



# State of Climate Policy in the SE

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Ga. Tech Clean Energy Speakers Series

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# Federal Action

- President's post election press conference
- Carbon tax?
- Clean Air Act

## State-Level Action (Market and Policy Drivers)

- PUCs
  - Coal retirements
  - New Plants
    - Nuclear
    - IGCC
- GHG regulation under the Clean Air Act
  - Existing Source Performance Standards

# Clean Air Act

Mass v. EPA



Endangerment Finding



Tailpipe Rule



Permitting requirements for stationary sources



Proposed NSPS



Existing Source Performance Standards (upcoming)

## § 111(d)

### **Existing Source Performance Standards apply:**

- IF the pollutant is covered under NSPS

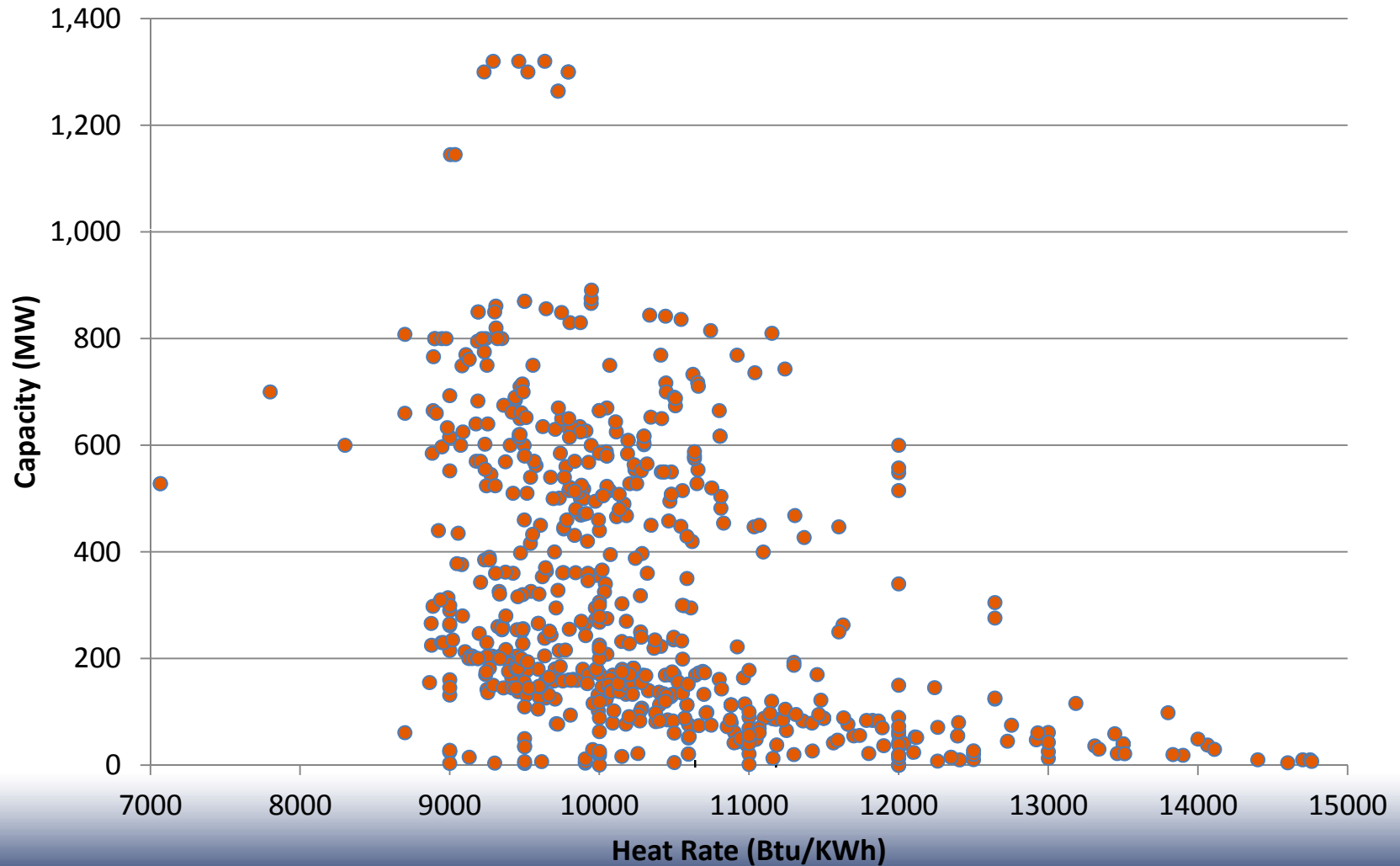
AND

- the existing source would be subject to NSPS if it were a new or modified source

