

BEFORE THE ENVIRONMENTAL HEARING BOARD  
OF THE COMMONWEALTH OF PENNSYLVANIA

\* \* \* \* \*

IN RE: CLEAN POWER PLAN LISTENING SESSION

\* \* \* \* \*

BEFORE: JOHN QUIGLEY, Secretary  
MARCUS KOHL, Regional Director

HEARING: Friday, October 30, 2015  
1:52 p.m.

LOCATION: The Pennsylvania State University  
DuBois Campus  
7 Hiller Building, Auditorium  
One College Place  
DuBois, PA 15801

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SECRETARY QUIGLEY:

Good afternoon. My name's John Quigley. I'm the Secretary of the Department of Environmental Protection. I'd like to welcome you to DEP's 13th listening session on Pennsylvania's path to compliance with the EPA's Clean Power Plan. I'm joined here this afternoon by my DEP colleague, Marcus Kohl, who is the Regional Director of our North-Central Regional Office. Before we get started, let me just give you a little bit of background about why we're here and put this into context.

On August 3rd, 2015, the U.S. Environmental Protection Agency released a final Clean Power Plan, which sets carbon dioxide emission standards for power plants and establishes customized goals for states to reduce carbon dioxide emissions, with the goal of overall 32 percent nationwide reduction by 2030. Carbon dioxide is the primary pollutant causing climate disruption, accounting for about 84 percent of all U.S. greenhouse gas emissions.

Under the Federal Clean Air Act, each state is required to develop a state-specific compliance plan to meet individual state targets set

1 by EPA or be subject to a federal plan. Pennsylvania  
2 will draft a state plan to comply with the Clean Power  
3 Plan that's tailor made for our state's economy and  
4 people, protecting our indigenous resources and our  
5 position as a net energy exporter.

6                   In order to develop that specific  
7 Pennsylvania plan, we're seeking the comments and  
8 feedback of many stakeholders, including the General  
9 Assembly, industry and citizens throughout this  
10 process. Our goal is to submit a plan to EPA by the  
11 September 6th, 2016 deadline.

12                   Under the Clean Power Plan, Pennsylvania  
13 is required to reduce our state's carbon emissions by  
14 33 percent by 2030. We view the Clean Power Plan as  
15 presenting some major opportunities for Pennsylvania.  
16 First, it's an opportunity for engagement with our  
17 citizens and our stakeholders. We designed a very  
18 thoughtful process to do that. We're conducting an  
19 unprecedented 14 listening sessions around the state,  
20 and we're nearing the end of a 60-day public comment  
21 period that will close on November 12th. Our  
22 intention here is to gather input from all  
23 stakeholders before we write our plan. We're in full  
24 listening mode, and we're asking Pennsylvanians to  
25 advise us on how we meet the goals of the Clean Power

1 Plan.

2                   Of these 14 listening sessions, 10 of  
3 them are located either in or adjacent to  
4 environmental justice communities. That's where 20  
5 percent or more of the citizens live below the poverty  
6 line and/or 30 percent or more of the population is a  
7 minority. That's a welcome area of emphasis by EPA,  
8 and frankly, it's the right thing to do to engage  
9 vulnerable populations about this issue. We're also  
10 committed, as we go forward, to ensure that  
11 affordable, reliable energy is available to these  
12 communities as well as reducing the pollution that  
13 harms them.

14                   We also see opportunities for industry  
15 in Pennsylvania. We believe that we can continue to  
16 be a net energy exporter and maintain that role and  
17 create jobs that will grow our economy at the same  
18 time we cut pollution. Clean power is key to creating  
19 jobs that pay in the 21st century. And we will make  
20 sure that the plan that Pennsylvania proposes  
21 encourages those industries that can provide it. I  
22 think there's an enormous opportunity for us to  
23 demonstrate sustainability to the nation.

24                   We believe that the goals of the Clean  
25 Power Plan are ambitious but achievable. And now

1 we're going to get into a little math. In 2007,  
2 Pennsylvania sources that are subject to the Clean  
3 Power Plan Rule were emitting 134 million tons of  
4 carbon dioxide. Seven years later, by 2014, because  
5 of the Great Recession and changes in electricity  
6 markets, including fuel switching to cheap natural gas  
7 from coal, as well as from other --- compliance from  
8 other environmental regulations, Pennsylvania's state  
9 emissions had decreased from 134 million tons to 107  
10 million tons, a reduction of about 20 percent from  
11 2007 emission levels.

