

# The Dirty Gas Loophole in the Clean Power Plan

## Pennsylvanians Against Fracking Position Statement



*This is the second in a series of statements on the Clean Power Plan presented by Pennsylvanians Against Fracking. In our first statement on the Plan ([bit.ly/pafcpp](http://bit.ly/pafcpp)), we presented several issues that make it anything but clean. This time, we'll explore a loophole in the plan that could dangerously increase the amount of natural gas production and consumption in Pennsylvania.*

In 2014, the Environmental Protection Agency made revisions to the Clean Air Act to set standards for power plants. Standards for new power plants are covered in section 111(b) while standards for existing plants are covered in 111(d). New power plants, as defined within the Clean Power Plan, are those that went under construction after January 8, 2014. Separating the standards for new plants from those for existing plants has created a loophole in the Clean Power Plan. In a state like Pennsylvania that has gone all-in on natural gas, that's a problem.

As we wrote in the first statement in this series, converting from coal to natural gas to produce electricity amounts to nothing more than trading one climate killer for another. That is true, even if the trade is an even one. However, the loophole in the Plan sets the stage for something much worse.

Existing Power Plants	New Power Plants
Construction began on or before 1/8/14	Construction began after 1/8/14
Covered in 111(d) of Clean Air Act	Covered in 111(b) of Clean Air Act
Subject to caps in Clean Power Plan	Discretion for inclusion in the Clean Power Plan given to the states
Lifespan less than 40 years, in some cases much less	Lifespan is 40 years

**Existing power plants are subject to emissions limits under the Clean Power Plan, but, thanks to their separate handling under the revisions to the Clean Air Act, new power plants can be left out of the plan altogether.** States are given discretion to decide whether or not to include the new power plants. That means that new plants would create competition for existing plants, causing the older plants to go out of commission earlier than planned. That means that a new power plant that is operating outside of the Clean Power Plan with a lifespan of 40 years would replace older power plants operating under the caps set in the Plan the duration of its life.

We conducted a review of mass media and industry publications, producing a list of about 45 proposed natural gas power plants for Pennsylvania. To be clear, it is possible that not all of the plants currently proposed will be built, but it's just as possible that more will be proposed.

We are in what some are referring to as "Decade Zero" of the climate crisis, or, put another way, our last chance. A proposal that even opens the door to investments in gas-fired power plants with a 40-year life span could be called a lot of things. The one thing it can't be called is a Clean Power Plan.