

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB156

Chairperson: Senator Chris Langemeier

Committee: Natural Resources

Date of Hearing: February 11, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of LB 156 is to allow mid-sized electric generating facilities to be considered a separate source of emissions for purposes of the Clean Air Act emission fee even if the facility is subsequently permitted with another larger general unit under separate ownership.

Under the Nebraska Clean Air Act, facilities that produce certain emissions are required to pay a per ton fee to the Department of Environmental Quality to fund the administration of the Clean Air program. There are two caps on the emission fees paid. One cap is four thousand tons on large facilities. The other cap is four hundred tons on mid-sized electric generating facilities.

LB 156 amends Section 81-1505.04 to provide that mid-sized electric generating facility would be considered a separate emission source for the purpose of paying the emission fee even if the facility is subsequently permitted with another general unit larger than one hundred fifteen megawatts under separate ownership. This will allow the mid-sized facility to retain the smaller cap even if paired under the same permit with a larger electric facility as long as the facilities have separate ownership.

Principal Introducer: _____

Senator Dennis Utter