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The Honorable Ed Whitfield  
Chairman  
Subcommittee on Energy and Power  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20510

Dear Chairman Whitfield:

The American Fuel & Petrochemical Manufacturers (AFPM) supports H.R. 3826, the “Electricity Security and Affordability Act.” As you know, although the Clean Air Act (CAA) is neither designed nor equipped to address greenhouse gas emissions (GHGs), the Environmental Protection Agency (EPA) is seeking to stretch the CAA beyond the law’s intent. We applaud your efforts to place reasonable limits on EPA’s ability to set emissions standards on utilities by preventing standards that simply cannot be met with proven commercially available technology.

As you know, the refining and petrochemical industries need reliable and cost effective energy to produce the fuels that move America, as well as the high-tech chemical building blocks used in countless everyday products. An affordable and reliable supply of energy is a vital component in keeping our industry competitive in the global market. As such, regulations that artificially restrict the supply of energy and raise its cost hamper our ability to keep refineries and petrochemical manufacturing facilities competitive. Moreover, and broadly speaking, addressing GHGs is a truly global issue requiring global action. Tying the nation’s economic hands by raising the cost of energy will deliver no benefit at great cost. H.R. 3826 recognizes this conundrum, and would mitigate the potential harmful effects of an unworkable regulatory regime on the utility sector.

In addition to the impact EPA's GHG NSPS will have on affordable electricity, the Administration has indicated it will look to initiate similar regulations on the refining and petrochemical sector after advancing utility regulations. After passing this important legislation, we urge the Committee to explore how to stop EPA from illegitimately expanding its authority to regulate GHGs for refineries and petrochemical facilities. The refining and petrochemical industries are impacted very differently by GHG controls than are utilities. In particular, not only do U.S. refineries and petrochemical producers compete in trade sensitive international markets, but the industry represents only a small fraction of the nation’s GHG footprint.

We support your draft legislation, and look forward to working with you and sharing our thoughts on how to further address these issues and considerations.

Sincerely,

Charles T. Drevna