

C. OIL & GAS SECTOR

More than 30,000 Texas businesses are in industries that are identified as greenhouse gas emitting.¹⁸⁰ In 2006, the energy sector employed nearly 375,000 Texans who earned more than \$35 billion in wages.¹⁸¹ Of those, 312,000—3.1% of the State’s work force—were employed directly in the oil and gas business.¹⁸² According the Comptroller of Public Accounts, the oil and gas sector contributed \$159 billion to—nearly 15% of—the State’s Gross Domestic Product.¹⁸³

More than 17% of the State’s revenue is derived from oil and gas taxes, income on mineral interests, and related payments.¹⁸⁴ In 2006, the State’s annual oil production tax revenue was \$444,124,979 and its natural gas tax revenue was \$160,024,732, which combined for a total of more than \$604 million.¹⁸⁵ That direct positive fiscal impact is in addition to the more than \$6 billion in annual indirect economic benefit that the State enjoys from severance, ad valorem, and indirect taxes that are levied on oil and gas production.

The refining side of the energy sector also contributes significantly to the Texas economy. In 2008, the petroleum refining sector produced shipments worth over \$62 billion.¹⁸⁶ Texas-based chemical refiners produced shipments that exceeded \$70 billion in value.¹⁸⁷

IX. FALLOUT

Since the Administrator’s Endangerment Finding was made final on December 15, 2009, both chambers of Congress have responded with bipartisan efforts to prevent EPA from regulating greenhouse gasses. In the House of Representatives, House Agriculture Committee Chairman Collin Peterson (D-Minnesota) and Armed Services Committee Chairman Ike Skelton (D-Missouri)—both appointed to their chairmanships by House Speaker Nancy Pelosi—along with Congresswoman Jo Ann Emerson (R-Missouri), have authored a bill that would statutorily prevent EPA from regulating greenhouse gas emissions. That is, House Resolution 4572 would amend the Clean Air Act to include the following: “The term ‘air pollutant’ shall not include any of the following solely on the basis of its effect on global climate change: (1) Carbon dioxide, (2) Methane, (3)

¹⁸⁰Texas Advisory Panel on Federal Environmental Regulations, Comments on the Environmental Protection Agency’s Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(A) of the Clean Air Act, at 14 (June 23, 2009).

¹⁸¹ *Id.*

¹⁸² *Id.* at 18.

¹⁸³ Hon. Susan Combs, American Clean Energy and Security Act, *available at* <http://www.window.state.tx.us/finances/captrade/perspective.html> (last visited Feb. 16, 2010).

¹⁸⁴ Texas Advisory Panel on Federal Environmental Regulations, Comments on the Environmental Protection Agency’s Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(A) of the Clean Air Act, at 19 (June 23, 2009).

¹⁸⁵ *Id.*

¹⁸⁶ *Id.* at 27.

¹⁸⁷ *Id.*