

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2126

H.P. 1506

House of Representatives, January 3, 2008

An Act To Minimize Carbon Dioxide Emissions from New Coal-powered Industrial and Electrical Generating Facilities in the State

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND
Clerk

Presented by Representative MacDONALD of Boothbay.

Cosponsored by Senator STRIMLING of Cumberland, Senator MARTIN of Aroostook and Representatives: ADAMS of Portland, BEAUDETTE of Biddeford, BLISS of South Portland, DUCHESNE of Hudson, EBERLE of South Portland, FAIRCLOTH of Bangor, HOGAN of Old Orchard Beach, KOFFMAN of Bar Harbor, MILLER of Somerville, MIRAMANT of Camden, PIEH of Bremen, PINGREE of North Haven, SCHATZ of Blue Hill, TREAT of Hallowell, WATSON of Bath, Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, BRYANT of Oxford, DAMON of Hancock, NUTTING of Androscoggin, SCHNEIDER of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **CONCEPT DRAFT**
3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 This bill seeks to meet Maine's climate goals and to promote development of new
6 clean energy and carbon reduction technologies by requiring that new industrial and
7 electrical generating facilities that use coal as a feedstock attain the lowest achievable
8 emissions rate, as defined in the Maine Revised Statutes, Title 38, section 582, subsection
9 7-E-2, for emissions of greenhouse gases into the atmosphere. The provisions of the bill
10 would apply to new enterprises that generate electricity or other products for commerce;
11 require an air emissions license pursuant to Title 38, section 590 or 591-A; use coal as an
12 energy feedstock; and emit 5,000 or more tons of carbon dioxide per year. The
13 Department of Environmental Protection shall enforce the provisions of this bill through
14 new source review under the federal Clean Air Act, 42 United States Code, Sections 7401
15 to 7671q (2007). In calculating emissions under this bill, the department shall consider
16 the net emissions from the full life cycle of all fuel feedstocks, except that carbon dioxide
17 that is captured at the facility and that is permanently disposed of in geological
18 formations in compliance with applicable laws and rules may not be counted as emissions
19 from the facility. At a minimum, the department's determination of the lowest achievable
20 emissions rate must require a rate of emissions of greenhouse gases that is no higher than
21 the rate of emissions of greenhouse gases for a facility that uses natural gas as its energy
22 feedstock.