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HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

November 16, 2006

Alvin C. Bush, Chairman
Independent Regulatory Review Commission
333 Market St, 14th Floor
Harrisburg, PA 17101

RECEIVED
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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Commissioner Bush:

I am writing to you to express serious concerns with the Department of Environmental Protection's (DEP) mercury regulation. I believe the regulation, if implemented, is not in the best interest of the citizens of our Commonwealth.

While I appreciate and support efforts to reduce mercury emissions both nationally and in Pennsylvania, I do not believe the regulation before you is the best regulatory approach to protect our environment, public health, the economy or jobs. As submitted, I believe DEP's mercury regulation, at a time when the Administration is advocating alternatives to foreign energy resources, will significantly impact the state's coal production and its related jobs.

I am asking you to disapprove the regulation so that all sides can work together to reach a consensus solution to this highly controversial issue. I feel it is possible to amend the proposed regulation to control mercury emissions well beyond federal standards in a way that *protects* our environment and economy. I also believe it is important to *allow* coal-fired plants to participate in an interstate trading program to meet the federal cap.

I encourage the Independent Regulatory Review Commission to exercise the legislative intent of the Regulatory Review Act as outlined in section 2(a) of the Act by encouraging "the resolution of objections to a regulation and the reaching of a consensus among the commission, the standing committees, interested parties and the agency." As much as this issue has been debated, there is yet to be a meaningful dialogue between all parties on this regulation.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink that reads "Sam Smith".
Sam Smith
Majority Leader