

To: All Members, House of Representatives
From: Undersigned Pennsylvania Organizations
Re: Oppose HB542, HB453, and HB118, 'Demolish the DEP' Budget Bills
Date: August 17, 2017

Dear Pennsylvania House of Representatives:

House Bills 542, 453, 118 violate the Constitutional Environmental Rights of all Pennsylvanians. These bills set up a perilous process that undermines the Commonwealth's fair and reliable implementation of its laws and the requirements of the Environmental Rights Amendment of the Constitution. These bills decimate the DEP by:

- Outsourcing the Department of Environmental Protection's (DEP) core responsibilities to be carried out by private industry: These bills give industry the ability to essentially write and review its own permits using private consultants rather than DEP officials. This, slants the process toward degradation and exploitation rather than protection of communities. This change would impact every environmental permit, not only shale gas permits.
- Imposing harshly inadequate review timelines: These bills favor the granting of shale gas permits by automatically granting approval if DEP does not act within a limited time frame, even if there is insufficient information about degradation to the local environment and human health, and even if degradation is likely to occur. There is even a money-back guarantee if DEP finds an application deficient and in need of more review, despite the costs DEP will incur in carrying out its duties.
- Institutionalizing industrial influence: The bills fail to guard against self-dealing, allowing industry to pick from a set of private contractors review its permits, even when a clear conflict of interest exists. The package of bills also creates a panel of industry supporters to review shale gas air quality permits rather than DEP. This means no conflict of interest test or accountability for reviewers, no public review of permit actions, and no requirements regarding constitutional responsibilities.
- Deepening environmental injustices: The package of bills perpetrates degradation of the environment and public health in places already heavily impacted by pollution. For example, the bills allow for streams to be turned into miles-long dumping grounds for the discharge of more pollution by mining activity and frack wastewater.
- Misappropriating funds: The bills allow for misappropriation of Oil and Gas Lease Funds by failing to require compliance with Article 1, Section 27.

This package of bills is blatantly unconstitutional. We urge you to stand up for a functional Department of Environmental Protection by communicating to House leadership that you will oppose any bill with these or similar provisions.

Signed,

Food & Water Watch

Marcellus Outreach Butler

Center for Coalfield Justice

Southwest PA Environmental Health Project

PSR Pennsylvania

Berks Gas Truth

Delaware Riverkeeper Network

Mountain Watershed Association

Pennsylvania Council of Churches

Unitarian Universalist Pennsylvania Legislative Advocacy Network (UUPLAN)

Clean Water Action

South Hills Area Against Dangerous Drilling (SHAADD)

Elk County C.A.R.E.S.

Westmoreland Marcellus Citizens' Group

Save Our Salem

Pennsylvania Alliance for Clean Water and Air

No Fracking Bucks

Beaver County Marcellus Awareness Group

Protect Penn-Delco

Citizens' Alliance Upholding a Safe Environment

Middletown Coalition for Community Safety

Protect Penn-Trafford

Uwchlan Safety Coalition

Aquashicola/ Pohopoco Watershed Conservancy

LAWPA (Local Authority Western PA)

Damascus Citizens for Sustainability

Upper Burrell Citizens Against Marcellus Pollution UBCAMP

Schuylkill Pipeline Awareness

Pennsylvania Earth Guardians

Marcellus Protest

Allegheny County Clean Air Now

Citizens to Preserve Ligonier Valley

Resolution Media Fund

Sisters of St. Francis of Philadelphia

Energy Justice Network

Thomas Merton Center Ecojustice Working Group

