

ORIGINAL SENATE  
JOINT RESOLUTION  
NO. 0001

ENROLLED JOINT RESOLUTION NO. 1, SENATE

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING  
2014 BUDGET SESSION

A JOINT RESOLUTION requesting Congress to require the federal Environmental Protection Agency to respect the primacy of Wyoming in developing guidelines for regulating carbon dioxide emissions.

WHEREAS, a reliable and affordable energy supply is vital to Wyoming's economic growth, jobs, and the overall interests of its citizens; and

WHEREAS, Wyoming supports an all-the-above energy strategy because it is in the best interests of the state of Wyoming and the nation; and

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

WHEREAS, carbon regulations for existing power plants could threaten the affordability and reliability of Wyoming's electricity supplies and therefore threaten the wellbeing of its citizens; and

WHEREAS, the U.S. Energy Information Administration projects that U.S. electric sector carbon dioxide emissions will be fourteen percent (14%) below 2005 levels in 2020; and

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

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

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

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

WHEREAS, EPA's existing regulations provide that states may adopt "less stringent emissions standards or longer compliance schedules" than EPA's guidelines based on factors such as "unreasonable cost of control," "physical impossibility of installing necessary control equipment," or other factors that make less stringent standards or longer compliance times "significantly more reasonable;" and

WHEREAS, it is in the best interest of electricity consumers in Wyoming to continue to benefit from reliable, affordable electricity provided by coal and natural gas-based electricity generating plants.

*NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE LEGISLATURE OF THE STATE OF WYOMING:*

**Section 1.** That Wyoming urges EPA, in developing guidelines for regulating carbon dioxide emissions from existing power plants, to respect the primacy of Wyoming and to take into account the unique policies, energy needs,

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resource mix and economic priorities of Wyoming and other states.

**Section 2.** That EPA should issue guidelines and approve state-established performance standards that are based on reductions of carbon dioxide emissions that are practical and achievable by measures undertaken at fossil-fueled power plants.

**Section 3.** That Wyoming and other states should be given maximum flexibility by EPA to implement carbon dioxide performance standards for fossil-fueled power plants within their jurisdiction.

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**Section 4.** That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk