

HOUSE BILL 1675

By Keisling

AN ACT to amend Tennessee Code Annotated, Title 7; Title 65; Title 68 and Chapter 478 of the Public Acts of 2015, relative to emissions from electric utilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-201-121, is amended by deleting subsection (d) and substituting instead the following:

(d) Notwithstanding subsection (b), TACIR is not required to prepare a report if the final federal emission guidelines approved by the EPA:

(1)

(A) Do not establish carbon dioxide emission control requirements for this state that are based on the decrease in carbon dioxide emission resulting from the operation of new nuclear-generating facilities currently under construction in this state; and

(B) Authorize this state to receive full credit for the decrease in carbon dioxide emissions resulting from nuclear-generating facilities under construction as of the effective date of Chapter 478 of the Public Acts of 2015, for purposes of demonstrating compliance with carbon dioxide emission control requirements under the final EPA emission guidelines; or

(2) Are based solely on measures that improve the efficiency of coal-fired electricity generating units.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 201, Part 1, is amended by adding the following as a new section:

(a) The department shall develop a plan to implement the federal Affordable Clean Energy Rule (40 CFR Part 60, Subpart Ba) and submit the plan to the administrator of the EPA by June 15, 2020. The plan must not impose standards of performance or a compliance schedule that results in:

(1) The retirement of any existing coal-fired electricity generating unit; or

(2) An increase in price rates for electricity that exceeds one half of one percent (0.5%).

(b) All owners of coal-fired electricity generating units that are subject to regulation under this part shall strive to expeditiously provide data and analyses to the department in order to enable the department to develop and submit an implementation plan as required under subsection (a).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.