



Before the Ohio Senate Energy and Public Utilities Committee
Proponent Testimony on Senate Resolution 296

April 23, 2024

Chair Reineke, Vice Chair McColley, Ranking Member Smith and members of the Ohio Senate Energy and Public Utilities Committee, thank you for the opportunity to provide proponent testimony on Senate Resolution 296 on behalf of the members of the Ohio Chamber of Commerce.

My name is Tony Long, General Counsel and Director of Energy & Environmental Policy for the Ohio Chamber of Commerce. As you may know, for 131 years, the Ohio Chamber has served as the state's leading business advocate, and we represent nearly 8,000 companies that do business in Ohio. Our mission is to aggressively champion free enterprise, economic competitiveness, and growth for the benefit of all Ohioans. As part of our mission, we seek to make Ohio the best place in the country for businesses to operate and grow. We want to thank the sponsors of this resolution, Senators Reineke and McColley for their work on this message to the US Government and Ohio's federal delegation.

Ohio and twenty-four other states have already sued the USEPA over the implementation of new regulations under Clean Air Act Section 111(d). That new regulation creates tighter deadlines for performance standards of existing energy sources. The suit also argues that the rule improperly tries to push states into abandoning their local-level discretion.

While proposed rule 111(d) is under review by the federal courts, the USEPA also proposed new regulations under Clean Air Act Section 111 (b). This new rule revises new source performance standards (NSPS) for greenhouse gas (GHG) emissions from new and reconstructed fossil fuel-fired stationary combustion turbine electric generating units (EGUs) and from fossil fuel-fired steam generating units that undertake a large modification.

As proposed in May 2023, the NSPS for Greenhouse Gas Emissions also applied to existing fossil fuel-fired electric generating units. In February 2024, the proposed rule was scaled back to exclude existing gas-fired power plants. Even this scaled back version of the

proposed rule threatens to destabilize the electric grid at a time when electricity reliability faces challenges with retirement of thermal power units and increased demand for electricity. The proposed standards (2030) for existing coal-fired units and (2032) for new gas-fired units rely on noncommercial technologies, many still under demonstration projects that will require a new pipeline system.

Ohio has just begun its review of carbon capture with SB 200 and HB 358, and until the state receives the go-ahead from the USEPA for primacy over the regulation of the new industry, the rollout of the new technology will face delays under the federal regulatory program. This will make it unlikely that hydrogen fuel will be ready to power energy generation plants by 2030 or that emissions from gas will be captured and then transported to injection wells by 2032 or even 2030.

Senate Resolution 296 sends an important message to the US government. The electric grid needs time to transition and any reliance on non-commercially available solutions to speed up that transition is imprudent, adds unnecessary costs for consumers and threatens the reliability of the electrical grid.

The Ohio Chamber of Commerce supports the adoption of Senate Resolution 296 and urges this committee to favorably report it to the Rules and Reference Committee of the Senate. Thank you for the opportunity to testify on Senate Resolution 296. I look forward to any questions you may have for me.