

# Regulation of Greenhouse Gas Emissions – What We Have and What We Can Expect

Lauren Godshall





# THE PRESIDENT'S CLIMATE ACTION PLAN





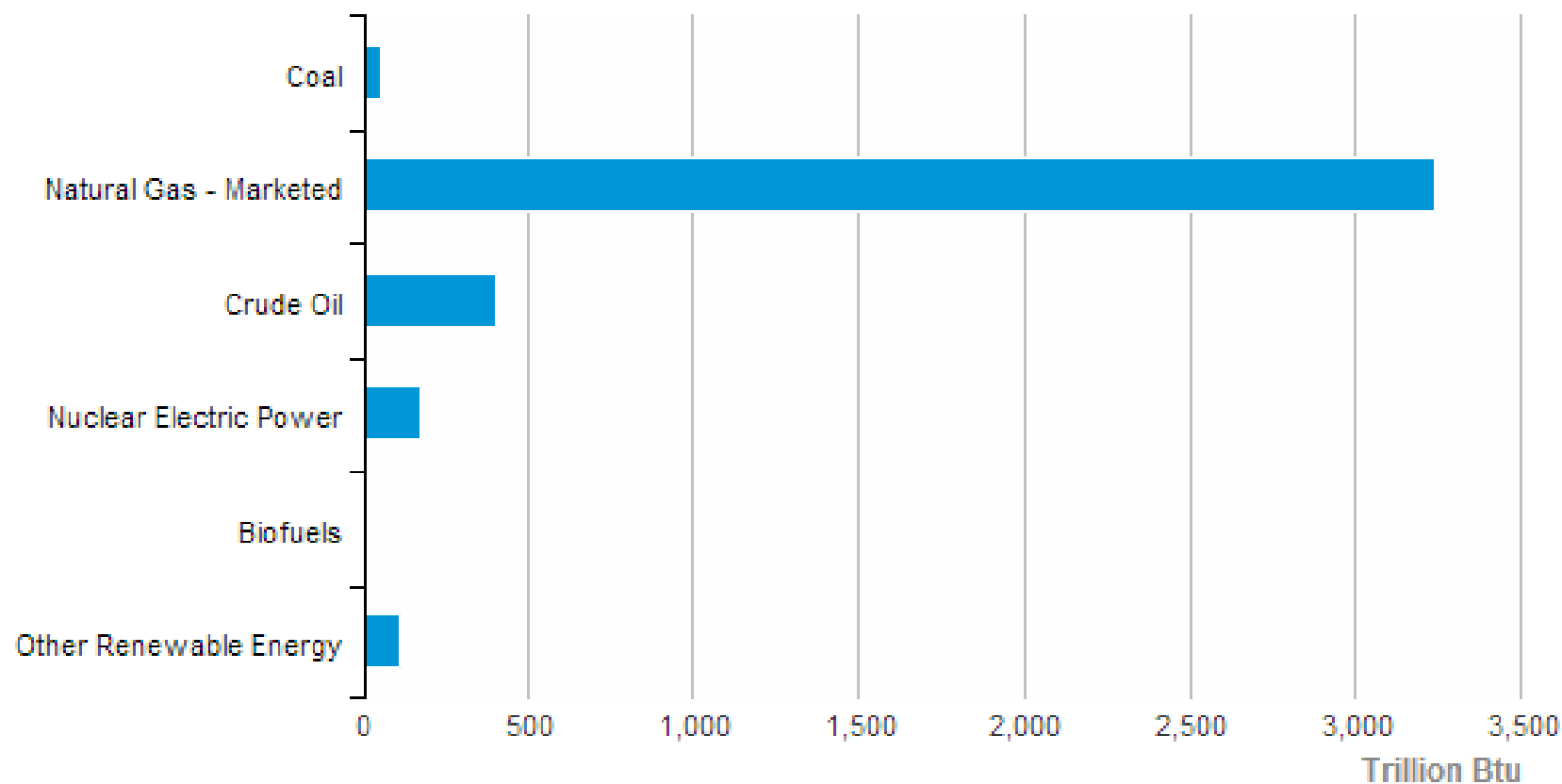




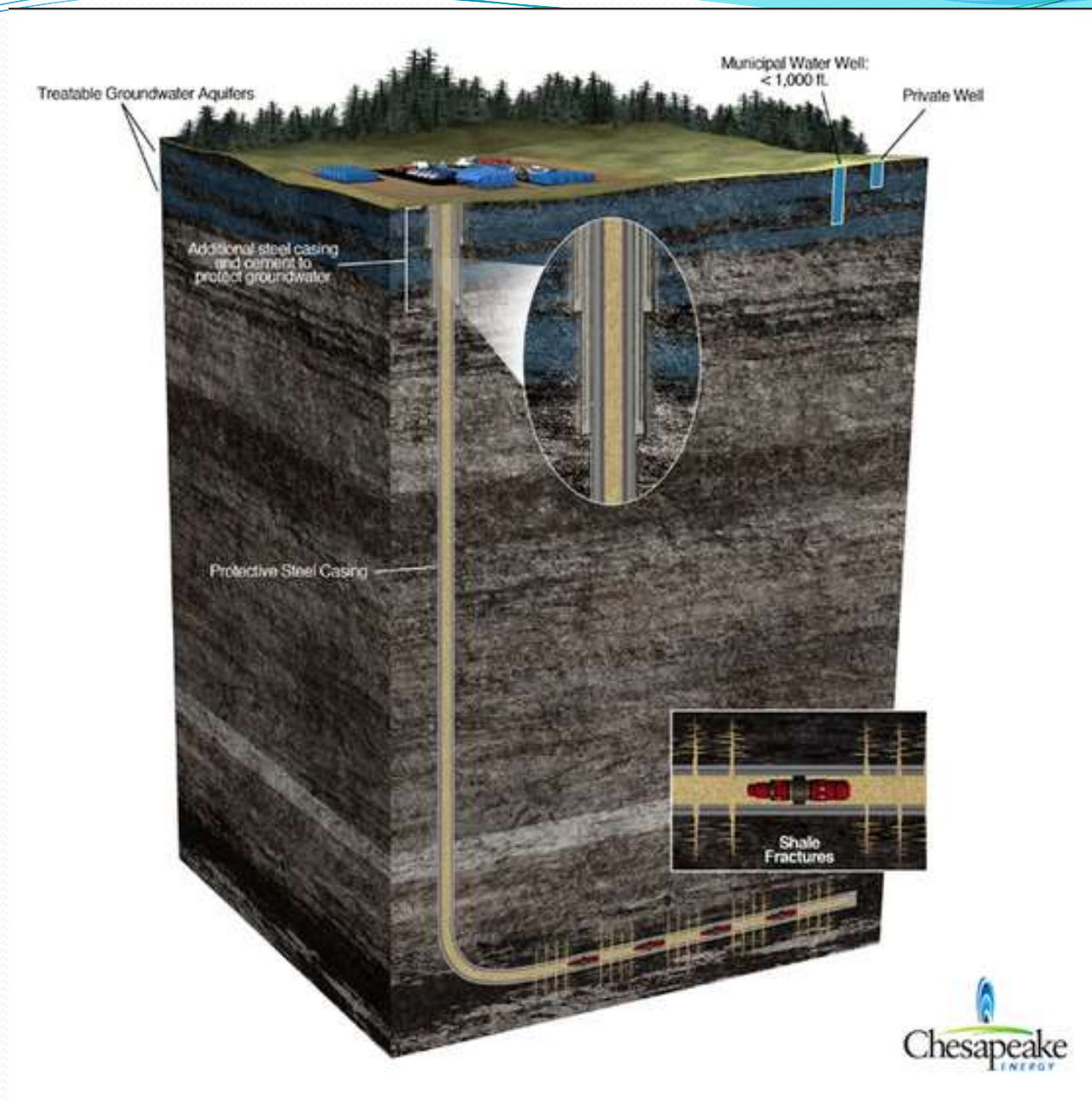


