BLOG

Resolving Environmental and Grid Reliability Conflicts Act of 2012

APRIL 10, 2012

Representative Pete Olson (R-TX), together with five cosponsors, introduced <u>H.R. 4273</u> on March 28, 2012. The bill, entitled the "Resolving Environmental and Grid Reliability Conflicts Act of 2012," seeks to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation. The bill is a bipartisan effort, cosponsored by Reps. Mike Doyle (D-PA), Charlie Gonzalez (D-TX), Gene Green (D-TX), Adam Kinzinger (R-IL), and Lee Terry (R-NE). This measure is designed to provide utility units relief from the emissions limits in the Mercury and Air Toxics Standards and emissions caps in the now-stayed Cross-State Air Pollution Rule during system emergencies. Regional Transmission Operators, FERC and DOE, along with utilities, have consistently expressed the need for a safety valve from these rules during times of high demand.

The bill would amend the Federal Power Act and note that when a party's compliance with an emergency order causes such party to not comply with "any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation." H.R. 4273 also instructs the Department of Energy to "minimize any adverse environmental impacts" when issuing emergency orders. The bill's sponsors highlighted that the bill would provide peace of mind to individuals facing potential rolling blackouts this summer.

H.R. 4273 was referred to the House Committee on Energy and Commerce on March 28, 2012.

1 Min Read

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Related Capabilities

Environmental

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