

HOUSE CONCURRENT RESOLUTION NO. 13

BY SHOULTZ

A Concurrent Resolution opposing rule changes to the new source review air pollution control program.

WHEREAS, the new source review air pollution control program administered by the federal environmental protection agency under the authority of the federal Clean Air Act required existing power plants, refineries, and other industrial facilities to install improved air pollution controls when upgrading, expanding, or making physical or operational changes that result in a significant increase in air emissions, unless the modifications were considered routine maintenance; and

WHEREAS, these power plants, refineries, and other industrial facilities were already exempted under the federal Clean Air Act and allowed to continue polluting at their historic levels, as long as they did not undertake major changes; and

WHEREAS, the federal environmental protection agency recently approved sweeping new rule changes for the new source review air pollution control program that would allow certain industrial plants, including oil refineries and other facilities that meet certain criteria, to operate for a 10-year period without new source review air pollution control program scrutiny; allow industrial plants, under plantwide applicability limits, to clean up some emissions sources while allowing other emission sources to increase emissions, as long as total emissions do not violate a sitewide

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1 cap; and extend a more lenient baseline emissions
2 provision to project how plant changes will affect
3 future emissions; and

4 WHEREAS, the federal environmental protection
5 agency has also approved proposed rule changes to the
6 new source review air pollution control program that
7 would allow plants to undertake extensive changes
8 without triggering requirements to reduce pollutants
9 as long as the cost of the changes was below certain
10 levels, and, by redefining routine maintenance,
11 repair, and replacement, allow power plants,
12 refineries, and industrial facilities to upgrade their
13 dirtiest facilities, without installing modernized air
14 pollution control equipment; and

15 WHEREAS, studies clearly demonstrate that
16 industrial air pollution is a major cause of
17 environmental harm and poses a significant risk to
18 human health; and

19 WHEREAS, enhanced air pollution control capacity in
20 older power plants, refineries, and other industrial
21 facilities, especially those located in upwind states
22 in the midwest and the south, is critical to improving
23 air quality and public health because prevailing winds
24 can transport air pollutants and pollutant precursors
25 up to 500 miles; and

26 WHEREAS, implementation of these recently adopted
27 and proposed rule changes would be detrimental to the
28 public health, safety, and welfare of the citizens of
29 Iowa and harmful to the environment and represent a
30 retreat from stricter air pollution rules; NOW

1 THEREFORE,

2 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
3 SENATE CONCURRING, That the General Assembly opposes
4 recently adopted rule changes to the new source review
5 air pollution control program by the federal
6 environmental protection agency that would allow
7 industrial polluters to operate outside new source
8 review scrutiny, selectively clean up emission
9 sources, and more leniently calculate the effect of
10 plant changes on polluting emissions; and

11 BE IT FURTHER RESOLVED, That the General Assembly
12 strongly opposes changes that would allow industrial
13 facilities, when undertaking plant upgrades, to avoid
14 the necessity of modernizing and upgrading air
15 pollution control equipment in certain circumstances;
16 and

17 BE IT FURTHER RESOLVED, That the General Assembly
18 opposes any proposed rule changes that would weaken
19 provisions of the federal Clean Air Act and allow many
20 existing stationary sources of air pollution, such as
21 power plants and refineries, to make improvements
22 without regard to changes in emissions; and

23 BE IT FURTHER RESOLVED, That the General Assembly
24 supports and encourages efforts by northeastern states
25 to block implementation of the recently enacted new
26 source review pollution control program rule changes
27 and supports the lawsuit, to be filed in the United
28 States District Court of Appeals, that argues the rule
29 changes are inconsistent with the federal Clean Air
30 Act and should be invalidated; and

1 BE IT FURTHER RESOLVED, That the General Assembly
2 urges all members of Iowa's congressional delegation
3 to strongly oppose any changes that would weaken the
4 provisions of the federal Clean Air Act; and

5 BE IT FURTHER RESOLVED, That copies of this
6 Resolution be sent by the Chief Clerk of the House of
7 Representatives to the President of the United States,
8 the President of the United States Senate, the Speaker
9 of the United States House of Representatives, and to
10 all members of Iowa's congressional delegation.

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