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POLICY CHAIRMAN  
63<sup>RD</sup> LEGISLATIVE DISTRICT**

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**House of Representatives**  
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May 5, 2020

Governor Tom Wolf  
225C Main Capitol Building  
Harrisburg, PA 17120

Dear Governor Tom Wolf:

We respectfully request you to rescind your Executive Order No. 2019-7, which directs the Pennsylvania Department of Environmental Protection (DEP) to submit a proposed rulemaking to the Environmental Quality Board to establish a “carbon dioxide budget consistent in stringency to that established in the Regional Greenhouse Gas initiative (RGGI) participating states,” and halt Pennsylvania’s regulatory efforts to join RGGI.

Section (1)(a) of your Executive Order No. 2019-7 directs DEP to “[i]nclude a robust public outreach effort working with the business community, energy producers, energy suppliers, organized labor, environmental groups, and others” with respect to the “development and implementation” of a carbon trading program in Pennsylvania. We assume the intent of this language was to ensure a thorough consideration of the significant economic risks associated with RGGI, including: the near immediate closure of coal-fired and less efficient natural gas power plants; the loss of thousands of jobs supplying and supporting those plants; the loss of a substantial property tax base in communities that host those power plants; and the potential for consumer electric rate increases.

Indeed, we also believe you intended for DEP, in the development of the proposed regulation, to embark on a “robust public outreach effort” far beyond the bare statutory minimum required under the Regulatory Reform Act (RRA) and the Air Pollution Control Act (APCA). Unfortunately, to date, DEP has failed to fulfill the mandate of your Executive Order, and given the ongoing COVID-19 crisis, there is no possible way for DEP to conduct meaningful public outreach adequate to ensure the voices of impacted workers, communities and businesses to be heard prior to the development of the proposed RGGI regulation. In addition, we understand that several organized labor groups were forced to reschedule or cancel rallies and town hall meetings in May and early-June to voice concerns about the impact of RGGI on their members.

On Thursday, April 23, 2020, during a joint virtual meeting of the Air Quality Technical Advisory Committee (AQTAC) and the Citizens Advisory Council (CAC), DEP presented RGGI modeling

results developed under a contract with ICF, which acknowledged during its presentation its longstanding economic relationships with RGGI Inc., participating RGGI states, and nongovernment organizations. Notably, the modeling results confirmed many of the risks cited above, including the near immediate closure of coal fired power plants in Pennsylvania combined with a significant electric rate increase for consumers. In fact, the ICF modeling indicates a devastating 89% decrease in coal generation in Pennsylvania from coal-fired power plants within the next 18 months, which suggests that any revenues from participation in RGGI will result from a tax on gas generation

As you know, coal-fired power plants and the businesses that support them typically are large regional employers who also provide a significant portion of the local property tax base. Unfortunately, when questioned about the economic and jobs impacts at the April 23<sup>rd</sup> joint virtual meeting, DEP staff indicated that such economic impact modeling was not available. However, we do not need modeling to conclude that such a rapid closure of these power plants and associated businesses will have severe negative economic and social impacts across the communities we represent. This economic damage will not be contained to just those directly connected to these power plants but will spread to associated supply business, contract jobs, local school districts, and local governments.

While the ICF modeling shows the effective elimination of coal-fired power generation in Pennsylvania, the model unfortunately does not show a commensurate decrease in CO2 emissions across the PJM. This was surprising given that Executive Order No. 2019-7 included an explicit directive for DEP to minimize emission leakage. ICF's modeling shows, by 2030, statistically meaningless differences in CO2 emissions across PJM, regardless of whether Pennsylvania decides to join RGGI, and power plant CO2 emissions across the Eastern Interconnect remain essentially unchanged. In fact, the ICF CO2 emissions modeling clearly demonstrates that Pennsylvania fossil fuel electric generation will become increasingly uncompetitive and leakage to fossil generating units in non-RGGI PJM states will occur.

DEP, in response to the COVID-19 pandemic, has shifted to a virtual format to host advisory committee meetings and other similar events. Unfortunately, a virtual medium offers only so much opportunity for committee members and the public to actively participate. For example, at the recent joint CAC/AQTAC meeting, DEP abruptly ended the meeting before taking questions from all Committee members and provided no opportunity for public comment. And, at the upcoming AQTAC meeting on May 7, 2020, the agenda prepared by DEP offers a mere 15 minutes of "public comment. Likewise, to date, DEP has had no meaningful engagement on the RGGI regulation with impacted workers, plant operators, or communities. These circumstances do not appear to meet the commitment in Executive Order 2019-7 with regards to public engagement, which in turn leads to a lack of transparency that only builds further anxiety in those that will be negatively impacted by Pennsylvania joining RGGI.

