

Legislature Introduces Six Bills to Implement Governor Shapiro's Lightning Plan

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Pennsylvania – Mining

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On April 23, 2025, Pennsylvania lawmakers introduced six pieces of legislation intended to implement Governor John Shapiro's "Lightning Plan" announced earlier this year. The Shapiro administration has called the plan a "commonsense energy plan" that will create jobs, lower costs for consumers, accelerate permitting, and promote energy generation in Pennsylvania. See [Press Release](#), Gov'r Josh Shapiro, "Governor Shapiro's 'Lightning Plan' Introduced in General Assembly" (Apr. 24, 2025). These six bills are currently making their way through the Pennsylvania House and Senate.

EDGE Tax Credit (House Bill 500, Senate Bill 500)

This proposal updates the 2022 Pennsylvania Economic Development for a Growing Economy (EDGE) Tax Credit. Since its creation in 2022, no entities have been eligible for the EDGE Tax Credit, leaving billions in potential economic development untapped. The proposed 2025 amendments to the EDGE Tax Credit propose a new Reliable Energy Investment Tax Credit and a new Sustainable Aviation Fuel Tax Credit. The amendments also propose to revise the Dairy Production Tax Credit, the Regional Clean Hydrogen Tax Credit, and the Semiconductor Manufacturing and Biomedical Manufacturing and Research Tax Credit.

Pennsylvania Reliable Energy Sustainability Standard (PRESS) (House Bill 501, Senate Bill 501)

PRESS is intended to increase the amount of electricity in Pennsylvania that comes from renewable energy sources like wind and solar power. According to the Shapiro administration, PRESS would modernize Pennsylvania's energy standards by incentivizing innovation in renewable and nuclear energy to remain competitive with other states. PRESS would renew Pennsylvania's prior renewable energy law, the Alternative Energy Portfolio Standard, and increase the existing requirements for wind and solar energy under AEPS to 35% by 2035.

Reliable Energy Siting and Electric Transition (RESET) Board (House Bill 502, Senate Bill 502)

This legislation would establish a RESET Board, which would be a "cohesive central authority" in the commonwealth to consider and approve applications for large reliable energy-generating facilities that provide more than 25 megawatts of power. Proponents of the bill intend that receiving RESET Board approval would lead to accelerated development timelines for a project by facilitating permit approvals. Submitting a project to the RESET Board for approval would be optional under the bill.

Pennsylvania Climate Emissions Reduction Act (PACER) (House Bill 503, Senate Bill 503)

PACER would replace Pennsylvania's attempt to participate in the Regional Greenhouse Gas Initiative (RGGI) program with an alternative cap-and-invest model for reducing emissions from larger-scale electric generation. PACER is intended to protect and create energy jobs, lower electricity costs for Pennsylvanians, take tangible action to address climate change, and maintain Pennsylvania's energy independence. PACER advocates report that 70% of the revenue generated from PACER would be returned to Pennsylvanians as rebates on electric bills.

Lowering Energy Costs for Rural Communities (House Bill 504, Senate Bill 504)

This proposed bill would allow Pennsylvania energy consumers to subscribe to a portion of a community energy facility, such as a biofuel or solar facility, and receive credit for this subscription on their energy bills. The bill is intended to benefit low- to moderate-income customers and their communities.

Rebates to Reduce Household Energy Costs (House Bill 505, Senate Bill 505)

This bill would amend Pennsylvania's existing energy efficiency and conservation program for the first time in two decades to increase rebates for energy-efficient appliances to help reduce household energy costs.

