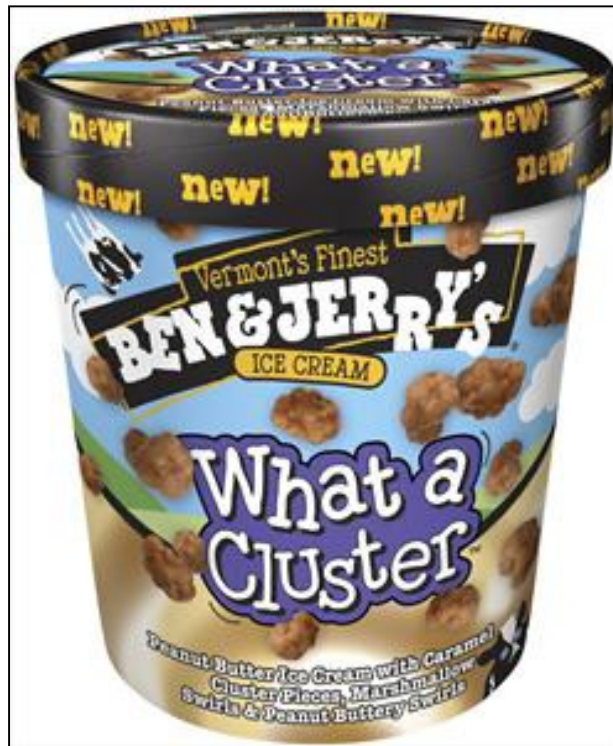


Energy and Climate Issues



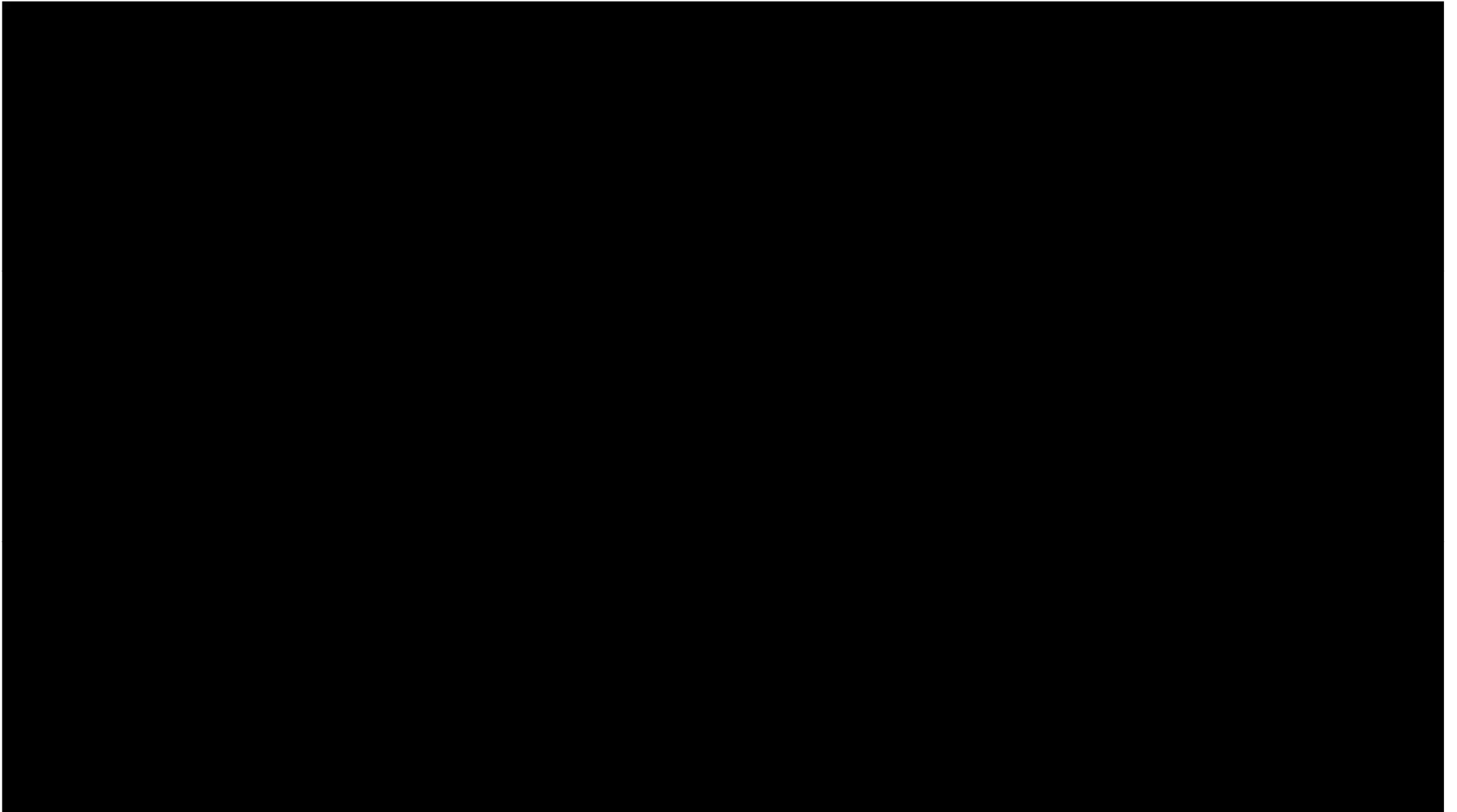
Council of Industrial Boiler Owners 35th Annual Meeting

October 16 - 18, 2013
Stow(e), VT

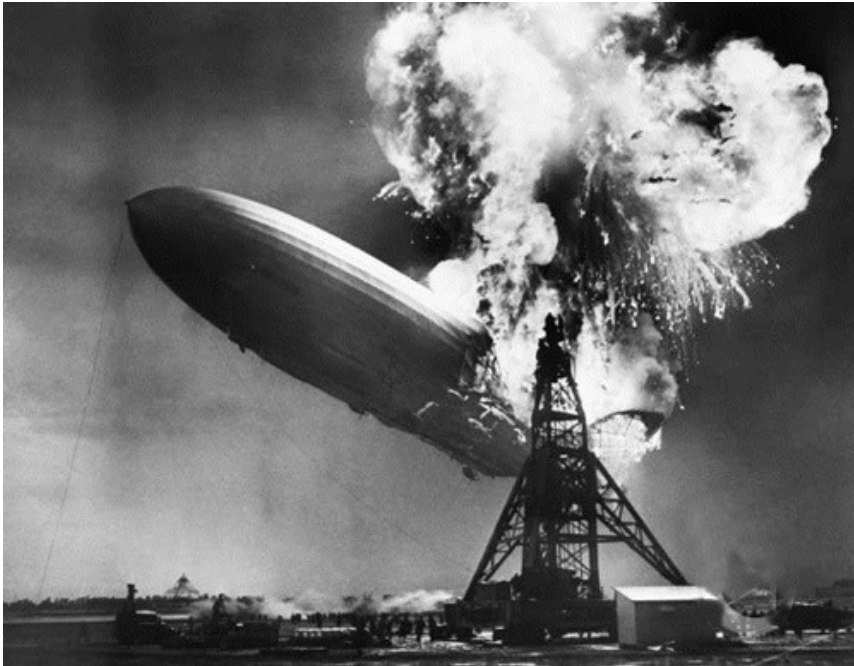
Government Affairs Session

Anthony Reed, Archer Daniels Midland
Chris Keuleman, International Paper
Lisa Jaeger, Bracewell & Giuliani

