

TITUS COUNTY

Titus County Courthouse



Brian P. Lee
County Judge

September 23, 2014

Ms. Gina McCarthy, Administrator
US Environmental Protection Agency
1200 Pennsylvania Ave NW
Mail code 1101A
Washington DC 20460

RE: Comment: Docket EPA-HQ-OAR-2013-0602 regarding USEPA regulating greenhouse gas emissions from existing coal and natural gas fired power plants

Dear Administrator McCarthy:

This letter and the enclosed comment pages constitute the comments of the Titus County Commissioners' Court on EPA's proposal for regulating CO2 emissions from power plants in Texas.

We are interested in reasonable and necessary environmental improvements that protect Texas citizens while jobs are sustained and new ones are created in a growing energy-intensive manufacturing and agriculture-based economy. The economy that we have helped build relies on affordable, reliable electricity from a carefully planned and developed mix of fuels.

For the reasons stated in the attached comment pages, EPA's proposal, if finalized, would cause unacceptable risks to the state's electricity system and the benefits it provides. The resolution requests that EPA withdraw its proposal and redo it, within the limited legal authority we believe the Clean Air Act allows and without intruding on the sovereign authority of the state to determine how electricity is generated and distributed to its citizens, businesses, and farmers.

Signed:

A handwritten signature in black ink that reads "Brian P. Lee". The signature is written in a cursive style.

Brian P. Lee
Titus County Judge

BPL/cn



Titus County Commissioners' Court Mt. Pleasant, Texas

September 23, 2014

Comments by the Titus County, Texas Commissioners' Court in Opposition to U.S. EPA's Proposed Greenhouse Gas Emission Guidelines for Existing Fossil-Fueled Power Plants

On June 18, 2014, the United States Environmental Protection Agency (EPA) published in the Federal Register a proposal ("Clean Power Plan") for reducing carbon dioxide (CO₂) emissions from existing fossil-fueled power plants based on Clean Air Act Section 111(d). EPA's proposed Clean Power Plan establishes significant CO₂ emission reductions for coal-fueled power plants in Texas that will cause disruptive changes in the state's well diversified electricity mix. Texas would only have 12 to 24 months after EPA approves their implementation plans to progress towards meeting their interim emissions target on January 1, 2020.

We note that EPA, in its Regulatory Impact Analysis and databases, lists potential plant unit retirements for Texas and predicts that 9 gigawatts of coal-fueled generation from 18 generating stations will be shut down between 2016 and 2020 due to its Clean Power Plan.

EPA also acknowledges that other power plant units will retire due to its Clean Power Plan and other plant units across America have retired or will retire between 2010 and 2020, for a total loss of generation that could power 60 million homes due to other recent regulations and factors.

Titus County citizens and businesses enjoy high quality jobs in the manufacturing and agriculture sectors due to much lower electricity rates and higher economic growth than states with self-imposed carbon limits.

Texas policymakers, individually and with policymakers from over 30 states have previously expressed their concerns with EPA's plans to regulate CO₂ emissions, have supported reasonable environmental policies as long as they maintain predictable, stable, affordable, and reliable supplies of electricity and have expressed the need to preserve the rights and powers of the states, including the sovereign right of each state to determine the appropriate mix of energy resources to meet its electricity needs.

Titus County requests that the United States EPA withdraw the proposed guidelines and issue new guidelines that allow Texas and other states to establish policies that are in the best interest of the Titus County, Texas and the nation. The guidelines should:

1. Respect the primacy of Texas by allowing Texas to develop plans that establish performance standards and discretion and flexibility in establishing compliance mechanisms.
2. Maintain an adequate, reliable, affordable electrical generating fleet.



Titus County Commissioners' Court
Mt. Pleasant, Texas

3. Be based on EPA guidelines for cost-effective, achievable reductions at the affected power plant units, rather than for the State of Texas.
4. Establish emissions guidelines based on adequately demonstrated systems that are fuel and technology specific.
5. Provide credit for significant emissions reductions already made or being made.
6. Avoid premature retirements and stranded assets.
7. Be fair and equitable to all electricity consumers; and

EPA should adopt policies that do not conflict with the responsibility of Texas and Titus County to provide affordable and reliable supplies of electricity for its citizens; and

Titus County is also recommending that our state's legislators work with other policymakers in Texas such as environmental, financial, and agriculture regulators, attorney general, economic development and governor to:

- a) Provide comments to EPA on the legal, reliability, affordability, achievability, timing, implementation scheduling and other issues that need to be considered for individual and groups of states to eliminate or minimize the aforementioned risks; and
- b) Jointly develop state implementation plans to protect residential, industrial and commercial electricity users and ensure continued reliability of the electric system; and
- c) Continue to engage EPA and other relevant federal agencies and congressional delegations after the regulation is finalized to eliminate or minimize the aforementioned risks and consequences.

County Judge, Titus County, Texas

Commissioner, Precinct 1

Commissioner, Precinct 2

Commissioner, Precinct 3

Commissioner, Precinct 4