

By: Anderson

H.C.R. No. 43

CONCURRENT RESOLUTION

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

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

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

15           WHEREAS, These by-products would exacerbate Texas' already  
16 severe air pollution problems, leaving more than half of Texans  
17 living in areas where the air fails to meet federal minimum  
18 standards and undermining the long-standing efforts of Texas state  
19 and local governments to avoid substantial federal noncompliance  
20 penalties, such as the loss of federal highway funding and  
21 constraints on new business development; clearly, increased  
22 emissions from the proposed plants could place Texas at a  
23 competitive disadvantage to other states under federal proposals to  
24 cap carbon emissions; and

1           WHEREAS, Local leaders from many areas of Texas object to the  
2     permitting of the proposed plants, over concerns that emissions  
3     from the plants could undermine local air quality programs and  
4     jeopardize the health of local residents; and

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

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

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

27          WHEREAS, Several policy options at both the state and

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

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

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