CONCURRENT RESOLUTION

WHEREAS, The Texas Commission on Environmental Quality is considering permit applications from multiple applicants to construct and operate pulverized coal-fired power plants in locations throughout Texas; and

WHEREAS, These plants will affect millions of Texans, which demands that there be ample opportunity for citizen participation in the permitting process as well as ample time for thorough evaluation of potential impacts of proposed plants on human health, quality of life, and the environment; and

WHEREAS, Emissions from new pulverized coal-fired generation include sulfur dioxide and nitrogen oxide emissions, which cause adverse cardiopulmonary conditions, such as asthma and heart attacks, as well as mercury, which causes adverse neurological impacts, such as autism; and

WHEREAS, These by-products would exacerbate Texas' already severe air pollution problems, leaving more than half of Texans living in areas where the air fails to meet federal minimum standards and undermining the long-standing efforts of Texas state and local governments to avoid substantial federal noncompliance penalties, such as the loss of federal highway funding and constraints on new business development; clearly, increased emissions from the proposed plants could place Texas at a competitive disadvantage to other states under federal proposals to cap carbon emissions; and
WHEREAS, Local leaders from many areas of Texas object to the permitting of the proposed plants, over concerns that emissions from the plants could undermine local air quality programs and jeopardize the health of local residents; and

WHEREAS, Additionally, regional officials with the Environmental Protection Agency (EPA) have expressed concern that the Texas Commission on Environmental Quality has not adequately taken into account the cumulative environmental impact of multiple permits in the same vicinity on that area's quality of life; the EPA has suggested that the lack of proper monitoring and analysis in areas not currently under nonattainment status could cause those areas to fall into nonattainment and has warned that pollution controls at these plants could fail to meet Best Available Control Technology guidelines; and

WHEREAS, In Central Texas, where nine permits are currently under consideration, there is no monitoring of air quality or gathering of baseline data; in addition, there is no apparent crisis that would require building new generating plants, as the price of natural gas for the state's power grid is approximately one-half of what it was when the permitting process was accelerated, and the reserve margin of available power supply is adequate when existing plants are used at capacity; and

WHEREAS, Moreover, Texas has more renewable energy potential than any other state in the country and is meeting a growing share of its electricity needs through increased generation from renewable energy sources, such as wind, solar, and biomass; and

WHEREAS, Several policy options at both the state and
national levels are under consideration to encourage the use of cleaner coal technology; capital cost recovery and accelerated depreciation schedules for using cleaner coal technology are just two such options; in light of the potential health and economic risks and the existing policy alternatives, the State of Texas would be well-served to gather as much information as possible before rushing to permit these proposed pulverized coal-fired power plants; now, therefore, be it

RESOLVED, That the 80th Legislature of the State of Texas hereby urge the Texas Commission on Environmental Quality to impose a 180-day moratorium on the permitting or further processing of current permit applications for pulverized coal-fired power plants in Texas under consideration as expedited permits; and, be it further

RESOLVED, That the Texas secretary of state forward an official copy of this resolution to the executive director of the Texas Commission on Environmental Quality.