

Air Quality Technical Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

June 23, 2011

Honorable Michael L. Krancer
Secretary
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Re: Final-omitted rulemaking for the repeal of Employer Trip Reduction regulation

Dear Secretary Krancer:

On June 23, 2011, the Air Quality Technical Advisory Committee (Committee) discussed the final-omitted rulemaking to repeal requirements in 25 *Pa. Code* Chapter 126, Subchapter B (relating to Employer Trip Reduction) and Chapter 126, Appendix A (relating to target areas for the Philadelphia severe ozone nonattainment area), and delete certain supporting terms and definitions in 25 *Pa. Code* § 121.1 (relating to definitions) promulgated at 24 *Pa.B.* 693 (January 29, 1994).

In November 1994, the Pennsylvania General Assembly passed Act 95 of 1994, which required the Governor to suspend implementation and enforcement of the Employer Trip Reduction (ETR) program until March 31, 1995, or until an alternative program with equivalent emission reductions was developed. In February 1996, the Department published a policy document (Doc #271-5000-001) which states that the Department would rescind the ETR regulation if the CAA was amended to make the program voluntary; the revision to the CAA making the program voluntary occurred in 1995. (PL 104-70, December 23, 1995)

The Committee voted 11-2-2 to concur with the Department's recommendation to present the final-omitted rulemaking to the Environmental Quality Board for consideration.

Sincerely,



Patrick K. O'Neill Esq.
Chair