



August 31, 2021

Independent Regulatory Review Commission  
333 Market Street  
Harrisburg, PA 17101

Dear Commissioners:

As members of the Pennsylvania Legislative Climate Caucus, we write to express our strong, steadfast, and wholehearted support for the final rulemaking, submitted by the Department of Environmental Protection, regarding Regulation #7-559 (IRRC #3274).

On July 28, 2021, the House Environmental Resources and Energy Committee, in a party-line vote, sent a letter to the IRRC regarding the disapproval of some members to Pennsylvania's participation in the Regional Greenhouse Gas Initiative (RGGI). On August 18, 2021, the Senate Environmental Resources and Energy Committee, also in a party-line vote, followed suit with a letter to IRRC disapproving Pennsylvania's participation in RGGI.

We, the undersigned members of the General Assembly, believe that the Department of Environmental Protection is working responsibly and proactively within its authority to fulfill its mission *to protect Pennsylvania's air, land, and water from pollution and to provide for the health and safety of its citizens through a cleaner environment* by entering into the RGGI Compact.

Nearly every week, a new scientific report or development lays bare the severe, lasting, and catastrophic impacts of climate change. Earlier this month, the National Oceanic and Atmospheric Administration (NOAA) announced that July 2021 was the world's hottest month ever recorded. With that data, this year will likely rank among the top 10 warmest years on record. In addition, recently, the United Nations' Intergovernmental Panel on Climate Change (IPCC) released a report painting a stark and sobering picture of the impacts

of carbon emissions. The report, compiled by more than 200 scientists and backed by 195 countries, says that the planet is warming faster than previously thought. It concludes that it is "unequivocal" that humans have caused the climate crisis, and confirms that "widespread and rapid changes" have already occurred, some of them irreversibly.

Furthermore, as we continue to fight an evolving pandemic, perhaps never before has the link between environmental health and public health and safety been clearer. The Children's Climate Risk Index, compiled by UNICEF, finds that virtually every child on the planet is exposed to at least one climate or environmental hazard right now. A staggering 850 million, about a third of all the world's children, are exposed to four or more climate or environmental hazards, including heatwaves, cyclones, air pollution, flooding, or water scarcity. A billion children, nearly half the children in the world, live in "extremely high risk" countries, according to the index.

Meanwhile, studies show that RGGI can help mitigate and address health impacts in Pennsylvania. According to a 2020 Columbia University study, carbon reductions have helped RGGI states avoid an estimated 537 cases of child asthma, 112 preterm births, 98 cases of autism spectrum disorder, and 56 cases of low birthweight from 2009 to 2014. And by avoiding such impacts on children's health, the researchers estimate RGGI has created an economic savings of between \$191 million and \$350 million during that time. Similarly, Pennsylvania Department of Environmental Protection (DEP) projections show that emissions reductions from RGGI in the Commonwealth will prevent hundreds of premature deaths and tens of thousands of hospital visits, for a cost-savings of hundreds of millions of dollars per year.

When it comes to Environmental Justice, RGGI is key to investing in public health and infrastructure guardrails in communities that have long shouldered a disproportionate pollution burden. Under the RGGI Investments Act (Senate Bill 15 and House Bill 1565), 12.5 percent of the RGGI proceeds will go to providing community health services, benefits for retired workers, and support for local governments and school districts in communities transitioning from fossil fuels. In addition, under the act, one-third of the funding for clean energy transition will provide a direct benefit to Environmental Justice Communities – meaning, in total about 40 percent of the RGGI proceeds in Pennsylvania would be invested in Environmental Justice Communities. RGGI is a crucial and necessary step for Pennsylvania to embrace equity principles in reducing pollution and reinvesting funds in historically disadvantaged communities.

As the use of coal continues to decline largely due to market forces, RGGI is the roadmap to shift to a clean energy economy, transition coal workers to family-sustaining jobs

in clean energy, and support our growing clean energy, commercial, and industrial sectors. Joining RGGI has significant economic advantages. Economic growth in RGGI states has outpaced the rest of the nation by 31 percent while carbon emissions from power plants there have fallen by nearly 50 percent. According to DEP projections, participation in RGGI can result in a net increase of 27,000 jobs in Pennsylvania and add millions to the Gross State Product by 2030, putting Pennsylvania on a path to a cleaner and healthier economy. According to reports released by the Wolf administration in August 2020, the energy sector provided 269,031 jobs, or 4.5 percent of the overall statewide workforce, as of the last quarter of 2019. Significantly, the clean energy sector showed an average job growth rate of 8.7 percent, or nearly double that, adding 7,794 jobs in 2017-2019.

In addition, we all understand and appreciate the importance of providing strong, reliable, and affordable energy sources for Pennsylvania businesses, consumers, and families. At a time when electricity prices across the board have risen by 8.5 percent, RGGI states have realized a 5.7 percent savings to electricity consumers. In the states already participating in RGGI, investments under the program have helped save consumers nearly 2 billion dollars on their energy bills so far. The average residential electricity bill in RGGI states will be 35 percent lower in 2031 than it was in 2017, lessening energy bill burdens on families and low-income communities.

The positive impacts on the environment, public health, environmental justice, consumer savings, and jobs are extensive as outlined above and emphasized by the hundreds of citizens who participated in public comments and testimony at one of the 10 virtual public hearings held on this proposed regulation. Please keep in mind, that as this regulation moved through the process it was extensively reviewed, considered, and approved by the Environmental Justice Advisory Board, Citizens Advisory Council, Small Business Compliance Advisory Committee, and Air Quality Technical Advisory Committee. All of them voted to move forward with the regulation for PA to join the Regional Greenhouse Gas Initiative. The majority of the Environmental Quality Board, which oversees this regulation, voted in favor of RGGI, even after numerous attempts to halt, delay or further sidetrack the process. As a result, during this years-long process, the RGGI rulemaking has been more thoroughly reviewed, considered, and commented on than any legislative initiative in memory.

