

224.20-144 Bases for carbon dioxide emission reduction performance standards for existing fossil fuel-fired electric generating units.

In establishing a performance standard for any existing fossil fuel-fired electric generating unit, the cabinet shall consider, in all cases, whether to adopt less stringent performance standards or longer compliance schedules for those units than are established in applicable federal rules or guidelines. The decision to adopt a less stringent performance standard or longer compliance schedules shall be based on the following:

- (1) Consumer impacts, including any disproportionate energy price increases on lower-income populations;
- (2) Unreasonable costs of reducing emissions of carbon dioxide resulting from the age, location, or basic process design of the electric generating unit;
- (3) Physical difficulties with or the impossibility of implementing emission reduction measures for carbon dioxide;
- (4) The absolute cost of applying the performance standard to the electric generating unit;
- (5) The expected remaining useful life of the electric generating unit;
- (6) The economic impacts of closing the electric generating unit, including expected job losses, if the unit is unable to comply with the performance standard; and
- (7) Any other factors specific to the electric generating unit that make application of a less stringent performance standard or longer compliance schedule more reasonable.

Effective: July 15, 2014

History: Created 2014 Ky. Acts ch. 18, sec. 5, effective July 15, 2014.