Source: <http://www.gohaynesvilleshale.com>

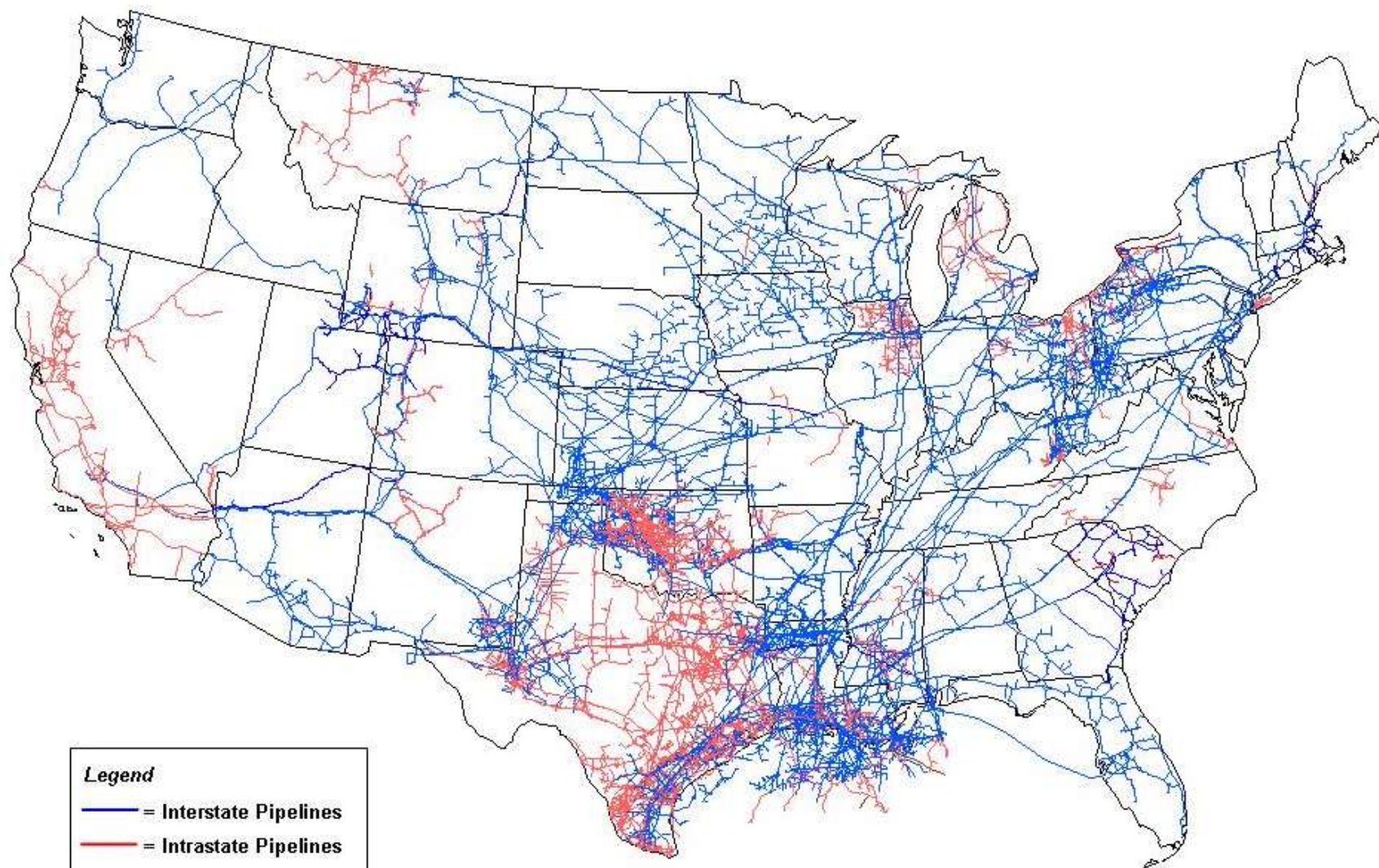
## Louisiana Energy Production Estimates, 2011





