

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 264 Session of  
2001

INTRODUCED BY DALEY, DeWEESE, PETRONE, HARHAI, SHANER, ROBERTS,  
LESCOVITZ, HALUSKA, KAISER AND TRICH, JUNE 21, 2001

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,  
JUNE 21, 2001

A CONCURRENT RESOLUTION

1 Relating to participation in and legislative approval of  
2 recommendations and reports of the Northeast Regional Haze  
3 Planning Organization prior to implementation in  
4 Pennsylvania, and urging the Department of Environmental  
5 Protection to convene stakeholder process.

6 WHEREAS, The United States Environmental Protection Agency  
7 (U.S. EPA) has promulgated regulations (64 Fed. Reg. 35713, July  
8 1, 1999) establishing a long-term, 65-year program to address  
9 sources of regional haze adversely affecting visibility at  
10 certain national parks and wilderness areas pursuant to  
11 authority vested by the Clean Air Act Amendments of 1990; and

12 WHEREAS, Congress has appropriated funds to U.S. EPA for the  
13 establishment of Regional Planning Organizations (RPOs) to  
14 assist states in the development of long-range plans for  
15 addressing regional haze; and

16 WHEREAS, The Commonwealth of Pennsylvania is a member of the  
17 Ozone Transport Commission (OTC), which is serving as the  
18 Northeast Regional Planning Organization for Regional Haze (NE  
19 RPO) and which has been identified by U.S. EPA as one of five

1 RPOs to assist in the development of regional haze control plans  
2 and policies; and

3 WHEREAS, Reducing emissions contributing to regional haze may  
4 entail costly regulatory control strategies directed at many  
5 sectors of economic activity in the Commonwealth of  
6 Pennsylvania, including electric power generation, various  
7 industrial and manufacturing processes, auto and truck  
8 transportation, burning related to forestry and agriculture, and  
9 construction activities; and

10 WHEREAS, Control strategies for reducing regional haze could  
11 overlap or duplicate those otherwise required to comply with the  
12 National Ambient Air Quality Standards promulgated and revised  
13 from time to time by U.S. EPA for the protection of public  
14 health and welfare; and

15 WHEREAS, Reducing regional haze and protecting visibility in  
16 a cost-effective manner is important to the people and economy  
17 of the Commonwealth of Pennsylvania, is an interstate issue  
18 concerning public welfare, is highly technical and complex and  
19 is subject to alternative control approaches; and

20 WHEREAS, Pennsylvania has taken leadership in the involvement  
21 of stakeholders for the solution of complex environmental  
22 problems through the Department of Environmental Protection's  
23 Southwest Pennsylvania Ozone Stakeholders and Lehigh  
24 Valley/Southeastern Pennsylvania Ozone Stakeholders processes;  
25 and

26 WHEREAS, U.S. EPA regulations providing guidance for the  
27 deliberations of regional planning organizations contemplate  
28 stakeholder involvement in RPO planning and decision making; and

29 WHEREAS, Enhancing public notice and participation in the  
30 regional haze activities of the Northeast Regional Planning

1 Organization for Regional Haze, including the development of  
2 recommendations, reports or interpretations, will help to ensure  
3 public confidence in the fairness of any regulatory requirements  
4 that may be proposed for implementation by the Commonwealth of  
5 Pennsylvania; therefore be it

6       RESOLVED (the House of Representatives of the Commonwealth of  
7 Pennsylvania concurring), That the Secretary of Environmental  
8 Protection of the Commonwealth of Pennsylvania be encouraged to  
9 attend and participate in the proceedings of the OTC acting in  
10 its capacity as Northeast Regional Planning Organization for  
11 Regional Haze and that the Secretary of Environmental Protection  
12 provide an annual report of the activities of the Northeast  
13 Regional Planning Organization for Regional Haze to the General  
14 Assembly; and be it further

15       RESOLVED, That the Secretary of Environmental Protection  
16 convene a stakeholder process among public and private sector  
17 representatives in the Commonwealth of Pennsylvania to help  
18 develop policies and positions on control strategies for  
19 regional haze for communication to the Northeast Regional  
20 Planning Organization for Regional Haze, such process to include  
21 representatives of the General Assembly, the Pennsylvania Public  
22 Utility Commission, public interest and environmental  
23 organizations and affected industries; and be it further

24       RESOLVED, That the Secretary of Environmental Protection seek  
25 to ensure that any reports or recommendations of the Northeast  
26 Regional Planning Organization for Regional Haze are consistent  
27 with the energy and environmental policies of the Commonwealth  
28 of Pennsylvania as reflected by the acts of the General  
29 Assembly; and be it further

30       RESOLVED, That, except as otherwise may be required by

1 Federal law, no final recommendations or report or other action  
2 of the Northeast Regional Planning Organization for Regional  
3 Haze impose any new or different requirements upon the regulated  
4 community or citizens of the Commonwealth of Pennsylvania unless  
5 approved or enacted by the General Assembly; and be it further  
6       RESOLVED, That copies of this resolution be transmitted to  
7 the Governor; each member of the Congress of the United States  
8 from Pennsylvania; the Secretary of Environmental Protection;  
9 the chairman, members and executive director of the Pennsylvania  
10 Public Utility Commission; the Administrator and Region III  
11 Administrator of the United States Environmental Protection  
12 Agency; and the executive director of the Northeast Ozone  
13 Transport Commission.