12                    Pennsylvania will enter the compliance  
13 period in 2022 with a suggested target of 106.6  
14 million tons of CO<sub>2</sub>, essentially what we're emitting  
15 right now. Then over the next eight years, by 2030,  
16 the state will have to reduce its emissions to 91  
17 million tons. So between 2007 and 2014,  
18 Pennsylvania's CO<sub>2</sub> emissions fell 27 million tons.  
19 And between 2022 and 2030, they'll need to fall  
20 another 15.6 million tons. The Clean Power Plan will  
21 require a coordinated and concerted effort, including  
22 the focus on renewable energy and energy efficiency.  
23 But the goals of the Clean Power Plan can certainly be  
24 achieved by Pennsylvania.

25                    And indeed, in terms of compliance

1 opportunities in Pennsylvania, we're in a unique  
2 position because of our diverse energy portfolio.  
3 We're the number one energy exporting state in the  
4 nation, the number two energy generator in the nation,  
5 the number two nuclear power generator state in the  
6 nation. We're the number two producer of natural gas  
7 in the United States. We're 4th in coal production,  
8 it's 12th in wind capacity and 16th --- or 12th in  
9 solar capacity and 16th in wind capacity. So clearly,  
10 we have a diverse energy mix and a rich set of  
11 indigenous resources that are inextricably tied to  
12 Pennsylvania's economy and that are going to play a  
13 part in our thinking as we develop a Clean Power Plan  
14 that works for Pennsylvania.

15                   As you may know, we're soliciting  
16 comments on a number of questions, about 21 in total.  
17 Should we adopt a rate-based or a mass-based plan?  
18 How would we treat allowances under a mass-based  
19 program? Should we adopt a trade-ready plan and  
20 engage in trading with other states? What is the role  
21 of renewable energy, what is the role of energy  
22 efficiency in our planning process? Should we take  
23 advantage of the clean energy incentive program, which  
24 is a two-year program in 2020 and 2021, immediately  
25 before the compliance period starts, where any energy

1 efficiency projects in low-income communities or any  
2 renewable energy that comes online generates double  
3 credits? There's a real potential there for us to  
4 take advantage of that. So what should that look  
5 like? We are very concerned about least cost  
6 compliance options and electricity reliability. How  
7 do we maintain a diverse fuel mix? And how can we  
8 protect Pennsylvania's position as a net energy  
9 exporter?

10                   And certainly, what about those  
11 vulnerable communities that are experiencing adverse  
12 disproportionate impacts of climate change and air  
13 pollution as well as energy costs? How can their  
14 needs be taken care of in a Clean Power Plan? So lots  
15 of questions.

16                   And we're hoping that this afternoon,  
17 you today along with folks who have testified at the  
18 previous hearing will help us figure out some of those  
19 answers. This listening session this afternoon is  
20 part of a very important dialogue. And we really are  
21 early in the process in terms of our thinking. We  
22 have not picked up the pen yet.

23                   In addition to, or in place of, verbal  
24 comments presented at today's session, interested  
25 persons may also submit written comments. Written and

1 verbal comments hold the same weight when considered  
2 in the drafting of our compliance plan. All comments  
3 provided become part of the official public record and  
4 will be made publicly available on the DEP website.  
5 If you go to our homepage, there's an e-comment  
6 button. Click on that e-comment button, and it will  
7 take you to all of the comments that we have received  
8 under the Clean Power Plan. All written comments  
9 should be received by DEP on or before November 12th.  
10 And, again, will be made available and can be  
11 submitted through that e-comment on the portal.

12           A transcript of this afternoon's and  
13 subsequent sessions will be made available. Again, we  
14 have an e-comment portal on the website. And here's  
15 how we're going to proceed, because it's time for me  
16 stop talking and start listening. I will call the  
17 roll, and we'll do it three at a time, like the  
18 batting order. I'd ask you to give copies of your  
19 written testimony to the stenographer and then step to  
20 the podium and give your remarks. We're asking folks  
21 to try to limit their remarks to five minutes. That's  
22 the rule we've had in all of the 12 previous sessions.  
23 So if you folks can do some self-editing and keep to a  
24 five minutes' limit, we would appreciate it.

25           So without further ado, our first

1 speaker will be Mark Adams, who is with Senator  
2 Scarnati's office, followed by Sylvia Neely, followed  
3 by Dave Doney. And I will apologize in advance for  
4 any mispronunciation of names. Is Mark Adams here?  
5 Okay. We'll come back to Mark. Maybe he's just going  
6 to be a little bit late. Sylvia Neely is followed by  
7 Dave Doney, followed by Denise Burkett.