As one of the largest climate polluters in the nation, Pennsylvania joining RGGI would have a tremendous impact on regional, national, and global efforts to reduce greenhouse gas emissions, which are exacerbating the impacts on agriculture, the cost of food, damage and loss of life and property due to extreme weather, disease transmitted by insects, acidification of our oceans, and depletion of groundwater and water sources used for

clean drinking water and the exacerbating effect on cardiovascular and respiratory diseases that contribute to premature death. We all pay in lost personal and municipal property values, increased healthcare costs, loss of opportunity, missed days of school and work, and the quality of our very lives.

It is only fair that industry has limits and contributes financially to the cost of managing its expansive impacts in our communities and on our environment. Remember, Pennsylvania is responsible for about 1 percent of the world's greenhouse gas emissions – that's higher than many countries. RGGI is a small, but crucial step forward. It's a step we must take as the window to combat climate change continues to close. It is a fair and equitable way to substantially reduce our emissions and reinvest in our clean energy future.

Climate change and environmental protection are not partisan issues. Their impacts affect every Pennsylvanian and are growing more severe with each passing day. The Pennsylvania Legislative Climate Caucus is a bicameral, bipartisan caucus that welcomes members from both sides of the aisle to address all manner of issues relating to climate change in Pennsylvania — jobs, industry, manufacturing, clean air, clean water, and specific regional impacts among them. The caucus convenes to research, evaluate, discuss, and raise awareness about legislation, appropriations and related matters in ways that affirm evidence-based, peer-reviewed science, the acceptance that climate change is real and human-made, the importance of environmental justice, and the necessity for a renewable energy future. Further, the Climate Caucus is committed to upholding the charge of environmental stewardship as laid out in Article I, Section 27 of the Pennsylvania Constitution.

If we are serious about the global climate crisis, we must take steps to reduce our climate emissions. If we care about the health of children and families, we must begin to reduce air pollution. If we want to address inequities across our Commonwealth, we must invest in environmental justice communities. If we truly want to ensure our energy independence and economic prosperity, we must begin the shift to a clean energy economy.

Lastly, while we support the rule for all the aforementioned reasons, we encourage the commission to consider alternatives to the proposed set aside for waste coal. We agree that we cannot allow piles of coal waste to be left across the Commonwealth, leaching pollution into our streams and rivers and potentially catching on fire and polluting our air as well. However, we remain concerned about the impacts of burning waste coal in the remediation and redevelopment of these sites. Pennsylvania's waste coal plants are up to 30 percent more carbon-polluting than some conventional coal plants and more than twice as carbon-polluting as natural gas plants. By choosing to burn waste coal, we are simply exchanging one type of pollution for another – directly conflicting with the overall goals and

mission of RGGI. After all, if we are truly prioritizing public health and the health of our environment, we must thoroughly explore better options than those presented regarding waste coal.

Thank you for your consideration. We write this letter to affirm our support and to assert that the evidence is clear – the science is clear. As an energy leader, it's time for Pennsylvania to do its part. It is time to embrace a healthier Commonwealth, environmentally and economically, by joining our neighboring states in the Regional Greenhouse Gas Initiative (RGGI).

Sincerely,



Carolyn T. Comitta  
State Senator – 19<sup>th</sup> District



Greg Vitali  
State Representative – 166<sup>th</sup> District



Vincent Hughes  
State Senator – 7<sup>th</sup> District



Katie Muth  
State Senator – 44<sup>th</sup> District



Steve Santarsiero  
State Senator – 10<sup>th</sup> District



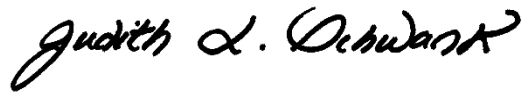
Sharif Street  
State Senator – 3<sup>rd</sup> District



Nikil Saval  
State Senator – 1<sup>st</sup> District



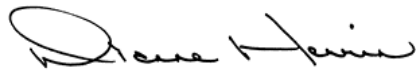
Tim Kearney  
State Senator – 26<sup>th</sup> District



Judy Schwank  
State Senator – 11<sup>th</sup> District



Amanda Cappelletti  
State Senator – 17<sup>th</sup> District



Dianne Herrin  
State Representative – 156<sup>th</sup> District



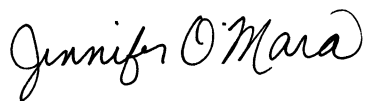
Leanne Krueger  
State Representative – 161<sup>st</sup> District



Danielle Friel-Otten  
State Representative – 155<sup>th</sup> District



Melissa Shusterman  
State Representative – 157<sup>th</sup> District



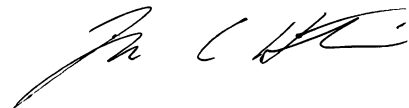
Jennifer O'Mara  
State Representative – 165<sup>th</sup> District



Nancy Guent  
State Representative – 152<sup>nd</sup> District



Ben V. Sanchez  
State Representative – 153<sup>rd</sup> District



Joseph C. Hohenstein  
State Representative – 177<sup>th</sup> District



Napoleon Nelson  
State Representative – 154<sup>th</sup> District



Joseph P. Ciresi  
State Representative – 146<sup>th</sup> District

*Christina D. Sappey*

Christina D. Sappey  
State Representative – 158<sup>th</sup> District

*Kristine C. Howard*

Kristine Howard  
State Representative – 167<sup>th</sup> District