The State of the Union

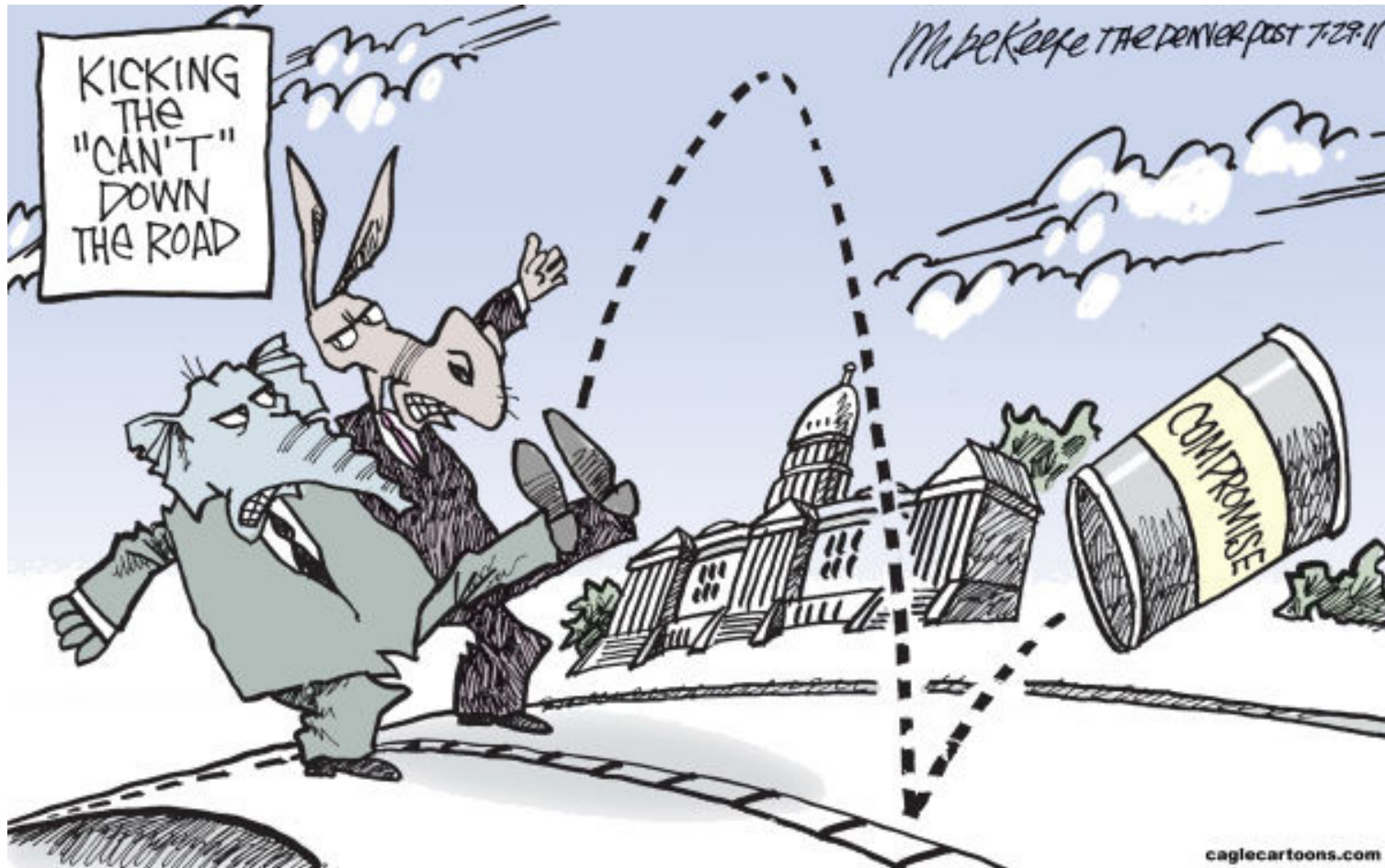


The State of the Union



- Government Shutdown**
- Debt Ceiling**
- Sequestration – Part 2**

Debt Ceiling Agreement



Shutdown / Debt Ceiling Scenarios

- **Another Short-term Extension of Debt Ceiling**
 - **2-3 months with or without some conditions**

- **Temporary Default Followed by Compromise**
 - **Though tools taken from Treasury, could be more like April or May**

- **Long-term Extension Through 2014 Mid-Term Elections**
 - **Senate legislation would suspend debt limit until 2015**

FROZEN!



Regulatory Advocacy – The New Paradigm

Legislation to affect Regulation

- Boiler MACT
 - Lessons learned
 - Started intervening on EPA's behalf 10 years ago

- Coal Ash
 - Lessons Learned
 - House-approved ; Further Delays and NODAs

- GHG NSPS for EGUs
 - Congressional Review Act
 - Legislation coming....
 - Letter from 400+ Democrat Legislators

- Clean Water Act

2013 In Review

<u>Issue</u>	<u>Regulatory Activity</u>	<u>Legislative Activity</u>	<u>CIBO Action</u>
BMACT	Final Rule Implementation / Petitions for Reconsideration	House passed H.R. 2250 ; Senate Amendment to Transportation bill failed	CIBO Hill visits ; Possible letter to support provisions in final rule ; Provided Bill analysis, testimony and member advocacy for bill
RCRA Coal Ash	EPA Rule Q1 2014 / Ongoing Litigation	Legislation approved by House on several occasions	CIBO Hill visits seeking Congress' help / Coalition Participation
Climate Change	NSPS for Power Plants Re-proposed ; Listening Sessions for existing facilities announced	House Energy and Commerce Hearing ; Legislation likely to be introduced	Monitored possible movement of legislation
Energy Efficiency	Issue monitored in all rules / Executive Order	S. 761 Shaheen-Portman legislation	Quarterly Hill Visits to inform on legislation

Judicial Advocacy - Legislation

Legislation to affect the Regulatory/Judicial Process

- **RAPID** (Responsibly And Professionally Invigorating Development) **Act of 2013 (HR 2641)**
 - **NEPA reform**

- **Regulatory Accountability Act of 2013 (HR 2122, S 1029)**
 - **Regulatory procedures reform**

- **Sunshine for Regulatory Decrees and Settlements Act of 2013 (HR 1493, S 714)**
 - **Sue & settle reform**