8 MS. NEELY:

9 One copy or two?

10 SECRETARY QUIGLEY:

11 We'll take two if you have them.

12 MS. NEELY:

13 Okay. Thank you so much for giving me  
14 this opportunity to speak to you. My name is Sylvia  
15 Neely. I'm a retired Penn State professor of history  
16 and a group leader of the State College Chapter of  
17 Citizens' Climate Lobby. I just finished teaching a  
18 course entitled, Climate Change: What Is It? Why Does  
19 It Matter? What Can We Do About It? for our local  
20 branch of the Osher Lifelong Learning Institute, OLLI.  
21 After reviewing the science of climate change, I  
22 emphasized costs that we are already bearing because  
23 of more intense storms, flooding, droughts and  
24 sea-level rise. The costs associated with climate  
25 change are large and will get larger the longer we

1 delay.

2                   Our organization, the Citizens' Climate  
3 Lobby, proposes a non-partisan, business-friendly and  
4 simple-to-administer way of solving the problems of  
5 climate change. We are asking Congress to pass a  
6 carbon fee and dividend that would put a steadily  
7 rising fee on carbon in fossil fuels at the source and  
8 then return all of the fees collected to individual  
9 households on an equal basis. This would create an  
10 economic incentive throughout the economy to reduce  
11 fossil fuel use. It would make alternative energy  
12 cheaper by contrast. It would give financial help to  
13 families during the transition to this new energy  
14 system. And it would help the economy in the bargain.  
15 That is the power of harnessing the strengths of our  
16 free-market system instead of relying on government  
17 regulations which require elaborate rules and  
18 expensive bureaucracies to enforce them. With this  
19 plan, companies and individuals make their own choices  
20 about how to spend their money.

21                   A carbon fee and dividend solution can  
22 also be readily implemented at the state level and  
23 would be an ideal system for complying quickly and  
24 efficiency --- efficiently with the requirements of  
25 the Clean Power Plan. It would reduce carbon dioxide

1 emissions more rapidly than a cap-and-trade system or  
2 attempts to regulate emissions. There fortunately is  
3 an example that we can follow. The province of  
4 British Columbia in Canada began a carbon fee and  
5 dividend in 2008. A revenue-neutral tax is applied at  
6 the point of purchase for fossil fuels burned for  
7 electricity, transportation and home heating. And the  
8 revenue is used to reduce personal and business income  
9 taxes. The fee increases incrementally, starting at  
10 \$10 per ton equivalent CO2 in 2008, and it is now \$30  
11 per ton of carbon dioxide equivalent. The results  
12 have been very encouraging, around 15 percent  
13 reduction in emissions after seven years. Rural  
14 households have actually benefitted because of the tax  
15 credit built into the policy. And popular support for  
16 the fee has grown, perhaps because personal income  
17 taxes are now so low.

18           You asked people to speak on the impact  
19 on vulnerable communities. I serve as Chair of the  
20 Board of Interfaith Human Services, a coalition of 32  
21 congregations, that addresses the needs of low-income  
22 families in Centre County. I wrestle every day with  
23 the challenges faced by low-income households to find  
24 affordable housing and pay for heating costs. I give  
25 classes on energy efficiency to people receiving

1 emergency fuel assistance to help them reduce their  
2 bills. But I think, while continuing to help those in  
3 need, that our greatest priority must be to address  
4 climate change because the disruptions that it will  
5 cause will affect the poor first, and they will be  
6 least able to adapt or adjust to these new realities.  
7 The World Bank, whose mission is to reduce poverty  
8 around the world, has shifted its focus to address  
9 climate change as a priority because of the  
10 recognition that unless we rein in emissions, nothing  
11 we do to alleviate poverty will be of any use. The  
12 climate disruptions will overwhelm everything else.  
13 Economists, the World Bank, all political points of  
14 view agree that placing a price on carbon is the  
15 sensible approach to dealing with climate change. A  
16 well-designed carbon fee and dividend can reduce  
17 emissions, help our economies and protect the  
18 vulnerable. So we need this for Pennsylvania. Thank  
19 you.

20 SECRETARY QUIGLEY:

21 Thank you. Next Dave Doney, followed by  
22 Denise Burkett, followed by Janie Lowry.

23 MR. DONEY:

24 Hello. My name's Dave Doney, and I'm  
25 the General Manager of underground operations at

1 Rosebud Mining Company. The coal industry contributes  
2 \$4.5 billion annually into Pennsylvania's economy and  
3 supports over 36,000 family-sustaining and stable jobs  
4 across the state. Rosebud itself has over 1,050  
5 employees, and it is often stated that each mining job  
6 requires three to five supporting jobs for the whole  
7 system to work. That said, there are somewhere around  
8 4,000 direct and indirect jobs that are tied to  
9 Rosebud. That's almost 5,000 jobs across the state  
10 that enable families to raise their children and send  
11 them college if they choose.

