

US EPA ARCHIVE DOCUMENT

Outline for U.S EPA Stakeholder Listening Sessions: GHG Performance Standards for Power Plants and Refineries Under Clean Air Act Section 111

The purpose of these listening sessions is for EPA to obtain stakeholder views on the design of section 111 performance standards to reduce greenhouse gas (GHG) emissions from power plants and refineries. The information received by EPA will be considered as the Agency begins work on proposed requirements to reduce emissions that contribute to climate change, ocean acidification, and related risks to public health and welfare.

In advance of the listening sessions, participants and observers may wish to consider the issues listed below – for new and modified sources, and for existing sources. *Participants should be prepared to explain how their recommendations are consistent with the legal requirements for performance standards under Clean Air Act section 111.*

Participants at the table are invited to express the views of the companies, states, tribes or organizations that they represent. Because this is not a Federal Advisory Committee Act process, EPA is not asking participants to reach consensus recommendations.

Background: Clean Air Act Section 111(b) requires EPA to issue “new source performance standards” (NSPS) to limit air pollutant emissions from *new and modified* sources in listed source categories. EPA plans to propose that NSPS limits are warranted for greenhouse gas (GHG) emissions from fossil-fueled power plants and petroleum refineries, two of the largest GHG-emitting categories. Section 111(d) requires EPA to issue guidelines for state standards of performance to control GHG emissions from *existing* sources in the same source categories for which GHG NSPS are issued.

Issues to consider

- Basis of the standards
 - Which technologies or measures provide opportunities for GHG reductions and efficiency improvements from power plants and refineries, and are achievable considering cost and other factors
 - how opportunities vary for new, modified and existing units
 - how opportunities vary for different fuels or technologies
- Form of the standards
 - how the standards should be structured to be effective, cost-effective, flexible, and verifiable, including whether and how the standards should incorporate economic incentives

- EPA guidelines for state rules covering existing sources
 - what processes or substantive approaches will enable EPA and states to work together well under section 111(d)
- Environmental justice – how these rules should consider environmental justice¹
- Other issues that should be considered by EPA as it develops proposed standards

¹ EPA's environmental justice web page states: "Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies."