



**Testimony of Mark Szybist on Behalf of Natural Resources Defense Council (NRDC)  
in Support of the Department of Environmental Protection's  
Proposed CO2 Budget Trading Program**

**November 10, 2020**

Good evening, and thank you for the opportunity to comment on the Department's proposed CO2 budget trading program.

My name is Mark Szybist; I am a senior attorney for the Natural Resources Defense Council and am speaking on NRDC's behalf tonight. NRDC is a nationwide, member-based environmental organization with more than 90,000 members and supporters in Pennsylvania; I lead NRDC's climate and clean energy work in the Commonwealth.

NRDC strongly supports Pennsylvania's participation in the Regional Greenhouse Gas Initiative. Based on RGGI's past performance, and on analysis done by the DEP, NRDC, and others, it is plain that RGGI will enable the Commonwealth both to reduce carbon pollution and, through the investment of allowance auction proceeds, to help create an equitable clean energy economy. We therefore ask the Environmental Quality Board to promulgate the Department's proposed rulemaking as a final regulation, with modifications that we will detail in our written comments.

I will use my remaining time tonight to situate RGGI within two important stories – one about energy in Pennsylvania and the other about the relationship between climate policy, on one hand, and social and economic justice, on the other -and to explain how RGGI makes sense as the next chapter in both stories.

The Pennsylvania energy story is one the DEP has heard in various forms throughout these public hearings. Mostly it is about fossil fuels: the Pennsylvania coal that fueled the industrial revolution; the drilling of the world's first commercial oil well in Titusville; the chance at a middle-class life that fossil fuels have represented for many Pennsylvanians; and of course the pollution, sickness, and death that extracting and burning fossil fuels have caused, and the changing climate.

By the start of the current century, both the sources and the dangers of climate change had long been clear. It was also apparent that viable alternatives existed to burning fossil fuels. And Pennsylvania began to look to a clean energy future.

First, in 2004, the General Assembly established renewable energy targets in the Alternative Energy Portfolio Standards Act; then, In 2008, the legislature required electric utilities to establish efficiency and conservation programs and required the DEP to study the impacts of climate change and recommend mitigation measures.

But even as those laws were being written, something else was happening in Pennsylvania: fracking was starting. And from an energy perspective, the decade between 2010 to 2020 was about nothing if not shale gas and the legislature's romance with shale gas. For climate and clean energy policymaking it was mostly a lost decade, with the urgent need to address climate change either ignored or, perversely, presented as a reason we need to burn gas.

As to my second story, about the relationship of environmental and climate policy to justice, it bears remembering that as proud as we are of Rachel Carson in Pennsylvania, the environmental movement in the United States didn't start with Silent Spring, with pesticides and songbirds. It began with working people in the country's industrial economy - the textile and mills and tanneries and slaughterhouses. The

pollution those industries produced endangered public health – and the industries’ workers. For that reason, labor unions were leaders in fighting pollution. In 1967, for example, the United Auto Workers established a Department of Conservation and Resource Development, “because our members and their families are directly affected by the environment around them, both inside and outside of the plants in which they work.”

But then two things happened. First, after World War II the environmental and labor movements achieved significant successes in passing laws to control pollution and improve worker safety. Environmental issues became less urgent for labor, and the environmental movement focused increasingly on climate change.

Second, and more important, starting in the 1970s policymakers began to change the U.S. economy in ways that have made the lives of working people increasingly insecure.

Where are we today? Last month the Ohio River Valley Institute published an analysis concluding that without changes to policy, more than 7 in 10 of the annual job openings in the Ohio Valley region between now and 2028 will pay less than what it takes to meet minimum standards of living.

The policy decisions that led to these circumstances are many, and they occurred in many areas: trade, anti-trust, intellectual property, financial services regulation, and so on. The point is that the circumstances are largely the result of policy decisions, not natural forces or the invisible hand of the market. It follows that better policy decisions can reverse the negative trends of recent decades.

Bayard Rustin, the great civil rights leader from West Chester, Pennsylvania, once criticized the abolitionists who campaigned against slavery before the Civil War because they viewed slavery solely as a moral problem, and lacked an economic and social program for what was to be done after the war was concluded.

In recent years, the climate movement has begun to recognize that it needs an economic and social program for climate change, and that because of past and continuing racism in the United States, it also needs an anti-racist program.

The Department has already heard some version of these truths from many commenters. I will close by reiterating that RGGI can be, and the Department should ensure that it is, not just a program to cut carbon pollution and put Pennsylvania back on the clean energy path it strayed from when fracking arrived, but also a program to invest in environmental justice communities and communities are being affected by the transition away from fossil fuels.

Thank you again for the opportunity to comment.