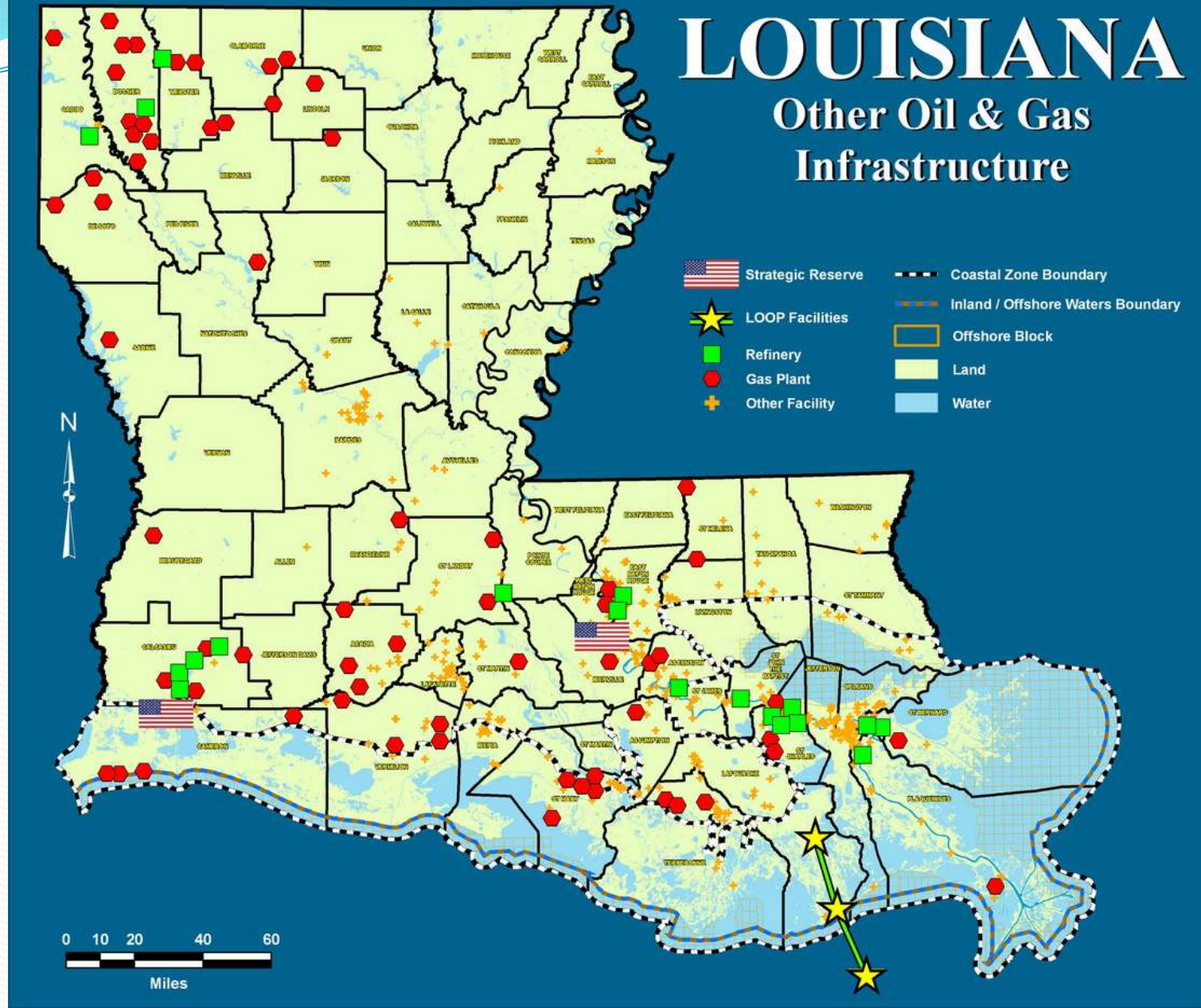






# LOUISIANA

## Other Oil & Gas Infrastructure







## Existing FERC Jurisdictional LNG Import/Export Terminals

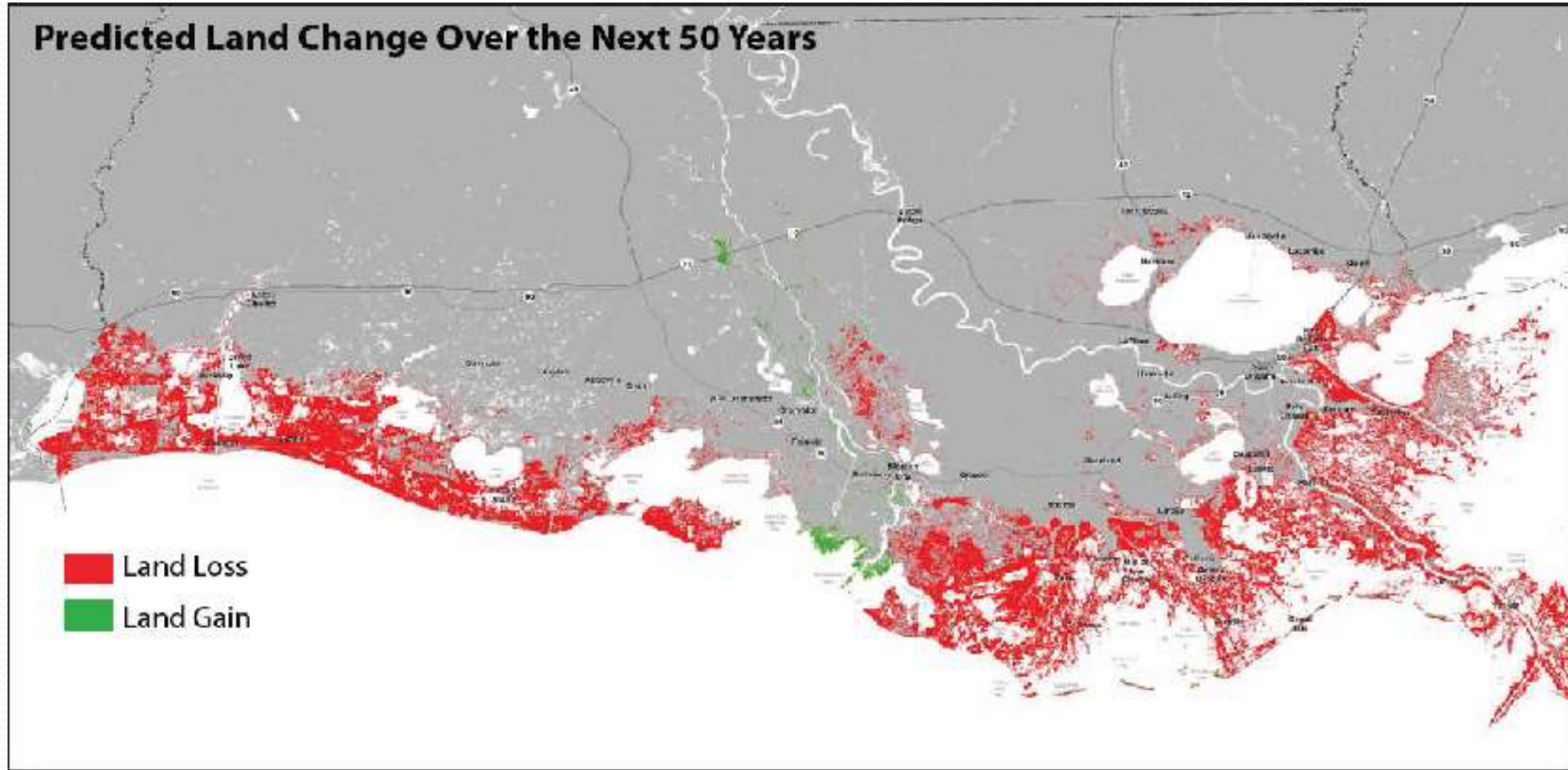


**FERC**

FEDERAL ENERGY REGULATORY COMMISSION



## Predicted Land Change Over the Next 50 Years



Source: [www.mississippiriverdelta.org](http://www.mississippiriverdelta.org)



Source: <http://www.whitehouse.gov>

One Hundred Twelfth Congress  
of the  
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,  
the third day of January, two thousand and twelve*

An Act

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; ORGANIZATION OF ACT INTO DIVISIONS;  
TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Moving Ahead for Progress in the 21st Century Act” or the “MAP-21”.

(b) **DIVISIONS.**—This Act is organized into 8 divisions as follows:



(A) methods for improving interagency and intergovernmental coordination on flood mapping and flood risk determination; and

(B) a funding strategy to leverage and coordinate budgets and expenditures across Federal agencies; and

(6) submit an annual report to the Administrator that contains—

(A) a description of the activities of the Council;

(B) an evaluation of the status and performance of flood insurance rate maps and mapping activities to revise and update flood insurance rate maps, as required under section 100216; and

(C) a summary of recommendations made by the Council to the Administrator.

(d) **FUTURE CONDITIONS RISK ASSESSMENT AND MODELING REPORT.**—

(1) **IN GENERAL.**—The Council shall consult with scientists and technical experts, other Federal agencies, States, and local communities to—

(A) develop recommendations on how to—

(i) ensure that flood insurance rate maps incorporate the best available climate science to assess flood risks; and

(ii) ensure that the Federal Emergency Management Agency uses the best available methodology to consider the impact of—

