

From: Terreni Law Firm, LLC <jennifer.heinmiller=terrenilaw.com@mail222.atl121.mcsv.net>
To: Kester, Tonykester@aging.sc.gov
Date: 1/2/2015 11:26:29 AM
Subject: Terreni Law Firm Newsbrief January 2015

[View this email in your browser](#)

January 2015

Contents

1. Firm Updates
2. The Clean Power Plan

[Facebook](#) [Website](#)

[LinkedIn](#) [Email](#)

Newsbrief

What's New at Terreni Law Firm, LLC

Happy New Year to all of our clients, colleagues, and friends! We'd like to start the new year off by sharing what's new at our firm and discussing recent developments which may be of interest to you.

Firm Updates

- Over the summer, Charlie Terreni completed the South Carolina Bar's Mediation Certification Training Course, and is now a certified Circuit Court Mediator.
- In July, Jennifer Heinmiller began working at the firm as a paralegal. Jennifer has a Master's degree in Linguistics from the University of South Carolina and experience working for a law firm in Columbus, Ohio. She speaks Japanese and French.

President Obama's Clean Power Plan and its Implications for South Carolina

The Clean Power Plan: An Overview

The Clean Power Plan, a series of measures intended to limit the country's environmentally damaging emissions, was announced in June 2014 by the US Environmental Protection Agency. The plan, embodied in proposed regulations promulgated pursuant to Section 111(d) of the Clean Air Act, would require power companies to reduce carbon dioxide emissions by 30% (3 billion metric tons) by the year 2030. The following month, public hearings on the plan were held in Atlanta, Pittsburgh, Denver, and Washington DC, and the EPA accepted comments from the public on its website through October 16. The advantages of the plan, according to the EPA, include billions of dollars in public health and climate benefits as well as thousands fewer premature deaths, as a direct result of fewer illnesses due to environmental pollutants.

What does this mean for South Carolina?

South Carolina's 2012 emission rate was 1,147 pounds per megawatt hour (lb/MWh). The EPA's Clean Power Plan regulation would require South Carolina to formulate a State Implementation Plan to meet the proposed rule's target emission rate of 722 lb/MWh. The proposal for our state is the third-highest in the nation; however, it is up to the state to determine the measures to put in place in order to meet the goal.

During the 120-day public comment period, over 180,000 South Carolina residents voiced their opinions regarding the proposed plan. On December 1, 2014, the state of South Carolina filed a response to the proposed targets, and the Department of Health and Environmental Control (DHEC) filed a letter pointing out that under the EPA's proposed regulation, the state would not receive credit for the carbon reductions that will result from the construction of two new nuclear power plants at SCE&G's site in Jenkinsville, despite the fact that the energy generated by them will replace that of coal-powered plants that are scheduled to close. DHEC also stated that the business community is concerned about the impact of the new regulation because low electricity prices are a big draw for businesses in South Carolina.

The EPA is expected to issue the final rule in June 2015, after which states will have one year to finalize State Implementation Plans designed to achieve the requested emission reductions.

More Carbon Reduction to Come?

In November 2014, President Obama announced an even more ambitious target of cutting greenhouse gases to 26-28% below 2005 levels by the year 2025. The new target will require the US to double its carbon pollution

reduction pace, from the current rate of 1.2% per year to 2.3-2.8% per year beginning in 2020. These goals will be formally submitted to the Framework Convention on Climate Change in the first quarter of 2015. The President's announcement were made in conjunction with the United States and China's expanded joint commitment to the US-China Clean Energy Research Center (CERC). This will entail renewal of funding for the study of building efficiency, clean vehicles, and advanced coal technologies with carbon capture, use, and sequestration, as well as a new research track focusing on the interaction of energy and water. Other commitments made jointly by President Obama and Chinese President Xi Jinping include promotion of trade in "green" goods, demonstration of clean energy on the ground through feasibility studies and pilot projects, enhancement of cooperation on hydrofluorocarbons, and the launch of a climate-smart/low-carbon cities initiative. The impact that this new commitment would have on the already stringent requirements of the Clean Power Plan is yet to be determined.

Sources:

Boyce, Lawra. 2014. Public engagement in South Carolina's process.
<http://www.scdhec.gov/HomeAndEnvironment/Docs/CleanPower/LawraBoyce.pdf>

Fact Sheet: U.S.-China joint announcement on climate change and clean energy cooperation. 2014. <http://www.whitehouse.gov/the-press-office/2014/11/11/fact-sheet-us-china-joint-announcement-climate-change-and-clean-energy-c>

Oladipo, Jennifer. 2014. DHEC submits counter to EPA Clean Power Plan. <http://upstatebusinessjournal.com/news/dhec-submits-counter-epa-clean-power-plan/>

Silverstein, Ken. 2014. Obama's Clean Power Plan getting dirtied but it has key business support. <http://www.forbes.com/sites/kensilverstein/2014/12/04/obamas-clean-power-plan-getting-dirtied-but-it-has-key-business-support/>

South Carolina: Climate change threatens our health and economy
<http://cleanpowerplanmaps.epa.gov/CleanPowerPlan/>

Contact Us by Email

Terreni Law Firm, LLC

DISCLAIMER

This Newsbrief has been prepared by the Terreni Law Firm, LLC for informational purposes only. It is not legal advice. This information is not intended to and does not create a lawyer-client relationship. Readers of the information should not act upon this information without seeking professional legal counsel. Also, please do not send us any information that you or anyone else considers to be confidential unless we have first agreed to represent you.

Please contact Charles L.A. Terreni by email at charles.terreni@terrenilaw.com, by telephone at (803) 771-7728, or by mail at Terreni Law Firm, LLC, 1508 Lady Street, Columbia, South Carolina, with any questions or concerns about this communication. If you do not wish to receive this newsletter, please click the link below.

© 2014 Terreni Law Firm, LLC. All rights reserved.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained on any page of this web site is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed on any page of this web site.

Copyright © 2015 Terreni Law Firm, LLC, All rights reserved.

We send greetings and newsletters to all of our valued colleagues and clients.

Our mailing address is:

Terreni Law Firm, LLC
1508 Lady St.
Columbia, SC 29201

Add us to your address book

[unsubscribe from this list](#) [update subscription preferences](#)