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

CONCEPT DRAFT SUMMARY

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

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