



COMMITTEE ON ENERGY AND COMMERCE

Chairman Fred Upton
113th Congress

WHITFIELD-MANCHIN DISCUSSION DRAFT H.R. ____

BACKGROUND: In June 2013, President Obama [directed](#) the Environmental Protection Agency to develop greenhouse gas (GHG) standards for new and existing fossil fuel-fired power plants. In September 2013, the agency proposed regulations for new plants that would require that any future coal-fired power plant use technologies that are not commercially feasible. The agency is expected to propose regulations for existing plants in June 2014 and is currently engaged in stakeholder outreach.

Energy and Power Subcommittee Chairman Ed Whitfield (R-KY) and Senator Joe Manchin (D-WV) have put forward draft legislation to ensure EPA's rules allow for a true "all of the above" American energy strategy, including an affordable and diverse electricity generation portfolio.

WHAT THE ACT WILL DO

New Power Plants: Any rule establishing GHG standards for new plants may not be issued unless the EPA Administrator: 1) establishes separate standards for natural gas and coal-fired plants; 2) sets standards for the coal category that have been achieved over a one-year period by at least 6 units located at different commercial power plants in the United States; and 3) establishes a subcategory for coal-fired plants that use lignite coal and sets standards that have been achieved over a one-year period by at least 3 units located at different commercial power plants in the United States.

Existing Power Plants: Any rule establishing GHG standards or guidelines applicable to modified, reconstructed, or existing plants shall not take effect unless a federal law is enacted specifying the effective date.

Report to Congress: For any rule establishing GHG standards or guidelines applicable to modified, reconstructed, and existing plants, the EPA Administrator shall submit a report to Congress regarding the proposed rule, its economic impacts, and the projected effects on global GHG emissions.

Earlier Rules: Repeals EPA's prior proposed rules to establish GHG standards for new power plants.

EPA REGULATIONS AND RELATED INFORMATION

- **New Plants:** [Regulatory Actions](#); Sept. 2013 [Proposed Rule](#) and [Related Documents](#)
- **Existing Plants:** [What EPA is Doing](#); [Public Listening Sessions](#); [Questions for State Partners](#); [Overview Presentation](#)

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