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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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CO-SPONSORSHIP MEMORANDUM

TO: All House Members

FROM: Representative Austin Davis

DATE: December 16, 2020

SUBJECT: Air Pollution Violations at Major Facilities

Each day, we breathe roughly 3,000 gallons of air. As humans, we can go without food for weeks, water for a couple of days, but only a few minutes without oxygen. These facts illustrate the importance of air in our daily lives.

Unfortunately, dangerous and excessive emissions of pollutants are sometimes released into the air by industrial facilities. These emissions can cause the eyes and nose to burn, and irritate throats and airways. They are of particular concern for older individuals and those who have asthma and other respiratory conditions.

Recent air pollution violations at the Clairton Coke Works facility, which is located in my legislative district, as well as those that have occurred at the Philadelphia Energy Solutions refinery, illustrate the need for both a comprehensive approach to monitoring air quality and the establishment of response plans for industrial sites. To ensure the health and safety of the Commonwealth's residents, I believe that more needs to be done to hold companies that violate air pollution regulations responsible for their actions.

Current fines and penalties for air quality violations have not been changed for decades and provide little financial incentive for billion-dollar operations to abide by air quality standards and regulations. I believe that any large company that is guilty of such a violation should feel the impact of a fine so that it is no longer viewed as a mere cost of doing business. It is my hope that larger fines would act as a deterrent to additional pollution violations and encourage companies to invest in new technologies to avoid future incidents.

With this in mind, I will be introducing legislation that would increase fines for major facilities that violate air pollution regulations. Furthermore, this legislation would require all major facilities to develop and maintain a municipal notification plan designed to give notice to immediate and surrounding communities whenever an air quality violation or pollution-related incident occurs. The Pennsylvania Department of Environmental Protection or a designated local air pollution control agency would have jurisdiction over major facilities and, if necessary, could require revisions to a facility's municipal notification plan.

Please join me in taking the necessary steps to better protect the health and safety of the residents of Pennsylvania by better ensuring air quality standards throughout the Commonwealth.