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DEPARTMENT OF ENVIRONMENTAL PROTECTION
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December 3, 2012

David Sumner
Executive Director
Independent Regulatory Review Commission
14th Floor
333 Market Street
Harrisburg, PA 17120

Re: Emergency Certification Final-Omitted Rulemaking – Emergency Response at Unconventional Well Sites (#7-479)

Dear Mr. Sumner:

Please find enclosed a certification from the Pennsylvania Emergency Management Agency (PEMA) which supplements the rulemaking documentation provided to your office on November 29, 2012, concerning the above subject rulemaking. The certification, as signed by PEMA Director Glenn Cannon, attests to PEMA's endorsement of the emergency certification final-omitted rulemaking, including that PEMA and the Pennsylvania Department of Environmental Protection worked in concert on the rulemaking.

Please contact me at 717.783.8727 or by e-mail at mtate@pa.gov if you have any questions regarding this memorandum or the enclosed certification.

Sincerely,

Michele L. Tate

Michele L. Tate
Regulatory Coordinator

Enclosure

cc: Shawn Smith, Deputy General Counsel, Office of General Counsel



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CERTIFICATION

As Director of the Pennsylvania Emergency Management Authority (PEMA), I fully endorse the regulation entitled "Emergency Response Planning at Unconventional Well Sites," amending 25 Pa. Code 78, which was approved by the Environmental Quality Board (EQB) on November 20, 2012. I attended the EQB meeting and jointly presented the regulation to the EQB along with Scott Perry, the Deputy Secretary for Oil and Gas Management at the Department of Environmental Protection (DEP).

I am aware of the statutory provision authorizing the regulation, contained in the Act of February 2, 2012, P.L. 67, Act 9 (Act 9), which provides that "[PEMA] and the Department of Environmental Protection shall adopt emergency regulations" such as the regulation approved by the EQB on November 20, 2012. PEMA and DEP worked together in concert to develop the regulation. I agree that the EQB should adopt the regulation because DEP inspectors will be responsible to enforce the well site requirements of the regulation.

Glenn M. Cannon

November 29, 2012

Glenn M. Cannon, Esq.
Director, PA Emergency Management Agency