2014 Elections – An Early Look



Political Game Reset

U.S. House of Representatives

234 Republicans | **201 Democrats**

218 for majority; all up for election November 2014

U.S. Senate

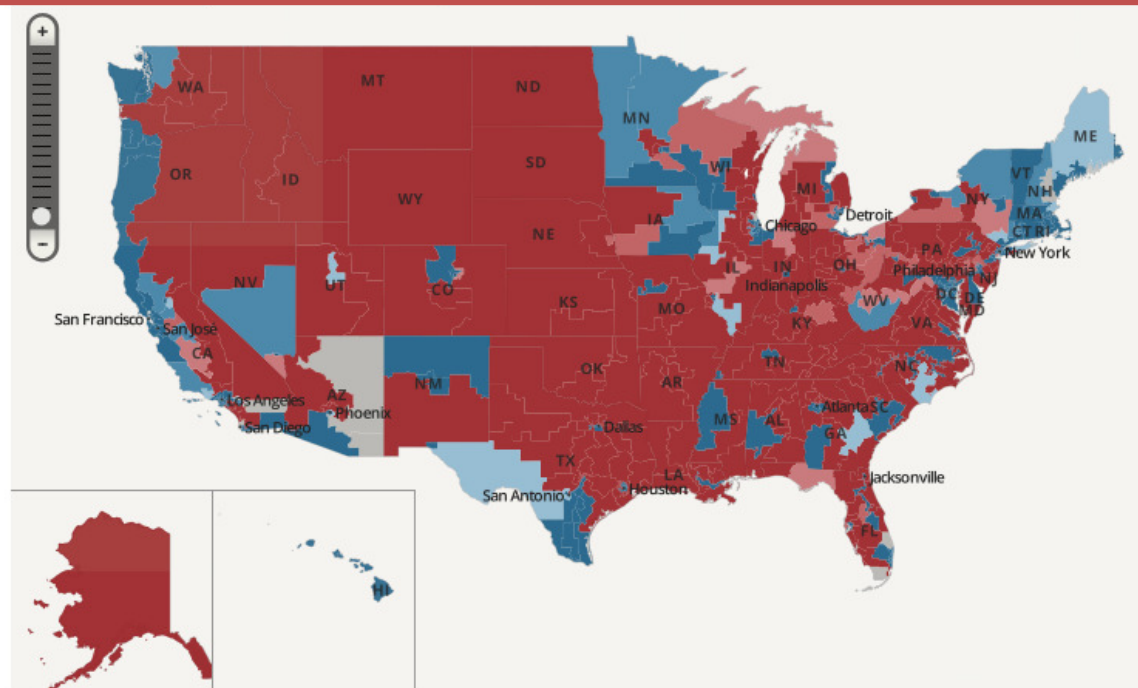
55 Democrats | **45 Republicans**

51 for majority; 1/3 up for election

House Republicans have 211 Safe Districts

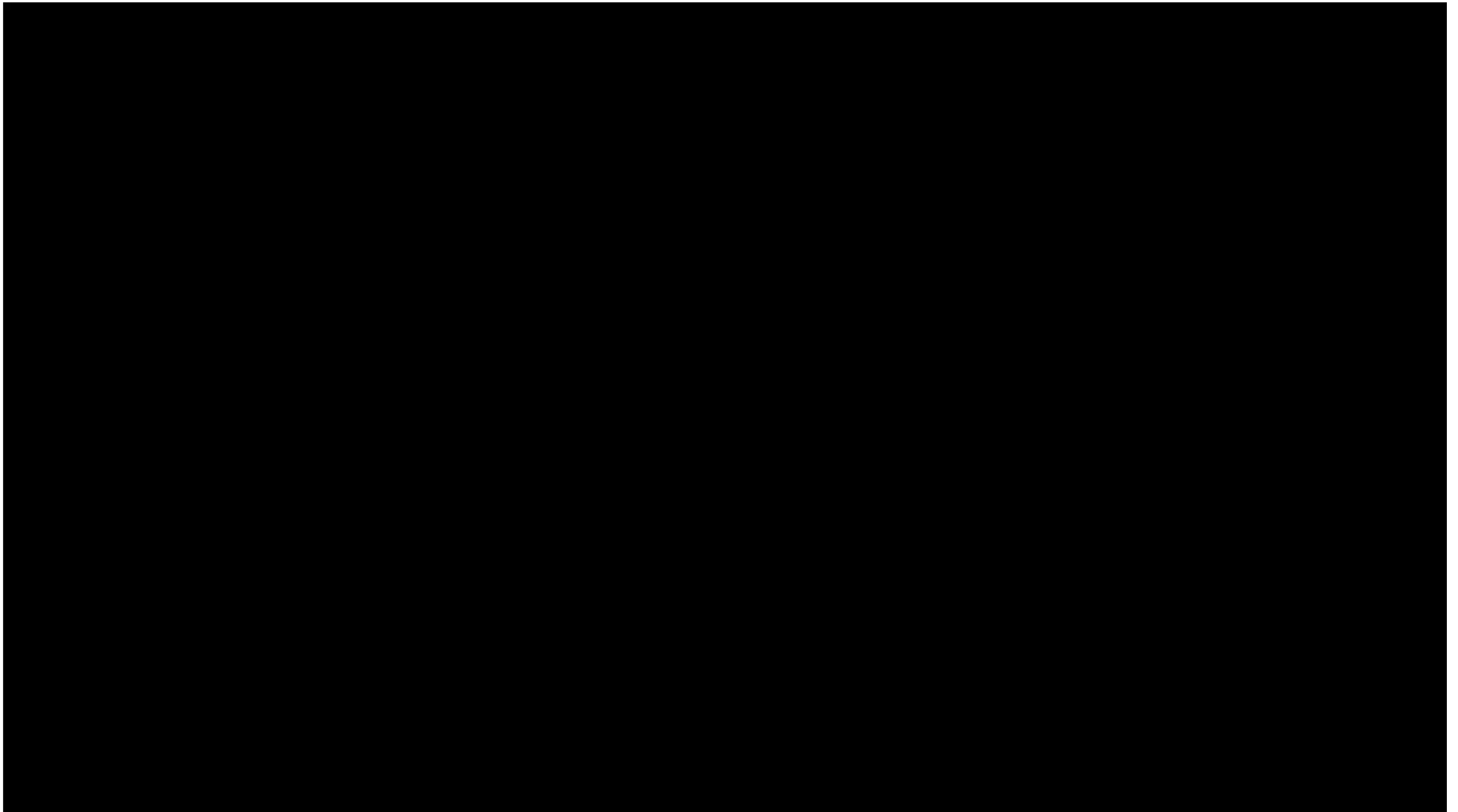
“Republicans are well-positioned to retain their House majority, holding 211 seats currently rated safe and favored to win 11 more. **For the Democrats to gain control of the chamber, they would need to win every seat where they have even a slight edge, plus about 20 more.**”

- Stu Rothenberg



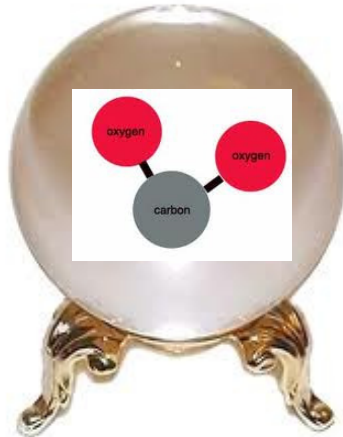
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Looking Ahead - Issues



2014 – Productive Election Year

Energy / Climate



- Energy Efficiency
- NSPS
- Social Cost of Carbon
- Update to IPCC Report
- Industrial Energy Efficiency Study

2014 – Productive Election Year

Water



- Federal jurisdiction under CWA
- 316(b) intake permits
- Discharge permits
 - EGU effluent limitation guidelines
 - Federal water quality standards
 - State water quality standards

2014 Issues – Looking Ahead

<u>Issue</u>	<u>Regulation / Legislation</u>	<u>Legislative Opportunity</u>
Boiler MACT / all MACTs	Both	
RCRA Coal Ash	Both	H.R. 2218 – passed by House ; Debt Limit / other must-pass vehicles
NAAQS – PM, SO ₂ , Ozone	High	
Energy Efficiency	Legislation	S. 761 - Shaheen-Portman
Water	Both	WRDA ; CWA Jurisdiction
Climate – NSPS / Social Cost of Carbon	Both	Whitfield Legislation ; Congressional Review Act

