

112TH CONGRESS  
2D SESSION

# H. R. 6501

To prohibit the Administrator of the Environmental Protection Agency from finalizing certain proposed rules under the Clean Air Act if a State regulatory authority gives notice that such a rule will lead to a 3 percent or greater increase in the price of electricity for end-use consumers.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2012

Mr. BERG introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To prohibit the Administrator of the Environmental Protection Agency from finalizing certain proposed rules under the Clean Air Act if a State regulatory authority gives notice that such a rule will lead to a 3 percent or greater increase in the price of electricity for end-use consumers.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Energy Consumer Pro-  
5       tection Act of 2012”.

1 **SEC. 2. NO FINALIZATION OF CERTAIN NSPS RULES.**

2 (a) RULE.—

3 (1) IN GENERAL.—If any State regulatory au-  
4 thority informs the Administrator that a proposed  
5 rule described in paragraph (2) is likely to lead to  
6 a 3 percent or greater increase in the price of elec-  
7 tricity for end-use consumers, then the Adminis-  
8 trator may not finalize such rule.

9 (2) COVERED RULES.—A proposed rule de-  
10 scribed in this paragraph is a proposed rule that im-  
11 poses any standard of performance under section  
12 111 of the Clean Air Act (42 U.S.C. 7411) for emis-  
13 sions of any greenhouse gas from any existing  
14 source, or new source, that is a fossil fuel-fired elec-  
15 tric utility generating unit.

16 (b) DEFINITIONS.—In this section:

17 (1) ADMINISTRATOR.—The term “Adminis-  
18 trator” means the Administrator of the Environ-  
19 mental Protection Agency.

20 (2) EXISTING SOURCE.—The term “existing  
21 source” has the meaning given such term in section  
22 111 of the Clean Air Act (42 U.S.C. 7411).

23 (3) GREENHOUSE GAS.—The term “greenhouse  
24 gas” means any of the following:

25 (A) Carbon dioxide.

26 (B) Methane.

1 (C) Nitrous oxide.

2 (D) Hydrofluorocarbons.

3 (E) Perfluorocarbons.

4 (F) Sulfur Hexafluoride.

5 (4) NEW SOURCE.—The term “new source” has  
6 the meaning given such term in section 111 of the  
7 Clean Air Act (42 U.S.C. 7411).

8 (5) STATE REGULATORY AUTHORITY.—The  
9 term “State regulatory authority” has the meaning  
10 given such term in section 3 of the Federal Power  
11 Act (16 U.S.C. 796).

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