

S 556

Clean Power Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Mar 15, 2001

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 768.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 768. (Nov 19, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/556>

Sponsor

Name: Sen. Jeffords, James M. [R-VT]

Party: Independent • **State:** VT • **Chamber:** Senate

Cosponsors (22 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Mar 15, 2001
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Mar 15, 2001
Sen. Collins, Susan M. [R-ME]	R · ME		Mar 15, 2001
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Mar 15, 2001
Sen. Dodd, Christopher J. [D-CT]	D · CT		Mar 15, 2001
Sen. Feinstein, Dianne [D-CA]	D · CA		Mar 15, 2001
Sen. Kennedy, Edward M. [D-MA]	D · MA		Mar 15, 2001
Sen. Kerry, John F. [D-MA]	D · MA		Mar 15, 2001
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 15, 2001
Sen. Lieberman, Joseph I. [D-CT]	D · CT		Mar 15, 2001
Sen. Reed, Jack [D-RI]	D · RI		Mar 15, 2001
Sen. Schumer, Charles E. [D-NY]	D · NY		Mar 15, 2001
Sen. Snowe, Olympia J. [R-ME]	R · ME		Mar 15, 2001
Sen. Torricelli, Robert G. [D-NJ]	D · NJ		Mar 15, 2001
Sen. Feingold, Russell D. [D-WI]	D · WI		Jun 19, 2001
Sen. Carper, Thomas R. [D-DE]	D · DE		Jun 27, 2001
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Oct 31, 2001
Sen. Chafee, Lincoln [R-RI]	R · RI		Nov 16, 2001
Sen. Wellstone, Paul D. [D-MN]	D · MN		Dec 5, 2001
Sen. Sarbanes, Paul S. [D-MD]	D · MD		May 23, 2002
Sen. Wyden, Ron [D-OR]	D · OR		Jun 26, 2002
Sen. Edwards, John [D-NC]	D · NC		Jul 17, 2002

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Hearings By (subcommittee)	Jun 12, 2002

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

No related bills are listed.

Clean Power Act of 2002 - (Sec. 2) Amends the Clean Air Act to add Title VII: Electric Energy Generation Emission Reductions.

Requires the Administrator of the Environmental Protection Agency to promulgate regulations to achieve specified reductions in emissions of sulfur dioxide, nitrogen oxide, carbon dioxide, and mercury from electric generation facilities with a nameplate capacity of 15 megawatts or greater that use a combustion device to generate electricity for sale, by January 1, 2008.

Requires the Administrator to allocate emission allowances according to type of emission (excluding mercury) and, in the case of sulfur dioxide, region of the country (western vs. non-western).

States that these allowances are not a property right and may be terminated or limited.

Directs the Administrator to establish an emission allowance tracking and transfer system for the sale, purchase, holding, and retirement of unused allowances.

Identifies each emission allowance with a unique serial number, identifying the pollutant and the first allowable year of use.

Requires owner/operators of facilities to submit one allowance per ton of covered pollutant with a special rule for ozone exceedances which may require the submission of additional allowances for nitrogen oxide.

Requires an annual inventory and monitoring of emissions from small electricity generating facilities.

Requires ambient air quality monitoring for sulfur dioxide and hazardous air pollutants from large (50 megawatt or more) capacity coal-fired electricity generating facilities.

Establishes a formula for determining excess emission penalties using the average annual market price of emission allowances.

Makes a special rule for mercury emissions.

Directs the Administrator to limit emissions that may reasonably be anticipated to cause or contribute to a significant adverse impact, or as necessary to protect public health or welfare or the environment.

Directs the Administrator to study the impact of emission allowance trading, including an assessment of ambient air quality in areas surrounding affected facilities.

Permits the use of certain reserved emission allowances for sulfur dioxide and nitrogen oxide according to how they were accrued (such as through the application of pollution control technology).

Directs the Administrator to promulgate regulations for a permitting and emission allowance trading compliance program.

Limits the trading of allowances with facilities other than electricity generating facilities to certain carbon dioxide emission control programs.