(I) the rise in the sea level; and

(II) future development on flood risk; and

(B) not later than 1 year after the date of enactment of this Act, prepare written recommendations in a future conditions risk assessment and modeling report and to submit such recommendations to the Administrator.

(2) **RESPONSIBILITY OF THE ADMINISTRATOR.**—The Administrator, as part of the ongoing program to review and update National Flood Insurance Program rate maps under section 100216, shall incorporate any future risk assessment submitted under paragraph (1)(B) in any such revision or update.

(e) **CHAIRPERSON.**—The members of the Council shall elect 1 member to serve as the chairperson of the Council (in this section referred to as the “Chairperson”).

(f) **COORDINATION.**—To ensure that the Council’s recommendations are consistent, to the maximum extent practicable, with national digital spatial data collection and management standards, the Chairperson shall consult with the Chairperson of the Federal Geographic Data Committee (established pursuant to Office of Management and Budget Circular A–16).

(g) **COMMITTEES.**—Members of the Council shall establish as



(d) FUTURE CONDITIONS RISK ASSESSMENT AND MODELING REPORT.—

(1) IN GENERAL.—The Council shall consult with scientists and technical experts, other Federal agencies, States, and local communities to—

(A) develop recommendations on how to—

(i) ensure that flood insurance rate maps incorporate the best available climate science to assess flood risks; and

(ii) ensure that the Federal Emergency Management Agency uses the best available methodology to consider the impact of—

(I) the rise in the sea level; and

(II) future development on flood risk; and

(B) not later than 1 year after the date of enactment of this Act, prepare written recommendations in a future conditions risk assessment and modeling report and to submit such recommendations to the Administrator.

