

Introduced Version

**SENATE CONCURRENT
RESOLUTION No. _____**

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION urging Congress to pass multiple emissions legislation that will further reduce SO₂ and NO_x and regulate mercury from the nation's coal fired power plants.

Gard

_____, read first time and referred to Committee on



SENATE CONCURRENT RESOLUTION

A CONCURRENT RESOLUTION urging Congress to pass multiple emissions legislation that will further reduce SO_2 and NO_x and regulate mercury from the nation's coal fired power plants.

Whereas, In Indiana, approximately 95% of the electricity generated comes from coal-fired power plants, second only to West Virginia, compared with 70% for all upper Midwest states and 52% for the nation;

Whereas, Indiana has the ninth lowest retail electricity prices in the nation, 24% below the national average, and Indiana utilities consume over 48 million tons of coal a year with over 32 million tons of that coal coming directly from Indiana mines;

Whereas, Since the Clean Air Act amendments of 1990, SO_2 emissions are down over 45%, and NO_x emissions have been reduced by roughly 70%;

Whereas, Over \$3 billion have been spent to reduce emissions since 1990, and it is estimated an additional \$3 billion will be spent to comply with new pending Environmental Protection Agency regulations; current law uses multiple regulatory approaches to reduce the same emissions, resulting in uncertainty;

Whereas, Despite the development of new regulations by the EPA to control SO_2 , NO_x , and mercury, we anticipate a protracted court battle before any final implementation, creating uncertainty for the states and utilities, and we anticipate that states will be increasingly tempted to point



fingers upwind to secure emission reductions from sources outside their economic or geographic boundaries;

Whereas, Using the NO_x caps set in Clear Skies, Indiana utility NO_x emissions would be reduced by 60% in Phase I and 70% in Phase II based on actual 2003 levels; using EPA projections, all 24 counties out of attainment now should be in attainment for ozone by the first phase in 2010;

Whereas, Under the new fine particles nonattainment designations of January 2005, 14 full counties and five partial counties in Indiana were labeled as nonattainment; with the SO₂ caps set in Clear Skies, Indiana utility SO₂ emissions would be reduced by 69% in Phase I and 79% in Phase II, again based on actual 2003 levels;

Whereas, Using projections from EPA for the impact of Clear Skies, all counties in Indiana should be in attainment for fine particles by Phase I in 2010;

Whereas, Another benefit that a multiple emissions bill will provide is mercury reductions, enabling utilities to integrate all three emissions reductions required under Clear Skies to achieve even more significant reductions and cost savings than experienced from the Acid Rain title in the 1990 Clean Air Act Amendments, which minimizes the financial impact to consumers;

Whereas, A phased-in reduction over a reasonable period will provide the appropriate time needed to build scrubbers, SCRs, and particulate controls, helping to achieve a large portion of mercury reductions; this approach also provides the time needed to test new mercury specific controls that are necessary to meet the more stringent Phase II cap;

Whereas, These reductions are not cost free; therefore, we need to ensure that the caps are achievable; and

Whereas, The Indiana General Assembly urges the United States Congress to work to make multiple emissions legislation achievable and balanced and to enact federal legislation now. Do not disadvantage Indiana coal or the economies that thrive on that industry: Therefore,



*Be it resolved by the Senate of the General Assembly
of the State of Indiana, the House of Representatives concurring:*

1 SECTION 1. That multiple emissions legislation would replace
2 existing piecemeal regulation that is unnecessarily costly and is
3 frequently challenged in the courts. Utilities will gain business certainty
4 and emissions reductions will be made sooner and less expensively by
5 relying on the proven market-based emissions trading to cut the cost of
6 reducing emissions.

7 SECTION 2. That multiple emissions legislation is good for the
8 environment, for the future of coal, and for the jobs of thousands of
9 Hoosiers who depend on coal's use to generate affordable electricity.

10 SECTION 3. That the Indiana General Assembly urges the United
11 States Congress to pass multiple emissions legislation that will further
12 reduce SO₂ and NO_x and regulate mercury from the nation's coal fired
13 power plants for the first time.

