

Senate File 153 - Introduced

SENATE FILE _____
BY BOLKCOM _____

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring consideration of greenhouse gas emissions in
2 issuing conditional permits to electric power generating plant
3 applicants for a certificate of public convenience and
4 necessity.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2223XS 82
7 rn/gg/14

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1 1 Sec. 1. Section 455B.134, subsection 3, paragraph d, Code
1 2 2007, is amended to read as follows:
1 3 d. (1) All applications for conditional permits for
1 4 electric power generating facilities shall be subject to such
1 5 notice and opportunity for public participation as may be
1 6 consistent with chapter 476A or any agreement pursuant thereto
1 7 under chapter 28E. The applicant or intervenor may appeal to
1 8 the commission from the denial of a conditional permit or any
1 9 of its conditions. For the purposes of chapter 476A, the
1 10 issuance or denial of a conditional permit by the director or
1 11 by the commission upon appeal shall be a determination that
1 12 the electric power generating facility does or does not meet
1 13 the permit and licensing requirements of the commission. The
1 14 issuance of a conditional permit shall not relieve the
1 15 applicant of the responsibility to submit final and detailed
1 16 construction plans and drawings and an application for a
1 17 construction permit for control equipment that will meet the
1 18 emission limitations established in the conditional permit.
1 19 (2) In evaluating applications for conditional permits for
1 20 electric power generating facilities the director or the
1 21 commission shall, in addition to other applicable factors,
1 22 assess the extent to which emissions from the applicant
1 23 facility may potentially contribute to the accumulation of
1 24 atmospheric gases resulting in the greenhouse effect, taking
1 25 into account existing scientific research and current and
1 26 future federal regulations which may be adopted in relation
1 27 thereto. For purposes of this subparagraph, "greenhouse
1 28 effect" means the absorption and retention of infrared
1 29 radiation reflected from the earth's surface by gases in the
1 30 atmosphere.

EXPLANATION

1 31 This bill requires the environmental protection commission
1 32 and the director of the department of natural resources to
1 33 consider the extent to which emissions from an electric power
1 34 generating facility applying to the Iowa utilities board for a
2 1 certificate of public convenience and necessity pursuant to
2 2 Code section 476A.2 may contribute to the accumulation of
2 3 gases leading to the "greenhouse effect". The bill defines
2 4 "greenhouse effect" to mean the absorption and retention of
2 5 infrared radiation reflected from the earth's surface by gases
2 6 in the atmosphere. Code section 455B.134, subsection 3,
2 7 authorizes the director of the department to grant, modify,
2 8 suspend, terminate, revoke, reissue, or deny conditional
2 9 permits for electric power generating facilities subject to
2 10 Code chapter 476A. The bill provides that the director or the
2 11 environmental protection commission shall consider existing
2 12 scientific research and current and future federal regulations
2 13 which may be adopted regarding the greenhouse effect in
2 14 assessing the potential impact.
2 15 LSB 2223XS 82
2 16 rn:nh/gg/14