



Testimony for the CO2 Budget Trading Program Regulation  
Before the Pennsylvania Department of Environmental Protection  
Virtual Hearing  
December 9, 2020  
Submitted by Audra J. Wolfe

My name is Audra Wolfe, and I am a resident of Philadelphia, Pennsylvania. Thank you for the opportunity to speak at this virtual public hearing.

In Philadelphia, where I live, we routinely breathe in some of the dirtiest air in the country. We know that air pollution disproportionately affects black, brown, and low-income communities, and that emissions affect workers as well as residents. We know that polluting industries take advantage of racism, apathy, and economic desperation to locate their facilities in areas that don't have the political power to stop them.

Many, if not most, of these polluting sites are the legacy of Pennsylvania's fossil fuel economy. Ever since Edwin Drake drilled the first oil well in Titusville in 1859, the state's approach to regulating fossil fuels has shown an alarming willingness to sacrifice the long-term welfare of its inhabitants in exchange for short-term boosts to its economy. I experienced this first-hand in the summer of 2019, when the boom and light from the explosion at the PES Refinery woke me up and filled my bedroom with an eerie yellow light.

Today, Pennsylvania is the second-largest producer of energy in the country. While joining the Regional Greenhouse Gas Initiative, or RGGI, will not solve all of Pennsylvania's pollution problems, joining the bipartisan program would be an important first step in cutting the state's pollution. It would also raise hundreds of millions of dollars that the state could use to address the environmental and social harms created by more than a century-and-a-half of fossil fuel extraction.

In Pennsylvania, our state constitution grants citizens the right to clean air.<sup>1</sup> But access to this right is uneven. One specific way that the regulatory system fails our citizens is by relying the very companies that pollute as the primary source of air quality monitoring data. In January of this year, NBC News reported that the PES Refinery had been releasing extraordinarily high levels of benzene for all but 12 weeks between January 2018 and September 2019. During a two-week period in July 2019, after the explosion, the readings were literally off the charts, showing benzene levels more than 21 times higher than the EPA's recommendations.<sup>2</sup>

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<sup>1</sup> <https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/00/00.001.027.000..HTM>

<sup>2</sup> <https://www.nbcnews.com/science/environment/massive-oil-refinery-leaks-toxic-chemical-middle-philadelphia-n1115336>

I live less than two miles from the refinery's north gate. Like so many Philadelphians, I have asthma. It's usually controlled, but for most of the summer of 2019, I just couldn't catch my breath.

The terror of the refinery explosion and the trickle of information afterwards highlight two things relevant to the rules-making process for RGGI. First, that the current regulatory environment puts the public's safety in the hands of the people whose very operations threaten our health. Second, that risk is not distributed equally. A 2017 report from the NAACP and the Clean Air Task Force showed that African Americans are 75 percent more likely than other Americans to live in fenceline communities<sup>3</sup>—and Philadelphia's refinery is a classic case of this pattern.<sup>4</sup>

The RGGI program offers an opportunity for Pennsylvania to begin righting some of these wrongs, even those that are not directly related to electricity generation. The program must be implemented with care, so that emissions allowances do not disproportionately end up in the hands of dirty plants, which may themselves be disproportionately located in disadvantaged communities that host other polluting facilities that may or may not be covered by RGGI.

I urge the DEP to use the funds generated by the auction fees to redress the harms of a century-and-a-half of environmental racism in Pennsylvania. As a starting point, environmental justice communities who do not see an immediate decrease in emission levels should receive no less than 20 percent of the funds earned from RGGI to fund environmental and health mitigation projects. For example, funds could be used for energy retrofits for low-income homeowners in environmental justice communities, which would have the simultaneous effect of lowering their energy costs and lowering emissions by reducing energy demands.

The funds also present an opportunity for the DEP to invest in a more robust air monitoring system that would allow the state to protect its citizens without relying so heavily on reporting from polluters. RGGI and its associated funds offer an opportunity for the state to fulfill its constitutionally mandated responsibility to ensure clean air and clean water for its residents.

Implemented properly, RGGI can help Pennsylvania begin to understand the legacy of its fossil fuel economy and repair the damage it has caused.

Thank you for considering my testimony.

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<sup>3</sup> [https://www.naacp.org/wp-content/uploads/2017/11/Fumes-Across-the-Fence-Line\\_NAACP-and-CATF-Study.pdf](https://www.naacp.org/wp-content/uploads/2017/11/Fumes-Across-the-Fence-Line_NAACP-and-CATF-Study.pdf)

<sup>4</sup> <https://www.nytimes.com/2020/07/28/magazine/pollution-philadelphia-black-americans.html>