

Amend 310 CMR 7.74**310 CMR 7.74: REDUCING CO₂ EMISSIONS FROM ELECTRICITY GENERATING FACILITIES**

(1) Purpose, Authority and Scope. The purpose of this regulation, promulgated in conjunction with 310 CMR 7.75, is to assist the Commonwealth in achieving the greenhouse gas emissions reduction goals adopted pursuant to M.G.L. c. 21N, Section 3(b), by establishing declining annual aggregate CO₂ emissions limits that will reduce CO₂ emissions from electricity generating facilities. To achieve those goals, the Executive Office of Energy and Environmental Affairs (EEA) and the Department pursuant to M.G.L. c. 21A, §§ 2 and 8 and M.G.L. c. 21N, §§ 3(c), 4 and 7 hereby jointly promulgate 310 CMR 7.74, following consultation with the Department of Energy Resources and based on the considerations specified in M.G.L. c. 21N, § 3(c). This regulation is also promulgated pursuant to M.G.L. c. 21A, § 16, M.G.L. c. 21N, § 3(d), and M.G.L. c. 111, §§ 2C and 142A-142E. In exercising their broad authority and discretion under M.G.L. c. 21N, §§ 3(c) and 3(d), EEA and MassDEP have determined that additional emissions limits on in-state electricity generating facilities' greenhouse gas emissions, along with other climate policies and programs, will ensure achievement of the greenhouse gas emissions limits as established under M.G.L. c. 21N, and that the 310 CMR 7.74 limits are consistent with, and take account of, regional programs such as the Regional Greenhouse Gas Initiative (RGGI) and the Renewable Portfolio Standard (RPS). The CO₂ emissions limits set forth in 310 CMR 7.74(5) are re-promulgated for the years 2021 through 2050 with the effective date of January 1, 2021.