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INSTITUTE FOR 21ST CENTURY ENERGY
U.S. Chamber of Commerce



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New Chamber Analysis Details State Concerns With Proposed EPA Power Plant Regulations

WASHINGTON, D.C.— A [comprehensive new analysis](#) released by the U.S. Chamber’s Institute for 21st Century Energy today demonstrates the severity and breadth of state objections to EPA’s proposed clean power plant rule.

Released last June by the Obama administration, the rule represents one of the largest and costliest regulatory actions in history. Last fall, stakeholders and the public were invited to submit comments to EPA for consideration. All fifty states, often through their public utility commissions or environmental agencies, submitted comments.

“What is truly striking is the level of concern many states have regarding EPA’s rule—whether they are blue states, red states, or purple states,” said Karen Harbert, president and CEO of the Energy Institute. “Keeping the power on and keeping electricity affordable are not partisan issues, and indeed those responsible for critical functions in many states of all political stripes are telling the Obama administration that major changes must be made to this rule.”

The Energy Institute’s analysis identifies 12 significant and common themes raised by states, ranging from rushed regulatory timelines (34 states), the legal basis of the rule (32 states), threats to reliability (32 states) and negative economic consequences (28 states). At least 40 states questioned the achievability of at least one of the “building blocks” upon which the rule is based.

“EPA has emphasized from the start that listening to the states and to stakeholders would be a top priority during this rulemaking process, so it is time to turn that rhetoric into action and go back to the drawing board,” Harbert said. “These issues are too serious and too abundant to be ignored.”

Among the other common areas of concern for states identified in the analysis are: technological achievability, mistakes and errors, interim compliance targets, lack of credit for early action, treatment of nuclear generation, lack of consideration for stranded costs, goals in comparison to new power plant rules, and estimates of plant generation capacity.

The complete guide—[In Their Own Words: A Guide to States’ Concerns Regarding the Environmental Protection Agency’s Proposed Greenhouse Gas Regulations for Existing Power Plants](#)—including appendices, can be viewed here. In addition, the Chamber has compiled a [downloadable worksheet](#) of more than 800 specific comments filed by states and notable stakeholders, available [here](#).

The mission of the U.S. Chamber of Commerce's Institute for 21st Century Energy is to unify

policymakers, regulators, business leaders, and the American public behind a common sense energy strategy to help keep America secure, prosperous, and clean. Through policy development, education, and advocacy, the Institute is building support for meaningful action at the local, state, national, and international levels.

The U.S. Chamber of Commerce is the world's largest business federation representing the interests of more than 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations.

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