

A CONCURRENT RESOLUTION

1 Disapproving the Environmental Quality Board regulations on a
2 CO2 Budget Trading Program.

3 WHEREAS, The Environmental Quality Board proposed at 50 Pa.B.
4 6212 (November 7, 2020) regulations on a CO2 Budget Trading
5 Program in accordance with sections 5(a)(1) and (8) and 6.3 of
6 the act of January 8, 1960 (1959 P.L.2119, No.787), known as the
7 Air Pollution Control Act; and

8 WHEREAS, On July 13, 2021, the Environmental Quality Board
9 approved "CO2 Budget Trading Program" Regulations (Environmental
10 Quality Board Regulation #7-559 and Independent Regulatory
11 Review Commission #3274) (regulations); and

12 WHEREAS, On July 28, 2021, the Environmental Resources and
13 Energy Committee of the House of Representatives, in accordance
14 with section 5.1(j.2) of the act of June 25, 1982 (P.L.633,
15 No.181), known as the Regulatory Review Act, voted to disapprove
16 the Regulations; and

17 WHEREAS, On September 1, 2021, notwithstanding the

1 disapproval of the House of Representatives Oversight Committee,
2 the Independent Regulatory Review Commission (IRRC) voted to
3 approve the regulations; and

4 WHEREAS, In a letter dated September 1, 2021, the IRRC
5 notified the Environmental Resources and Energy Committee of the
6 House of Representatives that the IRRC adopted an order
7 approving the regulations; and

8 WHEREAS, The Environmental Resources and Energy Committee of
9 the House of Representatives has determined that the submitted
10 regulations should be disapproved by the General Assembly; and

11 WHEREAS, The Environmental Resources and Energy Committee of
12 the House of Representatives is reporting this resolution under
13 section 7(d) of the Regulatory Review Act for action by the
14 House of Representatives, which shall have 30 calendar days or
15 10 legislative days, whichever is longer, from the date on which
16 the concurrent resolution has been reported to adopt the
17 concurrent resolution; and

18 WHEREAS, The Senate shall have 30 calendar days or 10
19 legislative days, whichever is longer, from the date on which
20 the concurrent resolution has been adopted by the House of
21 Representatives to adopt the concurrent resolution; therefore be
22 it

23 RESOLVED (the Senate concurring), That the General Assembly
24 disapprove the Environmental Quality Board regulations on a CO2
25 Budget Trading Program; and be it further

26 RESOLVED, That, in accordance with section 7(d) of the
27 Regulatory Review Act, this resolution constitute a bar to
28 promulgation of the regulations.