[Learn the Issues](#)[Science & Technology](#)[Laws & Regulations](#)[About EPA](#)

## Carbon Pollution Standards

### Reducing Carbon Pollution from Power Plants

The EPA is taking its first steps under President Obama's Climate Action Plan to reduce carbon pollution from power plants - the largest stationary source of carbon pollution in the United States

Learn About  
Carbon Pollution  
From Power Plants



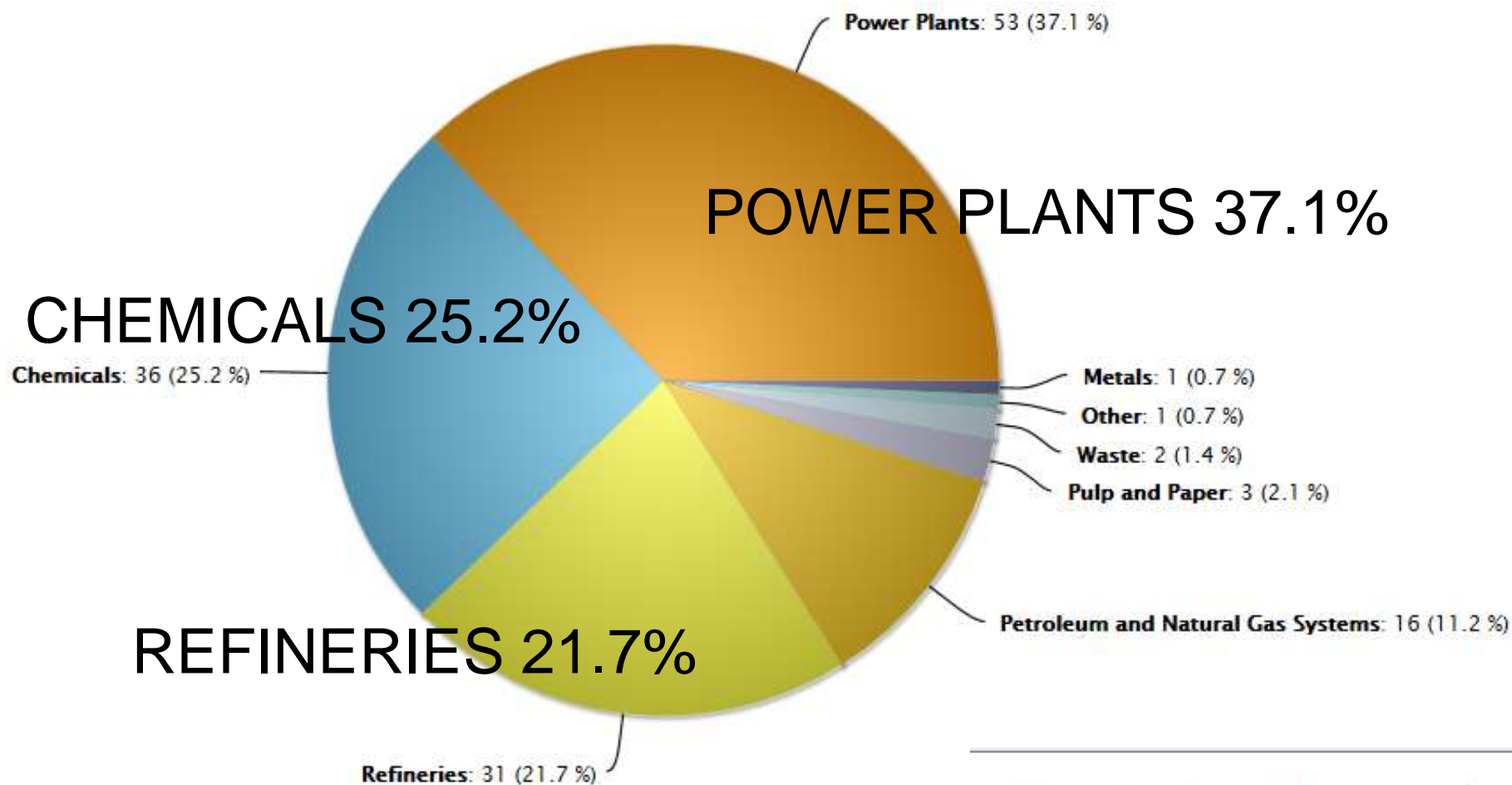
- [The issue](#)
- [Health effects](#)
- [President's Climate Action Plan](#)