While the ICF modeling clearly illustrates that Pennsylvania joining RGGI will prematurely shutter coal-fired power plants, devastate communities and business in those regions, and provide an economic benefit to our neighboring PJM states, there has been no consideration for the impact the COVID-19 pandemic has had on the economy of our Commonwealth. Over the last six weeks, we have witnessed an exponential rise in unemployment, overwhelming demand on food banks, and to date, non-essential businesses remain shuttered. Workers, families, and communities across Pennsylvania

are suffering through the economic fallout of the COVID-19 pandemic and are justifiably worried about how the Pennsylvania economy will grow moving forward.

As DEP's ICF modeling results prove, RGGI will cause significant harm and the impacts on Pennsylvania communities will be felt immediately and indefinitely. Yet, in 2030, and according to ICF, regional CO2 levels will remain largely unchanged. These facts, combined with the inability of these communities' and workers' voices to be heard for the foreseeable future, we urge you to consider this request to rescind Executive Order 2019-7 immediately and to direct DEP to halt its regulatory proceedings. Doing so will remove a significant point of disagreement between your Administration and the General Assembly in the months ahead and, instead, will enable all of us to focus our time and effort toward overcoming the devastating impacts from COVID-19 to the Pennsylvania economy.

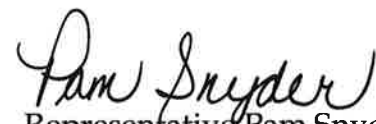
Best regards,



Representative Donna Oberlander  
63<sup>rd</sup> Legislative District



Representative Jim Struzzi  
62<sup>nd</sup> Legislative District



Representative Pam Snyder  
50<sup>th</sup> Legislative District



Representative Kurt Masser  
107 Legislative District



Representative Stan Saylor  
94<sup>th</sup> Legislative District



Representative Stephen Barrar  
160 Legislative District



Representative Eric Nelson  
57<sup>th</sup> Legislative District



Representative Kerry Benninghoff  
171<sup>st</sup> Legislative District



Representative Mike Reese  
59<sup>th</sup> Legislative District



Representative Neal Goodman  
123<sup>rd</sup> Legislative District



Representative Aaron Bernstein  
10<sup>th</sup> Legislative District



Representative Stephanie Borowicz  
76<sup>th</sup> Legislative District



Representative Martin Causer  
67<sup>th</sup> Legislative District



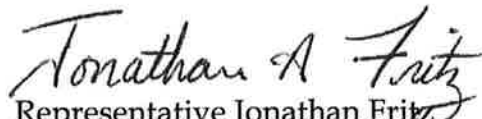
Representative Eric Davanzo  
58<sup>th</sup> Legislative District



Representative George Dunbar  
56<sup>th</sup> Legislative District



Representative Torren Ecker  
193<sup>rd</sup> Legislative District



Representative Jonathan Fritz  
111<sup>th</sup> Legislative District



Representative Jim Gregory  
80<sup>th</sup> Legislative District



Representative Johnathan Hershey  
82<sup>nd</sup> Legislative District



Representative R. Lee James  
64<sup>th</sup> Legislative District



Representative Frank Burns  
72<sup>nd</sup> Legislative District



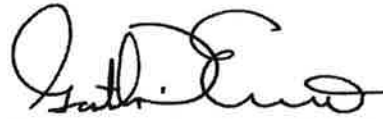
Representative Bud Cook  
49<sup>th</sup> Legislative District



Representative Russ Diamond  
102<sup>nd</sup> Legislative District



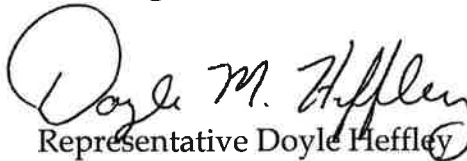
Representative Cris Dush  
66<sup>th</sup> Legislative District



Representative Garth Everett  
84<sup>th</sup> Legislative District



Representative Barbara Gleim  
199<sup>th</sup> Legislative District



Representative Doyle Heffley  
122<sup>nd</sup> Legislative District



Representative Rich Irvin  
81<sup>st</sup> Legislative District



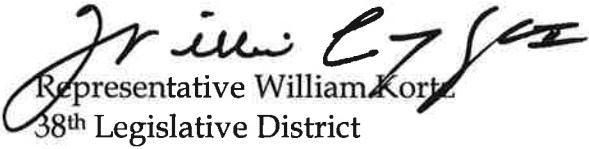
Representative Mike Jones  
93<sup>rd</sup> Legislative District



