



Overview: The “War On Domestic Energy”

The following are anti-energy federal initiatives that have begun since the start of the Obama Administration and the 111th U.S. Congress.

Carbon Reduction/Cap-And-Trade

The Obama Administration and Democratic congressional leaders have been advancing climate change legislation that will impose new regulations and lead to substantial hikes in energy prices, particularly for electricity generated from coal-fired power plants. Legislation such as H.R. 2454 -- the American Clean Energy and Security Act of 2009 (ACES Act) and U.S. Senate’s Clean Energy Jobs and American Power Act -- aim to reduce emissions of "global warming pollution," establish a cap-and-trade system, and encourage carbon capture technologies. However, the bills will cause energy prices to increase on all consumers (businesses, individuals, governments, etc.) and will cost thousands and thousands of jobs.

A recent study by the National Association of Manufacturers estimates HR 2454 would cost 1.7 million to 2.4 million jobs nationally by 2030. And, preliminary estimates by WVU’s Bureau of Economic Research shows that West Virginia stands to lose 35,000+ jobs and tens of millions in annual tax revenues.

At the present time, climate change legislation is stalled in the U.S. Senate.

EPA Moving To Regulate GHGs/Carbon Dioxide As Pollutants

The U.S. Environmental Protection Agency announced December 7, 2009 that it had declared greenhouse gas emissions (GHGs), including carbon dioxide, threaten the public health and welfare of the American people. The announcement is the prerequisite for “strong new emissions standards,” according to the EPA.

<http://yosemite.epa.gov/opa/admpress.nsf/bd4379a92ceceac8525735900400c27/08d11a451131bca585257685005bf252!OpenDocument>

In April 2009 the U.S. Environmental Protection Agency started the first formal steps in listing carbon dioxide and methane as pollutants and eventually developing regulations and controls. The EPA issued its proposed finding on April 1, 2009 and stated “greenhouse gases contribute to air pollution that may endanger public health or welfare.” The EPA’s announcement initiated a public comment period on six greenhouse gases that “pose a potential threat.” Among these are carbon dioxide and methane. For more information, go to <http://epa.gov/climatechange/endangerment.html>.

In late February 2010, eight Democratic U.S. Senators, including Senators Robert Byrd and Jay Rockefeller, signed a letter urging the EPA to clarify and hold off on any greenhouse gas regulations on industrial facilities until Congress has an opportunity to develop climate and energy legislation. Taking the matter one step further, Senator Rockefeller also stated he plans to introduce legislation to restrict EPA’s authority to regulate greenhouse gases (GHG) such as carbon dioxide and methane.

Senator Jay Rockefeller and the state's three U.S. House members have added their names to legislation that would delay or block EPA from implementing any GHG regulations.

Coal

EPA Issues New Environmental Regulations On Coal Mining

The United States Environmental Protection Agency has issued new environmental requirements ([click to read](#)) for surface mining activities. The new rules, which were issued on April 1, 2010, are in response to a permit review process that the agency started in March 2009 ([click to read](#)). The EPA began its reviews of federal mining permits because of "serious concerns about the need to reduce the potential harmful impacts on water quality caused by certain types of coal mining practices, such as mountaintop mining." The agency said it took this step because it had "considerable concern regarding the environmental impact these projects would have on fragile habitats and streams." The review involved 79 permit applications, of which 23 are in West Virginia. Recently, one of the 23 permits in West Virginia was issued...but 22 remained stalled.

EPA To Require Greenhouse Gas Emission Permits

In late September 2009 the U.S. EPA launched a new regulatory initiative designed to "address greenhouse gas (GHG) emissions under the Clean Air Act." The EPA's latest proposal will require large industrial facilities, which emit at least 25,000 tons of GHGs, a year to obtain construction and operating permits covering these emissions. "These permits must demonstrate the use of best available control technologies and energy efficiency measures to minimize GHG emissions when facilities are constructed or significantly modified." According to the EPA's proposed rule, these large facilities would include power plants, refineries, and factories. Small businesses such as farms, restaurants and many other types of small facilities would not be included in these requirements. Click to see the proposed rules or for more information: <http://www.epa.gov/nsr>

EPA To Tighten SO2 Standards From Coal

For the first time in nearly 40 years, the U.S. EPA is proposing to tighten the nation's sulfur dioxide (SO2) air quality standard to "protect public health." This change, announced in November 2009, will affect coal-fired power plants and other industrial facilities. Click to read more: <http://www.epa.gov/air/sulfurdioxide/actions.html#nov09>

EPA To Regulate Coal Combustion Byproducts As Hazardous Waste

The U.S. Environmental Protection Agency is expected to issue a proposed rule regulating coal combustion byproducts (CCBs) as hazardous waste by the end of 2009. The rule is currently being reviewed by the Office of Information and Regulatory Affairs and the Small Business Administration. Regulation CCBs as hazardous waste will have potentially devastating economic impacts on the economy. Regulating CCBs as hazardous waste will increase the price of electricity for both businesses and consumers as power generators face higher compliance, transportation, storage, handling, and disposal costs.

U.S. Department of Interior Plans To Increase Coal Mining Oversight, New Stream Rules

The U.S. Department of the Interior announced November 18 that it is taking immediate actions to strengthen oversight of state surface coal mining programs and to promulgate Federal regulations to better protect streams affected by surface coal mining operations. Interior's Office of Surface Mining Reclamation and Enforcement (OSM) is publishing an advance notice of proposed rulemaking regarding the protection of streams from the adverse impacts of surface coal mining operations. The notice requests comments on alternatives for revising the current regulations, which include the stream buffer zone rule

issued by the Bush Administration in December 2008. For more information, go to:
http://www.doi.gov/news/09_News_Releases/111809.html.

Natural Gas

EPA To Study Impacts Of “Fracing”

The U.S. Environmental Protection Agency (EPA) announced March 18, 2010 ([click to read](#)) that it will conduct a comprehensive research study to investigate the potential adverse impacts that hydraulic fracturing may have on water quality and public health. Environmentalists and others have been urging the EPA to consider imposing new regulations on the exploration and drilling of natural gas, particularly regarding water use and “fracing” techniques being used in production from the Marcellus Shale in the eastern United States. The industry also currently has exemptions from certain federal regulations that environmentalists would like to see ended.

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