

Clean Energy Policy and Carbon Emissions

Dave Emme, Administrator

Division of Environmental Protection

Clean Energy and Carbon Emissions

Status of the Clean Power Plan regulation:

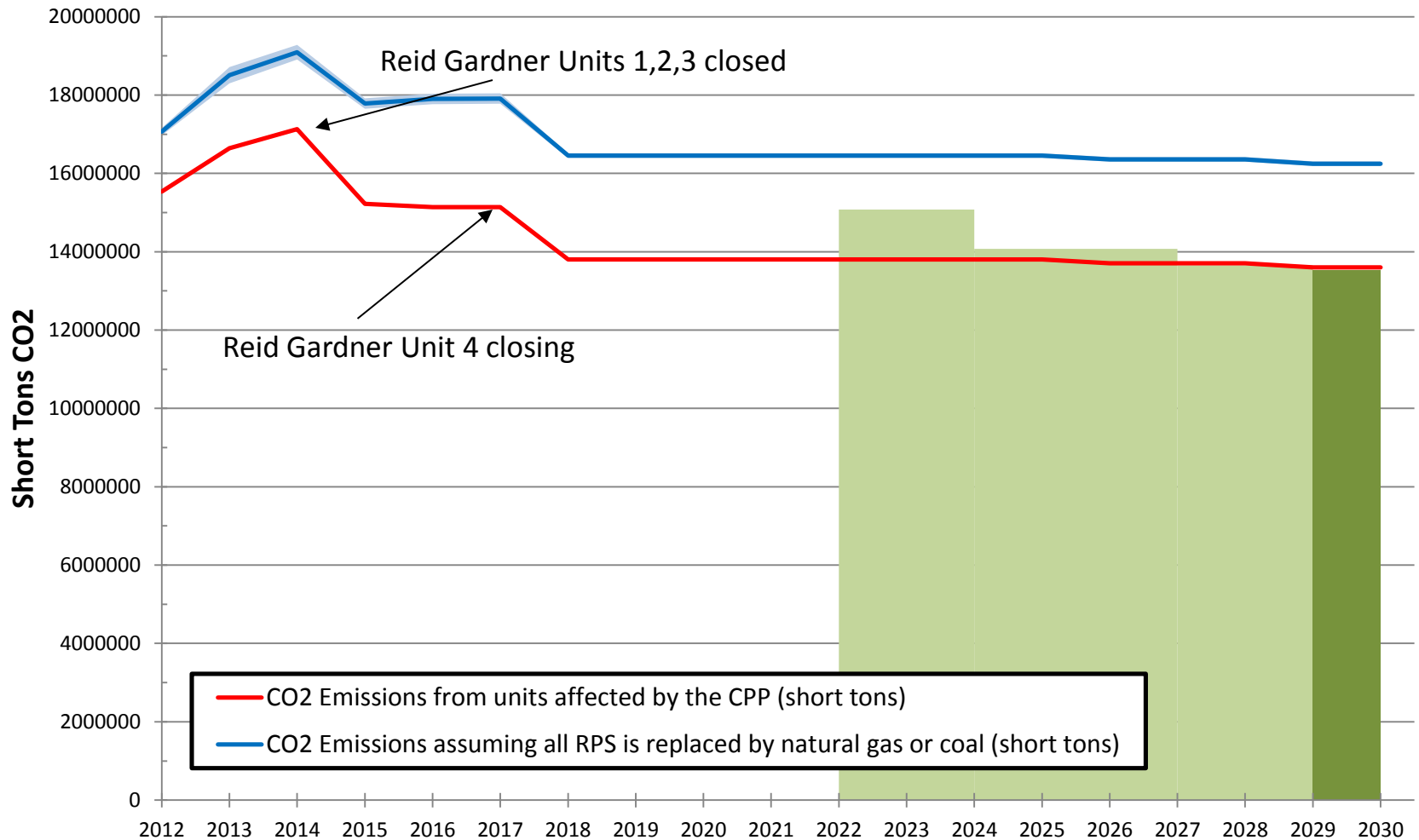
- February 9, 2016 the Supreme Court issued a Stay on implementation pending the outcome of litigation.
- DC Circuit decision is expected later this year; an appeal to the Supreme Court is expected.
- Supreme Court decision not likely until late 2017 or 2018.

