

**Citizens for Pennsylvania's Future * Clean Air Council
Clean Water Action * League of Women Voters of PA * Moms Clean Air Force
Natural Resources Defense Council * Partnership for Policy Integrity
PennEnvironment * Pennsylvania Solar Energy Industries Association * Physicians for
Social Responsibility * Sierra Club * Sustainable Pittsburgh * The Environmental Justice
Center of Chestnut Hill United Methodist Church**

June 6, 2016

Re: Opposition to Senate Bill 1195

Dear Senator:

The undersigned organizations, representing hundreds of thousands of Pennsylvanians, write to state our continuing opposition to Senate Bill 1195, which you may be asked to vote upon this week.

You may have heard that the purpose of SB 1195 is simply to “update” the specific dates in Act 175 of 2014 so that the General Assembly will be sure to “have a voice” in the development of Pennsylvania’s State Plan to implement the federal Clean Power Plan. To be sure, two dates that currently appear in Act 175 (June 30, 2016 in section 4(d)(3), and June 15, 2016 in section 4(e)) make little sense now, because they were based on compliance deadlines set forth in the Clean Power Plan as it was proposed in June, 2014 – not as it was finalized in August, 2015.

In its current form, however, SB 1195 would do more than simply change those dates. The revision that SB 1195 would make to section 4(f) of Act 175 would give the General Assembly power to delay taking action on a State Plan drafted by the DEP for months, if not years, thereby potentially blocking the DEP from submitting the State Plan to the EPA for approval during this period.

The General Assembly already has a voice in the development of Pennsylvania’s State Plan. Senators Argall, Dinniman, Hutchinson, Mensch, Stefano, Teplitz, and Wagner commented during the DEP’s public input process on Clean Power Plan implementation last fall, and the DEP has indicated that it will provide additional opportunities for public input. Moreover, we are mindful of the role that the General Assembly will have in reviewing the State Plan under the Regulatory Review Act. (As you know, the plan will ultimately be implemented through the DEP’s air quality regulations in Title 25, Article III of the Pennsylvania Code).

In light of these facts, the “review” period in section 4(f) can only be read as an instrument of delay. Climate change is the most pressing environmental issue of our time – an existential threat to future generations of Pennsylvanians – and the Clean Power Plan is our most important tool to curb it. Delaying implementation is not a matter of mere inconvenience. It is dangerous, and would deny your constituents the environmental, public health, and economic benefits of a well-crafted State Plan while creating

regulatory uncertainty that chill investments by power generators and hamper their competitiveness.

On behalf of our members, we therefore strongly urge you to oppose SB 1195.

Sincerely,

David Masur, Executive Director
PennEnvironment

Tom Schuster, Senior Campaign
Representative for PA & NJ
Sierra Club

Joseph Otis Minott, Executive Director
Clean Air Council

Matthew Stepp, Policy Director
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Jackson Morris, Director Eastern Energy
Mark Szybist, Senior Program Advocate
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