling increases of CO₂ levels in the atmosphere."

From there, it gets much more complicated. Below are a few areas likely to affect our industry that BPA is still analyzing.

- Verifying the carbon benefits of every biomass feedstock: States will need to prove the carbon benefits of each biomass feedstock named in their carbon reduction plans. It is likely that many waste-derived biogenic feedstocks will qualify, but only with measures in place to monitor, report and verify the fuel's carbon benefits. This can be a complex and costly procedure, and it's unclear whether the state or the biomass facility and its fuel suppliers would bear this cost.

- Existing versus new facilities: Only facilities that came online on or following the EPA's cutoff of Jan. 1, 2013, will be counted in each SIP. This theoretically excludes many facilities that are, in practice, no different than the ones that came online a year or two later.

<http://biomassmagazine.com/articles/12317/biomassundefineds-role-in-clean-power-plan>

As it stands now, the Clean Power Plan would allow states to account for bioenergy — the burning of biomass, mostly wood and other woody material harvested from forests, for electricity generation — as if it were a zero-carbon energy source.

Any honest accounting, however, shows that bioenergy creates more carbon emissions than coal, the very fuel it's meant to replace, and should not be promoted alongside renewables like wind and solar as solutions to the climate crisis.

Little attention has been paid to the fact that the EPA is going to let a fuel dirtier than coal be used as a compliance mechanism for a plan designed to phase out the dirtiest of fuels. But as the summer 2015 deadline for the final rule approaches, the issue is starting to attract some notice.

<https://www.desmogblog.com/2015/06/04/biomass-not-zero-carbon-fuel-source-so-why-does-clean-power-plan-propose-treat-it-way>

As Obama Clean Power Plan Fades, States Craft Strategies To Move Beyond It - The Clean Power Plan would have required energy plants to cut their carbon emissions, leaving it up to each state to figure out how to reach a specific reduction target. The plan was supposed to be the main way the U.S. carried out its commitment under the historic Paris climate deal. But after it was announced in 2015, about two dozen mostly conservative states sued the Obama administration to block it.

<http://www.npr.org/2017/01/25/511616327/as-obama-clean-power-plan-fades-states-craft-strategies-to-move-beyond-it>

01/08/2016 Florida Utilities Weighing Options for Clean Power Plan Compliance

Florida's top three utilities are looking at how best to comply with the U.S. Environmental Protection Agency's Clean Power Plan, and the largest among them is urging a rate-based state compliance plan.

Florida Power & Light (FPL) spokeswoman Sarah Gatewood tells Platts that the utility's carbon dioxide (CO₂) emissions are already less than the 2030 target set by the Clean Power Plan, and "because we are in a growth state and we are a growth utility" FPL supports a rate-based program to comply with the emissions-cutting plan.

However, Gatewood tells Platts, FPL is well-positioned even if the state chooses a mass-based program because of the utility's renewables portfolio and plans for new solar, nuclear and gas-fired projects.

A rate-based compliance plan requires states to reduce emissions to a certain level, or rate, per megawatt-hour of generated electricity, whereas a mass-based plan sets a specific cap for CO2 emissions from a state's existing power plants.

When it comes to power plant performance, turbine reliability is paramount. MHPS is the only turbine manufacturer that has R&D, design, manufacture and validation in a single location. This allows MHPS to identify potential issues and fine tune before new technology is shipped to customers.

Either way, FPL may be able to trade surplus emissions rate credits with entities outside Florida since the utility's emissions rate is already below the 2030 target, but the EPA plans to allow trading only between rate-based states or mass-based states.

Florida's second and third largest utilities, Duke Energy Florida and Tampa Electric, are still looking at different approaches to Clean Power Plan compliance, reports Platts.

"At this point, it's too early for us to recommend a specific statewide approach," Tampa Electric spokeswoman Cherie Jacobs told Platts.

<http://www.power-eng.com/articles/2016/01/florida-utilities-weighing-options-for-clean-power-plan-compliance.html>

Pam Bondi cheers Supreme Court halting President Obama's Clean Power Plan -- Florida Attorney General Pam Bondi is cheering the U.S. Supreme Court, a day after they agreed in a 5-4 decision to halt enforcement of President Obama's sweeping plan to address climate change until after the resolution of legal challenges.

"This U.S. Supreme Court order is a huge victory for Florida families, businesses and the rule of law," Bondi said in a statement released on Wednesday. "Once again, this administration is ignoring the limits of its authority in trying to impose harmful and heavy-handed regulations on Floridians and the rest of the country. I am pleased the U.S. Supreme Court ruled in favor of the states and halted the implementation of these illegal actions."

<http://floridapolitics.com/archives/201342-pam-bondi-cheers>

How Obama Could Lose His Big Climate Case

But his accomplishments are precarious. The Paris Agreement supposes that the United

States will reduce its emissions by 2025. Yet after the Senate failed to approve a carbon-market bill during his first term (even though it passed the House), the White House has advanced emissions-reduction policy primarily by introducing new regulations.

The most critical of these—and the White House's last best hope to make significant domestic climate policy—is the Clean Power Plan, a complicated set of Environmental Protection Agency regulations that aim to reduce greenhouse-gas emissions from power plants by 2030. If fully implemented, the new rules would cut emissions from the electricity sector by about 30 percent compared to 2005 levels, according to the government's estimates. It would also help the United States keep the emissions-reductions promises it made at Paris.

It is a last-ditch plan, the president trying to mitigate climate change however he can. It is also a legally risky one. Regulations must not only comport with the Constitution but also with the law passed by Congress that delegated power to the agency in question—in this case, the Clean Air Act. The rules could also easily be undone by his successor.

<https://www.theatlantic.com/science/archive/2016/09/obama-clean-power-plan-dc-circuit-legal/502115/>

What Could Replace the Clean Power Plan? Trump could soon issue an executive order directing the EPA to consider the Clean Power Plan illegal and stop any work related to the regulation.

The U.S. Court of Appeals for the District of Columbia Circuit could also determine whether the Clean Power Plan is legal any day now. Then a Supreme Court review could keep the plan in limbo even longer.

Meanwhile, Trump's pick to head EPA, Scott Pruitt, in a congressional hearing last week may have given some insight into how he could replace the regulation.

Pruitt said he accepts that EPA has a legal obligation to regulate CO₂ emissions. He disagrees with how the agency has decided to limit carbon from power plants, though (Climatewire, Jan. 18).

Legal arguments Pruitt and other states have highlighted to challenge the Clean Power Plan outline what he thinks might be more in line with how he interprets the law (Climatewire, Sept. 28, 2016).

EPA set state carbon standards by examining how power companies could use less coal and more natural gas and renewable power. Pruitt's team has argued the agency should have

looked only at efficiency improvements that individual power plants could achieve.

<https://www.scientificamerican.com/article/what-could-replace-the-clean-power-plan/>