Representative Joshua Kail  
15<sup>th</sup> Legislative District




Representative Rob Kauffman  
89<sup>th</sup> Legislative District



Representative William Korte  
38<sup>th</sup> Legislative District



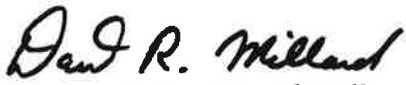
Representative Andrew Lewis  
105<sup>th</sup> Legislative District



Representative Mark Longietti  
7<sup>th</sup> Legislative District



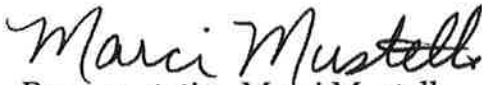
Representative Ryan Mackenzie  
134<sup>th</sup> Legislative District



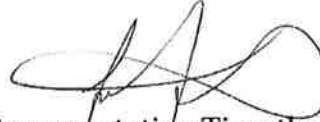
Representative David Millard  
109<sup>th</sup> Legislative District



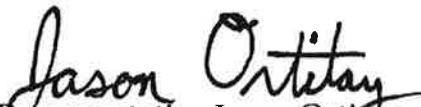
Representative Gerald Mullery  
119<sup>th</sup> Legislative District



Representative Marci Mustello  
11<sup>th</sup> Legislative District



Representative Timothy O'Neal  
48<sup>th</sup> Legislative District



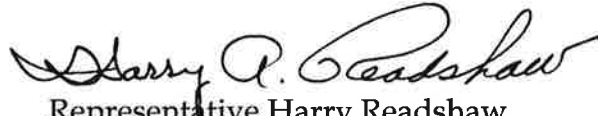
Representative Jason Ortisay  
46<sup>th</sup> Legislative District



Representative Clinton Owlett  
68<sup>th</sup> Legislative District



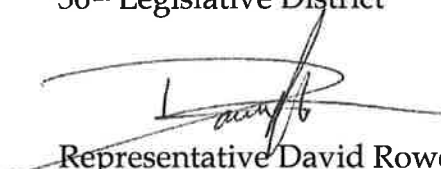
Representative Jeff Pyle  
60<sup>th</sup> Legislative District




Representative Harry Readshaw  
36<sup>th</sup> Legislative District

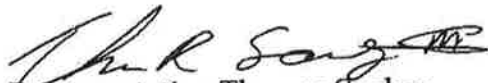



Representative Jim Rigby  
71<sup>st</sup> Legislative District



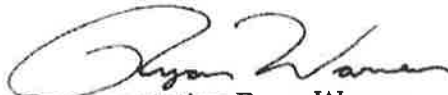
Representative David Rowe  
85<sup>th</sup> Legislative District

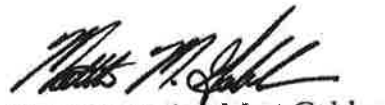
  
Representative Francis Ryan  
101<sup>st</sup> Legislative District


  
Representative Thomas Sankey  
73<sup>rd</sup> Legislative District


  
Representative Louis Schmitt  
79<sup>th</sup> Legislative District


  
Representative Mike Tobash  
125<sup>th</sup> Legislative District

  
Representative Ryan Warner  
52<sup>nd</sup> Legislative District


  
Representative Matt Gabler  
75<sup>th</sup> Legislative District

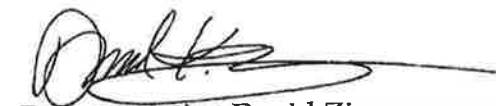
  
Representative Dan Moul  
91<sup>st</sup> Legislative District


  
Representative Chris Sainato  
9<sup>th</sup> Legislative District

  
Representative Paul Schemel  
90<sup>th</sup> Legislative District

  
Representative Curtis Sonney  
4<sup>th</sup> Legislative District

  
Representative Carl Walker Metzgar  
69<sup>th</sup> Legislative District

  
Representative David Zimmerman  
99<sup>th</sup> Legislative District

  
Representative Joseph Petrarca  
55<sup>th</sup> Legislative District

cc Secretary Patrick McDonnell, DEP Secretary  
Members of the Pennsylvania House of Representatives  
Members of the Air Quality and Technical Advisory Committee  
Members of the Citizens Advisory Committee