Directs the Administrator to allocate remaining emission allowances (except for mercury) to households served by electricity, based on the size of the household and the residential electricity consumption of the State.

Provides an allocation for transition assistance to: (1) dislocated workers; (2) disproportionately adversely impacted communities; and (3) electricity generating facilities.

Provides allocations to: (1) renewable electricity generating units; (2) efficiency projects; and (3) cleaner energy sources.

Provides allocations for biological carbon sequestration activities, including: (1) carbon inventorying and accounting systems; and (2) a revolving loan program for States to fund private forest and forest soil-related activities. Requires the Administrator to submit recommendations to Congress concerning such activities, including methods for quantifying such sequestration.

Directs the Administrator to establish and annually review emission limitations for mercury emissions by coal-fired electricity generating facilities to assure that such emissions do not exceed the national limitation for mercury emissions. Requires that captured or recovered emissions not be re-released into the environment.

Requires the Administrator to request information from owners/operators about hazardous air pollutants other than mercury. Directs the Administrator to then propose and promulgate emission standards. Requires facilities to achieve specified emission standards should the regulations not be promulgated.

Sets forth additional compliance requirements for outdated powerplants, including the application of best available control technology.

(Sec. 4) Amends the acid precipitation research program to require the biennial report of the Acid Precipitation Task Force to include an assessment of acid-neutralizing capacity, specifically of water bodies in certain sensitive ecosystems.

Requires an assessment and identification of sensitive ecosystems and the objectives necessary for their protection. Includes among such systems the Adirondack, the mid-Appalachian, Rocky, and southern Blue Ridge Mountains. Includes as well the Great Lakes, Lake Champlain, Long Island Sound, and the Chesapeake Bay. Requires the Administrator to modify emission reductions and allocations of emission allowances as necessary to protect such ecosystems.

(Sec. 5) Authorizes appropriations for FY 2003 through 2012 for the National Atmospheric Deposition Program National Trends Network, the National Atmospheric Deposition Program Mercury Deposition Network, the National Atmospheric Deposition Program Atmospheric Integrated Research Monitoring Network, the Clean Air Status and Trends Network, and the Temporally Integrated Monitoring of Ecosystems and Long-Term Monitoring Program.

Actions Timeline

- **Nov 19, 2002:** Committee on Environment and Public Works. Reported by Senator Jeffords with an amendment in the nature of a substitute. With written report No. 107-347. Minority views filed.
- **Nov 19, 2002:** Committee on Environment and Public Works. Reported by Senator Jeffords with an amendment in the nature of a substitute. With written report No. 107-347. Minority views filed.
- **Nov 19, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 768.
- **Jun 27, 2002:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 26, 2002:** Sponsor introductory remarks on measure. (CR S6052-6053)
- **Jun 12, 2002:** Committee on Environment and Public Works Subcommittee on Clean Air, Wetlands, and Climate Change. Hearings held. With printed Hearing: S.Hrg. 107-570.
- **Jan 29, 2002:** Committee on Environment and Public Works Subcommittee on Clean Air, Wetlands, and Climate Change. Hearings held. With printed Hearing: S.Hrg. 107-570.
- **Nov 15, 2001:** Committee on Environment and Public Works Subcommittee on Clean Air, Wetlands, and Climate Change. Hearings held. With printed Hearing: S.Hrg. 107-570.
- **Nov 1, 2001:** Committee on Environment and Public Works Subcommittee on Clean Air, Wetlands, and Climate Change. Hearings held. With printed Hearing: S.Hrg. 107-570.
- **Jul 26, 2001:** Committee on Environment and Public Works Subcommittee on Clean Air, Wetlands, and Climate Change. Hearings held. With printed Hearing: S.Hrg. 107-570.
- **Mar 15, 2001:** Introduced in Senate
- **Mar 15, 2001:** Sponsor introductory remarks on measure. (CR S2411-2412)
- **Mar 15, 2001:** Read twice and referred to the Committee on Environment and Public Works.