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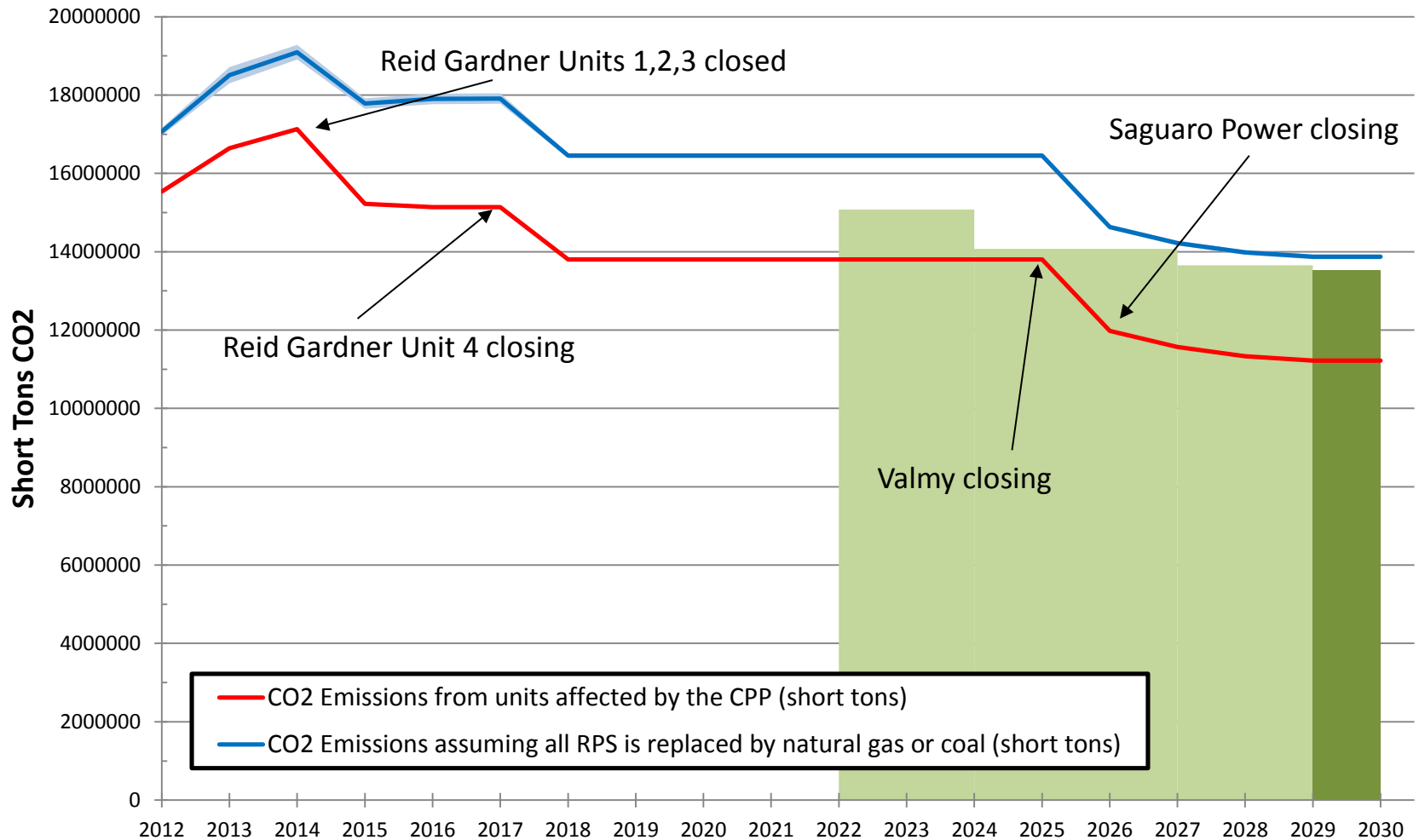
Nevada is well positioned to comply with the Clean Power Plan, if upheld, due to:

- Renewable Portfolio Standard
- SB123 mandated retirement of Reid Gardner
- Planned retirement of Valmy

Assumes North Valmy open past 2030 and natural gas plants have a min. 40-year plant life



Assumes North Valmy closes in 2025 and that natural gas plants have a min. 35-year plant life



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If upheld, Nevada has broad authority to adopt regulations necessary to implement the Clean Power Plan:

- **NRS 445B.210 Powers of Commission. The Commission may:**
 1. Subject to the provisions of [NRS 445B.215](#), adopt regulations consistent with the general intent and purposes of [NRS 445B.100](#) to [445B.640](#), inclusive, to prevent, abate and control air pollution.
 2. Establish standards for air quality.
- **NRS 445B.235 Additional powers of Department; deposit of money collected from sale of emission credits or allocations; Department to develop regulations concerning public participation in determination of amount of emission credits or allocations available for sale.**
 1. In carrying out the purposes of [NRS 445B.100](#) to [445B.640](#), inclusive, the Department may:
 - (a) Collect money from the sale of emission credits or allocations.
 - (b) Cooperate with appropriate federal officers and agencies of the Federal Government, other states, interstate agencies, local governmental agencies and other interested parties in all matters relating to air pollution control in preventing or controlling the pollution of the air in any area.



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Given uncertainty, the task is to look more broadly at Clean Energy policy recommendations:

Governor's Executive Order 2016-04

- “2. The Task Force shall work with the Director to provide recommendations on the best energy policies for Nevada’s future and shall specifically address policies that achieve the following:
- a. Encourage development of Clean Energy sources and integrate renewable energy technologies into Nevada’s energy sector.”