



January 13, 2021

Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

Re: Proposed Rulemaking Entitled CO2 Budget Trading Program (#7-559)

To Whom It May Concern:

On behalf of Con-Stone Inc., I write in strong opposition to the proposed rulemaking entitled "CO2 Budget Trading Program (#7-559)," which was published in the Pennsylvania Bulletin on November 7, 2020 and intended to facilitate Pennsylvania's entry into the Regional Greenhouse Gas Initiative (RGGI).

Con-Stone, Inc. is a family owned business in operation since 1992 providing environmentally friendly high calcium carbonate limestone to various electric producing coal fired generating stations in the Commonwealth of Pennsylvania. We are located in Aaronsburg, Centre County, Pennsylvania and are the single largest supplier of environmentally friendly high calcium carbonate limestone to the Keystone and Conemaugh coal-fired electric generation plants in Indiana County. In addition to the Conemaugh and Keystone electric generating plants, our environmentally friendly high calcium carbonate limestone has been or currently used by Homer City in western Pennsylvania as well as Brunner Island electric generating plant, located near Harrisburg. We are the sole supplier of environmentally friendly high calcium carbonate limestone to the Montour electric generating plant located in North Central Pennsylvania. Our environmentally friendly high calcium carbonate limestone products are used by the Keystone and Conemaugh plants, as well as Brunner Island, Homer City and Montour generating plants, to facilitate plant compliance with state and federal environmental controls. We employ 12 full-time employees and pay family sustaining wages to our employees. We also work with an enormous amount of contractors who employ individuals and that pay family sustaining wages and who support our operations to produce and transport our environmentally friendly products to the electric power generating plants.

We were only recently made aware of the Wolf Administrations efforts to join RGGI, which would impose a tax on nearly two-thirds of Pennsylvania coal and natural gas plants, and from what we have learned since, will lead to the premature and likely near immediate closure of all coal plants in Pennsylvania, along with some natural gas plants. Since learning about RGGI, and its impacts to our largest customer, we immediately reached out to our State House and Senate members, Senator Jake Corman and Representative Kerry Benninghoff , to express our concern.

During our discussions with Senator Corman and Representative Benninghoff, we further learned that the Pennsylvania Department of Environmental Protection (DEP) intends to join RGGI by implementing a regulation, and does not intend to seek consideration or approval from the Pennsylvania General Assembly. This does not make sense. A policy such as RGGI must be a decision made by the legislature, not some state agency. That is why we have a legislature to make policy decisions that impact their constituents. The executive branch is supposed to implement, not make laws.

The more we learn about RGGI, the bigger our concerns for our company, our customers and our communities. RGGI will prematurely shut down electric plants that employ and support thousands of jobs, including jobs at Con-Stone and our enormous amount of supporting contractors, not to mention

increase electric rates for all Pennsylvanians. And, since Pennsylvania coal and natural gas plant competitors in non-RGGI states, like West Virginia and Ohio, will simply generate electricity (and emissions and jobs) to make up for what is lost in PA, there are NO ENVIRONMENTAL BENEFITS to RGGI. This could very well be part of the reason why the Pennsylvania legislature has yet to consider passing legislation to join RGGI, but that certainly does not justify the executive branch's unilateral RGGI regulation to end-run the legislature.

We heard after the fact about the so-called virtual "public hearings" in mid-December, which were held over five days and right before Christmas. An internet-based public hearing is simply not practical for many families who live in rural parts of the state that lack reliable access to broadband internet access. We are in the midst of a terrible recession spurred by Governor Wolf's severe lockdown orders and, in the middle of this pandemic, Governor Wolf appears committed to eliminating thousands of good paying jobs, including potentially jobs at Con-Stone, Inc. and its supporting contractors and ensuring that those impacted do not have the opportunity to protest. This is wrong.

Please consider these comments as you decide whether and how to move forward with the RGGI regulation.

Regards,

Irvin L. Confer
President
Con-Stone, Inc.