



# Citizens Advisory Council

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to the Department of Environmental Protection

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June 19, 2007

The Honorable Mary Jo White  
Senate of Pennsylvania  
Senate Box 203021  
281 Main Capitol  
Harrisburg, PA 17120-3021

Dear Senator White:

The Citizens Advisory Council to the Department of Environmental Protection has been discussing Senate Bill 354, which would amend the Environmental Quality Board's petition process, specifically, the scope of rulemaking petitions that can be submitted to the Environmental Quality Board.

At our May Council meeting, Patrick Henderson was in attendance and indicated that an amendment to the bill would be offered soon to clarify the intent of the bill. We would appreciate receiving the amended language when it is available.

As currently written, SB 354 would put restrictions on the petition process by disallowing any petition seeking to establish control measures, standards or any other requirement for an emission or discharge which is not necessary to achieve maintain or satisfy the requirements of a federal or state environmental statute.

Concerns have been raised by Council members that SB 354 would curtail an existing right for citizens to petition the regulatory arm of the department to request a regulatory change, whether it would be an amendment to an existing regulation, a new approach to regulating, or a new regulation altogether.

In order to better evaluate the pros and cons of the proposal, Council members respectfully request further information on the following:



- What specific concern(s) is it intended to address?
- What kinds of petitions would the bill impact?
- How does the proposal enhance public participation in decision-making?
- What are the benefits to the citizens of the Commonwealth? What are the adverse impacts to the citizenry?
- How might this proposal affect environmental justice communities? There are concerns that it further restricts regulatory access that may have been insufficient to begin with.

We look forward to receiving the information requested above.

Sincerely,



Susan M. Wilson  
Executive Director  
Citizens Advisory Council

Cc: Secretary McGinty  
Senate ER&E Committee  
House ER&E Committee