Strengthening CIBO's Advocacy



WE NEED YOU

- Member Information**
 - **Strength in Numbers**

- Hill Visits**

- CIBO Committees**

S#* @
LOBBYISTS
SAY

BRACEWELL
& GIULIANI

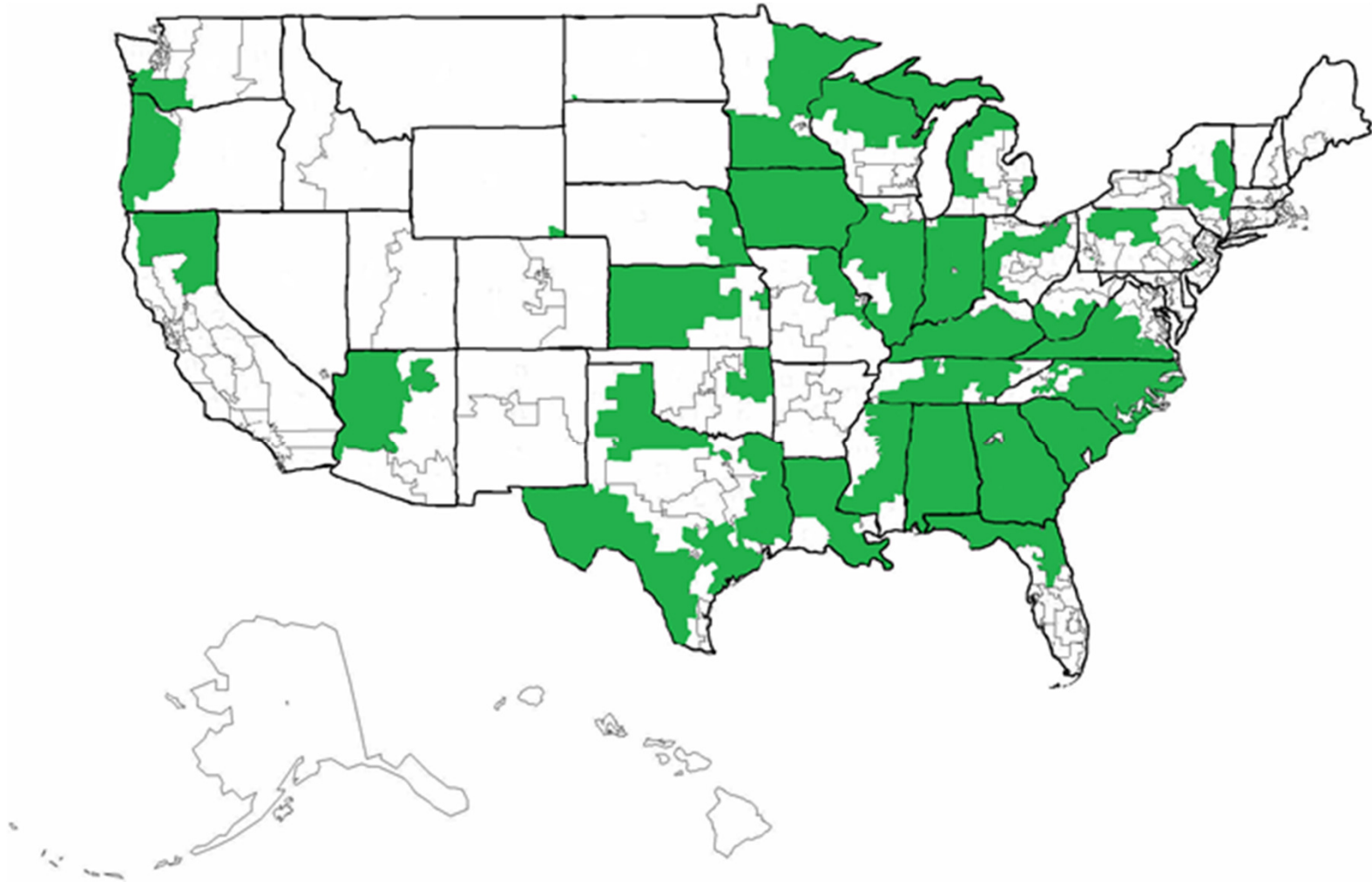
Bracewell & Giuliani Government Relations

Advancing CIBO's goals with litigation, regulation, legislation and advocacy.

Supplement CIBO Government Affairs Committee in these areas:

- Prepare talking points for Hill meetings
- Attend CIBO E&E meetings to prepare for Hill meetings
- Set up and attend Hill meetings with CIBO members
- Increase CIBO Hill presence on key issues of concern
- Prepare CIBO position papers for Hill distribution
- Prepare Govt Affairs annual meeting report

CIBO Boilers by Congressional District



Don't Worry – Be Happy