Pennsylvania's Supreme Court Hears Arguments in Pennsylvania RGGI Litigation

On May 13, 2025, the Pennsylvania Supreme Court heard oral arguments in the two cases pending before it involving Pennsylvania's attempt to join the Regional Greenhouse Gas Initiative (RGGI), a regional carbon dioxide budget trading program applicable to fossil-fuel-fired electric generating units of over 25 megawatts. See *Pa. Dep't Env't Prot. v. Pa. Legis. Ref. Bureau* (No. 106 MAP 2023); *Bowfin v. Pa. Dep't Env't Prot.* (No. 107 MAP 2023). The Shapiro administration and four environmental groups appealed the Pennsylvania Commonwealth Court's July 8, 2022, and November 1, 2023, decisions that (1) preliminarily enjoined the implementation and enforcement of Pennsylvania RGGI regulation, holding that the regulation imposed an unconstitutional tax; and (2) invalidated the regulation on the merits.

As reported in [Vol. 41, No. 2 \(2024\)](#) of this *Newsletter*, following these decisions, Governor Shapiro proposed two legislative efforts to replace the Commonwealth's efforts to join a cap-and-trade program: the Pennsylvania Climate Emissions Reduction Act (PACER) and the Pennsylvania Reliable Energy Sustainability Standard (PRESS). Bills establishing both PACER and PRESS were introduced into the Pennsylvania House and Senate earlier this year, as discussed above.

At oral argument, industry opposed to RGGI argued that the Pennsylvania Department of Environmental Protection (PADEP) overstepped its authority and violated the Pennsylvania Constitution by imposing an impermissible tax on electricity generators, while PADEP argued that lawmakers gave it broad authority to control air pollution and that requiring power producers to pay for allowances is within its authority. A supreme court opinion is not expected until early- to mid-2026. For a summary of Pennsylvania's RGGI rule, see [Vol. 39, No. 2 \(2022\)](#) of this *Newsletter*. For a summary of the commonwealth court's decisions, see [Vol. 40, No. 4 \(2023\)](#) of this *Newsletter*.

PADEP Announces Use of PennEnviroScreen in Permit Review Processes

On June 2, 2025, the Pennsylvania Department of Environmental Protection (PADEP) [announced](#) in its *Environmental Justice Newsletter* that its screening and mapping tool, [PennEnviroScreen](#), is now fully integrated within PADEP permitting processes. The tool analyzes more than 30 environmental, health, and socioeconomic criteria to identify environmental justice communities, including location of pollution sources, air quality data, and poverty.

PADEP staff utilize the tool during the permit review process to determine where greater community engagement may be necessary. PADEP has also created a user guide for the public to assist use and understanding of the tool. See PADEP, ["PennEnviroScreen At A Glance"](#) (Sept. 2024). In September 2023, PADEP published its [PennEnviroScreen Methodology Documentation](#) to explain its rationale for the use of the tool to implement PADEP's Environmental Justice Policy. PADEP intends to update the data source information used in PennEnviroScreen on an annual basis.

PADEP Rescinds Three Mining Technical Guidance Documents

On July 12, 2025, the Pennsylvania Department of Environmental Protection (PADEP) announced the rescission of three technical guidance documents relating to mining, because it is PADEP's position that these documents are no longer needed. See 55 Pa. Bull. 4771 (July 12, 2025).

Municipal Mining Licenses, Permits and Bonds, 562-2100-704 (1997)

This document was intended to identify instances when municipalities and other government agencies could be exempt from the requirement of obtaining a noncoal license and permit. This document will be retained as background information.

Citizens' Requests—Receiving, Tracking, Investigating, Appealing and Filing, 562-3900-402 (2008)

This document outlined the complaints tracking process of PADEP's Bureaus of District Mining Operations and Mining Programs. It is PADEP's opinion that its Complaints Tracking System instructions make this guidance document redundant and out of date. PADEP is currently developing an internal document for processing mining-related complaints.

Review of Accepted Coal Mining Activity Permit Applications, 563-2112-215 (1997)

This guidance established internal administrative procedures for PADEP when accepting and processing new permit

applications. These directions have been replaced by a current standard operating procedure for mining applications in accordance with updated permit review timelines, [SOP No. BMP-001 \(2016\)](#).

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