

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 744

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “certain” in line 4 down through “facilities” in line 5 and substitute “certain ceilings on the amount of oxides of nitrogen and sulphur dioxide emissions from certain electric power generating facilities, in accordance with a certain federal document; requiring the Department of the Environment to establish certain regulations and set certain emissions budgets for certain facilities; establishing certain effective dates for the emissions budgets; requiring certain persons that own, lease, operate, or control a certain facility to reduce mercury emissions by at least a certain percent under certain circumstances; prohibiting a person that owns, leases, operates, or controls a certain facility from emitting more than a certain amount of carbon dioxide under certain circumstances”; in line 12, after “Department” insert “of the Environment”; in lines 13 and 14, in each instance, after “Department” insert “of the Environment”; in line 15, strike “establishing a” and substitute “requiring the Department of the Environment to establish a certain account in the”; strike beginning with “in” in line 15 down through “Fund” in line 17; and in line 18, strike “Fund” and substitute “account”.

AMENDMENT NO. 2

On page 2, in line 11, strike “, UNITS 2 AND 3”; in line 12, strike “, UNITS 3 AND 4”; in line 13, strike “, UNITS 1 AND 2”; in line 14, strike “, UNITS 1, 2, AND 3”; in line 15, strike “, UNITS 1 AND 2”; in line 16, strike “, UNITS 1 AND 2”; in line 17, strike “, UNITS 1 AND 2”; strike in their entirety lines 24 through 26, inclusive; and in line 27, strike “(F)” and substitute “(E)”.

AMENDMENT NO. 3

On page 2, after line 29, insert:

“(A) THERE IS A CEILING ON THE TOTAL AMOUNT OF OXIDES OF NITROGEN AND SULPHUR DIOXIDE EMISSIONS FROM ALL ELECTRIC POWER GENERATING FACILITIES LOCATED WITHIN THE STATE WITH A NAMEPLATE CAPACITY OF GREATER THAN 25 MEGAWATTS, AS FOLLOWS:

(Over)

(1) 23,104 TONS OF OXIDES OF NITROGEN; AND

(2) 49,488 TONS OF SULPHUR DIOXIDE.

(B) IN ACCORDANCE WITH THE “REGIONAL AND STATE SULPHUR DIOXIDE AND OXIDES OF NITROGEN EMISSIONS BUDGETS TECHNICAL SUPPORT DOCUMENT FOR THE CLEAN AIR INTERSTATE RULE NOTICE OF FINAL RULEMAKING,” PUBLISHED BY THE ENVIRONMENTAL PROTECTION AGENCY IN MARCH 2005, THE DEPARTMENT SHALL:

(1) ADOPT REGULATIONS; AND

(2) SET EMISSIONS BUDGETS FOR EACH ELECTRIC POWER GENERATING FACILITY TO IMPLEMENT THE EMISSIONS LIMITATIONS IN SUBSECTION (A) OF THIS SECTION.

(C) THE EMISSIONS BUDGETS SET UNDER SUBSECTION (B) OF THIS SECTION SHALL BE EFFECTIVE NOT LATER THAN:

(1) JANUARY 1, 2011 FOR AFFECTED FACILITIES; AND

(2) JANUARY 1, 2015 FOR OTHER THAN AFFECTED FACILITIES.”.

AMENDMENT NO. 4

On pages 2 and 3, strike in their entirety the lines beginning with line 30 on page 2 through line 4 on page 3, inclusive.

On page 3, after line 4, insert:

“(D) BEGINNING ON JANUARY 1, 2011, A PERSON THAT OWNS, LEASES, OPERATES, OR CONTROLS AN AFFECTED FACILITY SHALL:

(1) FOR EACH CALENDAR YEAR, REDUCE MERCURY EMISSIONS BY AT LEAST 90 PERCENT OF THE BASELINE EMISSIONS FOR MERCURY FROM THAT FACILITY; OR

(2) FOR EACH CALENDAR YEAR, REDUCE MERCURY EMISSIONS BY AT LEAST 85 PERCENT OF THE BASELINE EMISSIONS FOR MERCURY FROM THAT FACILITY AS A CO-BENEFIT OF REDUCING EMISSIONS OF OXIDES OF NITROGEN AND SULPHUR DIOXIDE.”;

strike in their entirety lines 5 through 10, inclusive; in line 11, strike “(B)” and substitute “(E)”; in the same line, strike “WHO” and substitute “THAT”; in line 12, after “OPERATES” insert a comma; in line 14, strike “25” and substitute “10”; in line 16, strike “(C)” and substitute “(F)”; and in line 17, strike “SUBSECTIONS (A)(4) AND (B)” and substitute “(E)”.

On page 4, strike in their entirety lines 31 through 34, inclusive.

On page 5, in line 1, strike “(2)” and substitute “(G)”; in the same line, strike “(C)(2)(I)” and substitute “(F)”; in lines 4 and 9, strike “(E)” and “(F)”, respectively, and substitute “(H)” and “(I)”, respectively; and in line 12, strike “(A) AND (B)” and substitute “(A), (D), AND (E)”.

AMENDMENT NO. 5

On page 6, in line 21, after “(1)” insert “THE DEPARTMENT SHALL ESTABLISH A SEPARATE ACCOUNT”; in the same line, strike “THERE IS A” and substitute “WITHIN THE MARYLAND”; strike in their entirety lines 22 through 25, inclusive; in lines 26, 30, and 33, in each instance, strike “FUND” and substitute “ACCOUNT”; and in line 26, strike “(3)” and substitute “(2)”.

On page 7, in lines 1, 4, 6, and 7, in each instance, strike “FUND” and substitute “ACCOUNT”; in lines 1 and 4, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively.