



Senate Environmental Resources and Energy Committee

Senator Mary Jo White
Chairman

Patrick Henderson, Executive Director

Room 169 • State Capitol Building
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June 29, 2010

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INDEPENDENT REGULATORY
REVIEW COMMISSION

John Hanger, Chairman
Environmental Quality Board
16th Floor Rachel Carson Building
Harrisburg, PA 17105

Re: **Reg. # 7-440** (Erosion & Sediment Control)
Reg. # 7-446 (Wastewater Treatment Requirements)

Dear Secretary Hanger:

I am writing to inform you that the Committee does not intend to take any formal action on the above-referenced final rulemakings. While several issues remain outstanding, my colleagues and I believe it is more productive to try to address these concerns legislatively. As such, the Environmental Quality Board (EQB) is authorized to proceed with its promulgation of these rulemakings at the conclusion of the Committee's 14 day review period on July 2nd.

The Senate Environmental Resources and Energy Committee, during this legislative session and historically, has demonstrated a strong commitment to clean water standards based on sound science and an overriding concern for protecting human health and aquatic life. While legitimate concerns are raised from time to time on the details of a specific rulemaking, there is no disagreement over our shared responsibility and commitment to protect our natural resources.

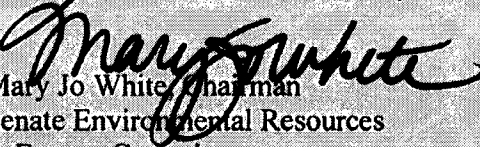
With respect to Marcellus Shale oversight, I also believe our Committee shares your view that we must make the safety, health and welfare of our citizens our top priority. Last year, we supported in a bipartisan manner the EQB's increase of oil and gas permitting fees, which has enabled the Department of Environmental Protection (DEP) to nearly double its inspection and permitting staff and open regional offices closer to the communities directly impacted by drilling activity. We also worked with you and Governor Rendell to enact legislation sponsored by Senator Gene Yaw (Act 15) that contains important and needed updates to our well reporting statute, which provides public access to well production data.

In addition, the Committee now has before it for review the EQB's proposed revisions to Chapter 78, which govern and strengthen the Commonwealth's well construction standards. I appreciate your accommodation of my suggestion to schedule public meetings across the Commonwealth on these proposed revisions later this summer. This will lead to a better informed public and expand opportunities for review and comment. This effort by DEP is in line with Senate Bill 1092, legislation approved by the Committee earlier this session to strengthen well construction standards. We also look forward to working with you to address updated well bonding, emergency response and well-site safety standards, as discussed at our recent Committee public briefing.

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Thank you again for your continued willingness to work cooperatively to address the concerns and interests of members of the Committee.

Sincerely,


Mary Jo White, Chairman
Senate Environmental Resources
& Energy Committee

cc: Senate Environmental Resources & Energy Committee Members