



Statement of Joy Bergey, Partnership for Policy Integrity
Pennsylvania Department of Environmental Protection Listening Session on the Clean Power Plan
Schuylkill Haven, Pa.
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Thank you for the opportunity to comment. My name is Joy Bergey. I live in Montgomery County. I represent the Partnership for Policy Integrity, a nonprofit that advocates for clean energy and provides science and legal advocacy to reduce reliance on polluting energy technologies that masquerade as “clean.”

Today I will be speaking to the possibility that despite the best intentions, Pennsylvania’s implementation of the Clean Power Plan could lead to some very dirty energy projects.

We strongly urge the state to beware of the loopholes that appear to be inherent to the plan. It is clear that Pennsylvania will adopt a mass-based compliance plan, and will likely trade carbon allowances regionally, if not nationally. In fact, the language of the Clean Power Plan indicates that EPA itself is encouraging states to take this approach to compliance.

However, the Clean Power Plan, limited as it is by the underlying legislation, can only set limits on what fossil-fueled power plants can do. It does not provide federal authority to ensure that the states replace fossil fueled power with truly clean power – only the states can do that. The problem is, not even the state can control what kinds of projects get built, because under our market-based system of energy planning, energy developers are free to come along and propose any kind of project they want.

Thus, we believe there is potential for highly polluting energy projects to be proposed as a means of backfilling gaps in electrical generating capacity created by reduced utilization of fossil fueled power plants under the Clean Power Plan. There are projects in the pipeline even now, such as the “Crawford Renewable Energy” project in Meadville, Crawford County, which if completed, will be the largest tire-burning plant anywhere. We also see the municipal waste incineration industry angling to get a piece of the action, with a bill currently being considered in the legislature that would move waste incineration to Tier I of Pennsylvania’s Alternative Portfolio Standard and give these polluting and wasteful plants even more public money. We don’t have to remind people here of the money-gobbling black hole that the Harrisburg Incinerator represents; the incineration industry would love more public subsidies, and moving waste-burning to Tier I would provide those.

We thus encourage the state to adopt a “state measures” type compliance plan that lays out in detail how Pennsylvania will replace fossil-fired energy with energy efficiency and true zero-emissions renewable energy. We accordingly strongly urge the state to immediately engage in

the Clean Energy Incentive Program, which notably only includes zero emissions renewables and energy efficiency as eligible approaches. If the state were to simply submit a plan that specifies an emissions standard, but doesn't provide details on how this will be accomplished, or if during implementation the state relies too much on emission trading, we could see opportunistic development of energy projects that are "off the books" of the Clean Power Plan and that worsen carbon emissions and air pollution. These projects could be built in Pennsylvania or in any of the states in Pennsylvania's trading network.

We understand that the considerable uncertainty surrounding how implementation will occur argues for the state to leave its options open as long as possible. However, the sharks are circling. The more in-state energy efficiency and zero-emissions renewable energy Pennsylvania commits to early on, the more certain the state can be that its compliance plan will actually reduce carbon emissions and air pollution.