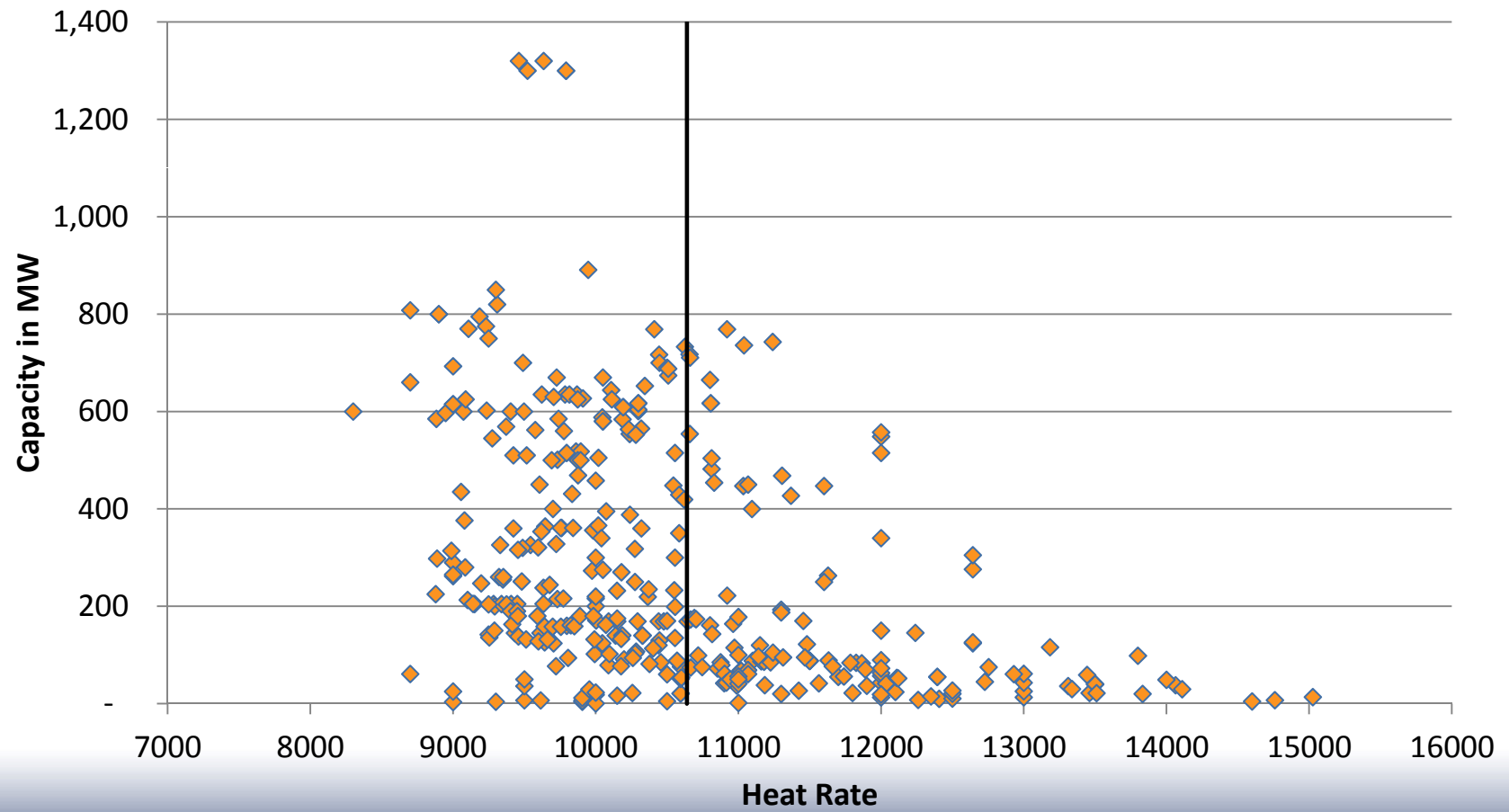
AND

- the pollutant is not also regulated as a criteria pollutant or a HAP

# 665 Coal Units

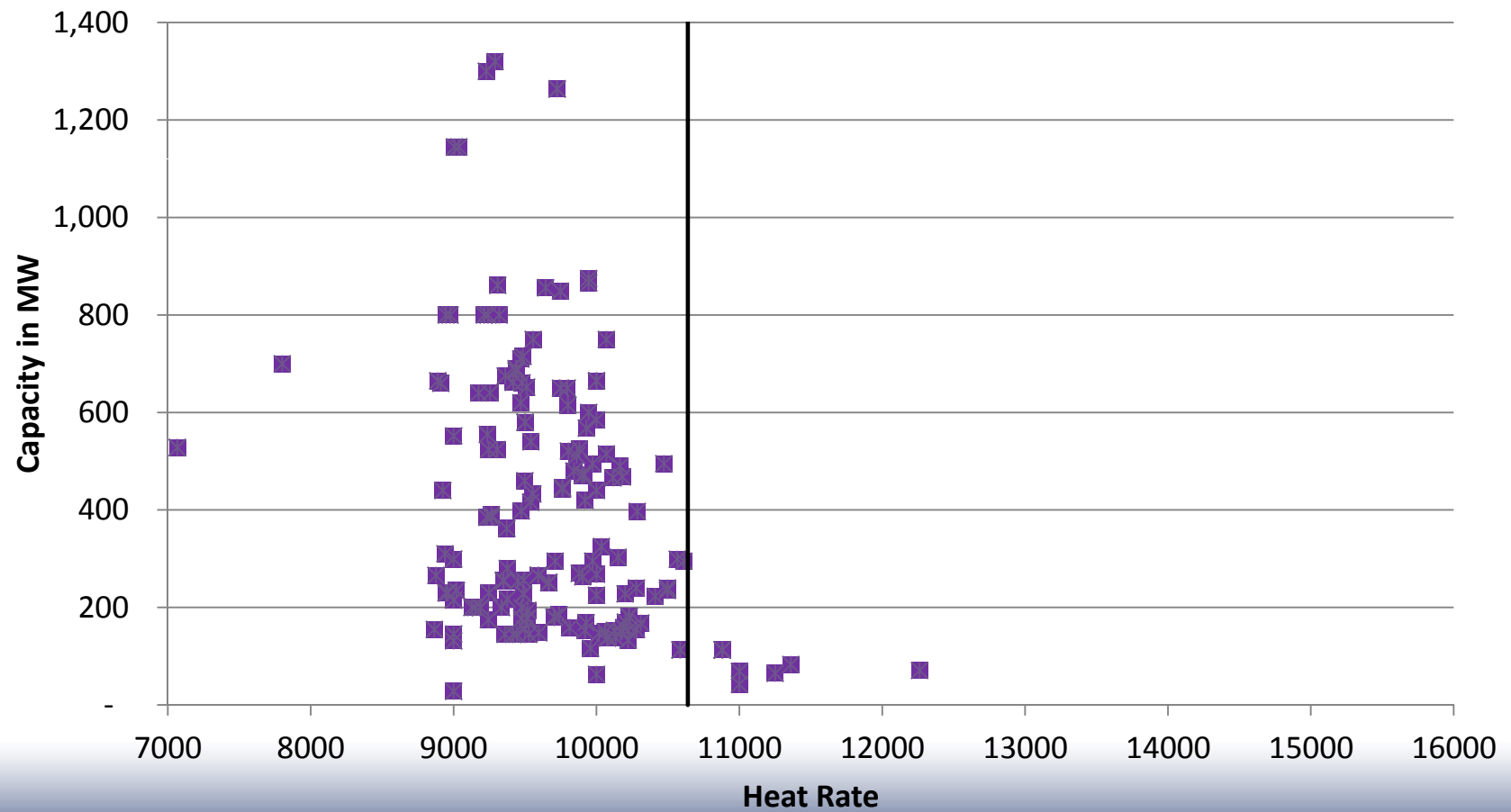


# Midwest





# Southeast





## § 111(d)

- Role for the EPA and the states
- Broad language
  - “standard of performance”
  - “best system”
- Issues to consider
  - Legal Risk
  - Economic Impacts
  - Role of Energy Efficiency and Renewables

## Options under 111(d)

- Energy efficiency/Renewable energy?
- Company-wide averaging?
- Statewide averaging?
- Interstate cooperation?
- Markets (CA, RGGI)?