EPA Actions



- [What EPA is doing to reduce carbon pollution from power plants](#)
- [Proposed regulations for future power plants](#)

# Louisiana Direct GHG Emissions of Selection Gases Reported by Sector in Million Metric Tons of CO<sub>2</sub>e



flight  
Facility Level  
Information on  
Greenhouse gases  
Tool



# 2013 Proposed Carbon Pollution Standard for New Power Plants

EPA is proposing two limits for fossil fuel-fired utility boilers and IGCC units, depending on the compliance period that best suits the unit. These limits require capture of only a portion of the CO<sub>2</sub> from the new unit. These proposed limits are:

- 1,100 lb CO<sub>2</sub>/MWh gross over a 12-operating month period or
- 1,000 – 1,050 lb CO<sub>2</sub>/MWh gross over a 7-year period



# 2013 Proposed Carbon Pollution Standard for New Power Plants

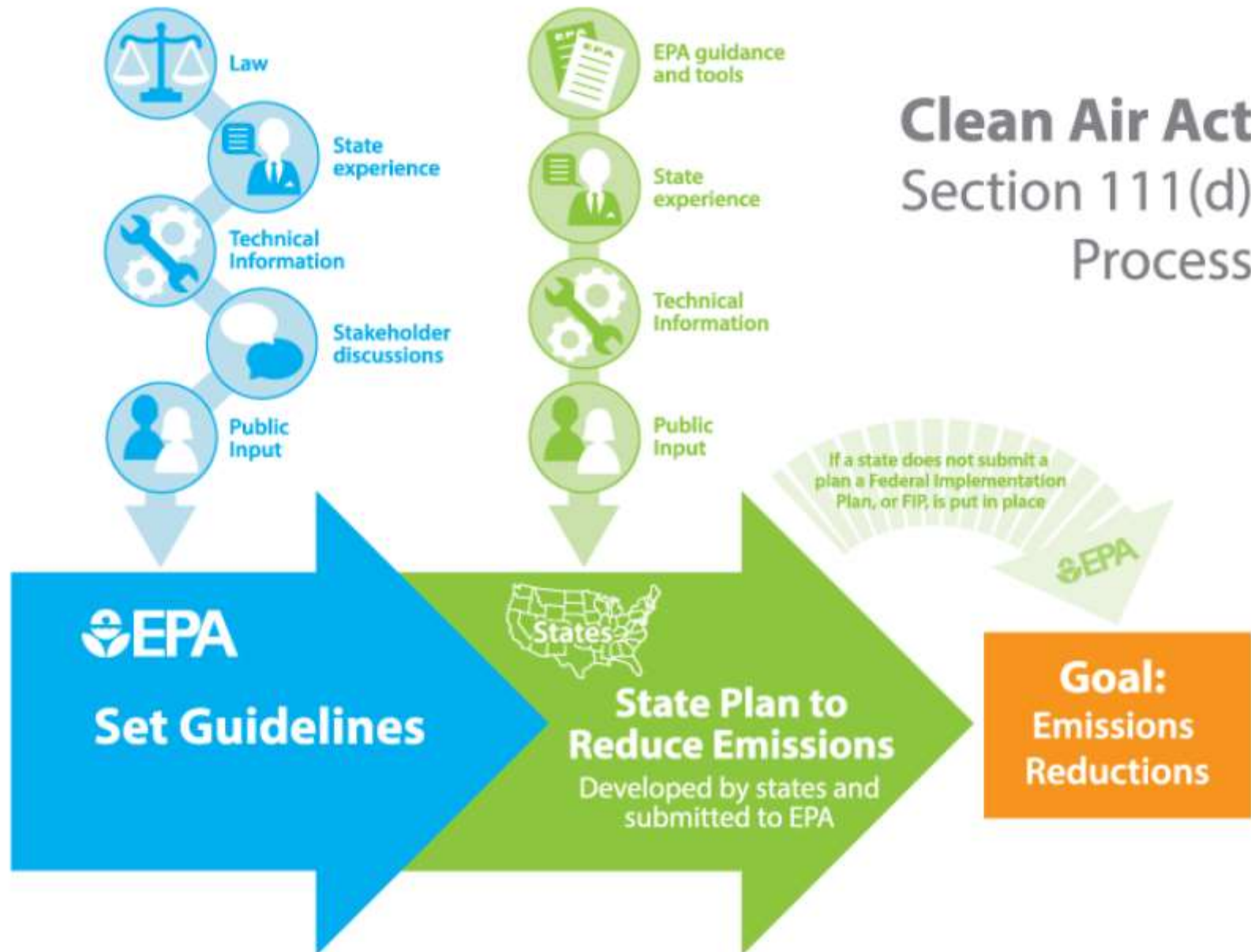
EPA is proposing two standards for natural gas-fired stationary combustion units, depending on size. The proposed limits are based on the performance of modern natural gas combined cycle (NGCC) units. These proposed limits are:

