

Montgomery County
House Republican Delegation

Raymond Bunt, Jr., Chairman

Ellen Bard, Vice Chairperson

Mary Ann Dailey, Secretary

Eugene F. McGill, Treasurer



House of Representatives

COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

March 4, 2003

Montgomery County Board of Commissioners
County of Montgomery Courthouse
P.O. Box 311
Norristown, PA 19404-0311

Dear Honorable Commissioners:

Recently, you alerted the entire House legislative delegation of Montgomery County and copied the Senate and House Committees on Environmental Resources and Energy expressing the serious concerns of the Board of Commissioners along with the Board of Directors of the Waste System Authority of Eastern Montgomery County regarding the proposed regulation on Nitrous Oxide (NOx) emissions. We also want to thank you for enclosing the November 25, 2002 statement of Dr. Tim Hartman, as he presented to the DEP at a public hearing on this matter.


It is our understanding that due to the importance of this proposed rulemaking to the resource recovery facilities of the Commonwealth, Representative Arthur D. Hershey, Majority Chairman of the House Committee on Environmental Resources and Energy has met with representatives of the different industries, which would be negatively impacted by this proposed rulemaking. Mr. Tim Hartman, the Executive Director of the Waste System Authority of Eastern Montgomery County was among the concerned parties who met with Chairman Hershey. Apparently, the discussion at the meeting clarified the key problems of this regulatory proposal which even ignored the Federal Environmental Protection Agency's recommendation for flexibility to achieve the NOx reductions by implementing a variety of technologies as applied to different sizes and types of internal combustion engines. The apparent infeasibility of the existing technology to even make such additional reductions in NOx emissions along with the extremely high cost which would be passed onto the consumer. It has also come to our attention that during the formulation of this proposed rulemaking, the DEP did not respond to the request of the Air Quality Technical Advisory Committee (AQTAC) to supply information in support of the technical feasibility of these limits. The department also apparently ignored the request of AQTAC for the department to incorporate the flexible approach in the use of technologies to reduce NOx, as endorsed by the federal EPA in its August 22, 2002 memorandum.

Again, thank you for bringing the very valid and serious concerns of the Board of Commissioners and of the Board of Directors of the Waste System Authority of Eastern Montgomery County to our attention. In the near future Representative Arthur D. Hershey, the Majority Chairman of the House Committee on Environmental Resources and Energy will prepare a letter to the DEP and to the Independent Regulatory Review Commission in support of the concerns expressed by the resources recovery facilities and other industries that would also be onerously impacted by such a regulatory proposal. It is our conviction that our environmental regulations must be based on sound, tested science in order to produce truly effective improvements in pollution reduction. With this point in mind, we certainly

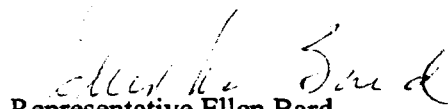
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concur with your concerns as Commissioners of Montgomery County. Should you have other questions about any other environmental matter before the General Assembly, please do not hesitate to contact me.

Sincerely,



Representative Raymond Bunt, Jr.
147th Legislative District



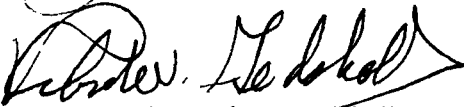
Representative Ellen Bard
153rd Legislative District



Representative Mary Ann Dailey
146th Legislative District



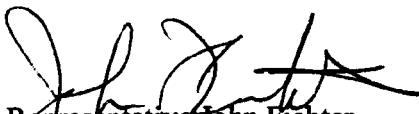
Representative Eugene McGill
151st Legislative District



Representative Robert Godshall
53rd Legislative District



Representative Kate Harper
61st Legislative District



Representative John Fichter
70th Legislative District



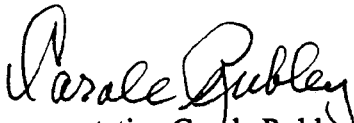
Representative Melissa Weber
148th Legislative District



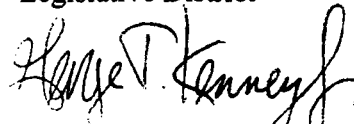
Representative Jacqueline Crahalla
150th Legislative District



Representative Roy Cornell
152nd Legislative District



Representative Carole Rubley
157th Legislative District



Representative George Kenney
170th Legislative District

cc: Representative Art Hershey

RB/lh