- 1,000 lb CO<sub>2</sub>/MWh gross for larger units (> 850 mmBtu/hr)
- 1,100 lb CO<sub>2</sub>/MWh gross for smaller units (< 850 mmBtu/hr)

# Public Listening Session Locations



# Clean Air Act Section 111(d) Process



# Louisiana Issues Nation's First GHG Permits, but Questions Linger

The EPA found major deficiencies with the state-issued permits, leaving open questions over who is ultimately in charge

By Maria Gallucci, InsideClimate News

Mar 22, 2011



A pair of iron plants in Louisiana have become the first facilities in the nation to get permits for their greenhouse gas emissions, and it's leaving local environmentalists holding their breath as state and federal jurisdictional issues get worked out.

The local groups say they are not convinced the



Department of Environmental Quality  
Office of Environmental Services  
Air Permits Division  
P.O. Box 4313  
Baton Rouge, LA 70821-4313  
(225) 219-3181

# LOUISIANA

## Application for Approval of Emissions of Air Pollutants from Part 70 Sources



PLEASE TYPE OR PRINT

### 1. Facility Information [LAC 33:III.517.D.1]

Facility Name or Process Unit Name (if any) <input type="text"/>		<input type="checkbox"/> All Process Units <input type="checkbox"/> Process Unit-specific Permit
Agency Interest Number (A.I. Number) <input type="text"/>	Currently Effective Permit Number(s) <input type="text"/>	
Company - Name of Owner <input type="text"/>		
Company - Name of Operator (if different from Owner) <input type="text"/>		



**flight**  
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Facility	City	St...	Total Reported	Sectors
Big Cajun 2	NEW ROADS	LA	12,458,754	Power Plants
Brame Energy Center	LENA	LA	7,059,705	Power Plants
CF INDUSTRIES NITROGEN, LLC – DONALDSONVIL...	DONALDSON...	LA	6,482,642	Chemicals
EXXONMOBIL BATON ROUGE REFINERY AND CHEM...	BATON ROUGE	LA	6,243,803	Refineries, Chemicals
Dolet Hills Power Station	MANSFIELD	LA	5,048,182	Power Plants
R S Nelson	WESTLAKE	LA	4,993,009	Power Plants
CITGO PETROLEUM CORP – LAKE CHARLES MANUF...	SULPHUR	LA	4,510,397	Refineries
Norco Manufacturing Complex	Norco	LA	4,427,096	Refineries, Chemicals
Marathon Petroleum Company LP	Garyville	LA	4,095,438	Refineries
The Dow Chemical Company -- Louisiana Operati...	PLAQUEMINE	LA	3,101,036	Chemicals, Waste



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## Syllabus

MASSACHUSETTS ET AL. *v.* ENVIRONMENTAL PRO-  
TECTION AGENCY ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR  
THE DISTRICT OF COLUMBIA CIRCUIT

No. 05–1120. Argued November 29, 2006—Decided April 2, 2007

Based on respected scientific opinion that a well-documented rise in





### **CERTIORARI GRANTED**

12-1146	)	UTILITY AIR REGULATORY GROUP V. EPA
	)	
12-1248	)	AM. CHEMISTRY COUNCIL, ET AL. V. EPA, ET AL.
	)	
12-1254	)	ENERGY-INTENSIVE MANUFACTURERS V. EPA, ET AL.
	)	
12-1268	)	SOUTHEASTERN LEGAL FOUNDATION V. EPA, ET AL.
	)	
12-1269	)	TEXAS, ET AL. V. EPA, ET AL.
	)	
12-1272	)	CHAMBER OF COMMERCE, ET AL. V. EPA, ET AL.



*“Whether EPA permissibly determined that its regulation of greenhouse gas emissions from new motor vehicles triggered permitting requirements under the Clean Air Act for stationary sources that emit greenhouse gases.”*

# THANK YOU!

## Lauren Godshall

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[@nolagodshall](https://twitter.com/nolagodshall)

CURRY & FRIEND<sub>PLC</sub>

New Orleans | Covington