12                   People use many words to describe  
13 themselves, from occupational titles like teacher,  
14 fireman or coal miner, to religious or personal-based  
15 values descriptions like Catholic, Protestant and in  
16 today's world, environmentalism --- environmentalist.  
17 When I was a kid, no one would have suggested  
18 environmentalist would rank in there with organized  
19 religions. But I think today some folks have taken it  
20 to that level. I recently heard Alex Epstein, the  
21 author of the book titled, The Moral Case for Fossil  
22 Fuels, speak. He outlined environmentalism's rise and  
23 how it is now acceptable for a lot of people to put  
24 the environment before humans. I shudder at that  
25 thought.

1                   I was taught by my parents, teachers,  
2 pastors and society when I was growing up that nothing  
3 is more important than respect for human life.  
4 Respect for human life must come first and all else  
5 second. Epstein called this being a humanist versus  
6 an environmentalist. I struggle to understand how  
7 environmentalists can deny the fact that the world is  
8 a better place for humans because of fossil fuel use.  
9 Fossil fuels are cheap when compared to renewables.  
10 Fossil fuels provide light for our classrooms, warmth  
11 for our bedrooms, transport us to our workplaces. Our  
12 lives are better with them.

13                   Coal mining provides many jobs. It  
14 provided my granddad's job, my dad's job, my job and  
15 now my son's. Coal mining has provided cheap  
16 electricity to America for decades. A decade ago, it  
17 provided half of the country's electricity, and very  
18 affordably. Fossil fuels and nuclear provide mostly  
19 all of our electricity and is one of the bright spots  
20 that make American economically competitive versus  
21 Europe, a continent with few natural resources.

22                   Lower electricity prices help  
23 manufacturers as well as individuals. It helps the  
24 elderly, the less fortunate, living on fixed incomes,  
25 whose electric bills are a huge chunk of their income.

1 The Clean Power Plan will drastically increase our  
2 energy costs, once implemented. People, particularly  
3 poor people, will be harmed by it. It has been  
4 proclaimed that without the Clean Power Plan, the  
5 earth's temperature will rise by 0.01 degrees  
6 Fahrenheit by the year 2030.

7 I doubt that we can even actually  
8 measure one one-hundredth of a degree, let alone put  
9 it ahead of our citizens' wellbeing. The science is  
10 doubtful, but higher energy prices are for real. I  
11 urge the DEP to apply for and take advantage of the  
12 available two-year extension from the EPA before  
13 submitting a compliance plan. Pennsylvania needs to  
14 take its time to determine all impacts of compliance  
15 and the potential paths forward and to let the legal  
16 challenges fall where they may. The only folks who  
17 will benefit from the Clean Power Plan are the solar  
18 and wind producers in the form of government handouts,  
19 tax credits or CO2 emission credits. These forms of  
20 government handouts have already proven themselves  
21 unsuccessful many times, and the end losers are  
22 citizens like me.

23 Capitalism, left to itself, has proven  
24 coal and fossil fuels to be efficient and in the best  
25 interest of society. The government has to try to

1 manipulate things in order for solar and wind to be  
2 competitive, since the technology is not here today to  
3 make it economical. This is what the Clean Power Plan  
4 tries to do. And as a state, we must get the two-year  
5 extension and study the adverse effects to our  
6 economy. Thank you.

7 SECRETARY QUIGLEY:

8 Thank you.

9 AUDIENCE MEMBER:

10 Who does the speaker represent?

11 SECRETARY QUIGLEY:

12 He doesn't have to identify that. He's  
13 a citizen, just like everybody else.

14 AUDIENCE MEMBER:

15 He did identify himself by an  
16 association. I would certainly like that repeated so  
17 that I could hear it.

18 MR. DONEY:

19 I work for Rosebud Mining Company.

20 AUDIENCE MEMBER:

21 Rosebud?

22 MR. DONEY:

23 Yup.

24 AUDIENCE MEMBER:

25 Okay.

1                   SECRETARY QUIGLEY:

2                   All right, let's proceed. Denise  
3 Burkett, followed by Janie Lowry, followed by Mark  
4 Adams.

5                   MS. BURKETT:

6                   Hi. I am Denise Burkett. As a  
7 Punxsutawney resident, I am well aware of the role  
8 that coal plays in our society. Punxsutawney is a  
9 coal-mining community that I have lived in most of my  
10 life. We have a lot of good people there, good jobs  
11 and just a really nice community to raise our family  
12 in. I grew up in a coal-mining family as many around  
13 me have. My grandpa, my father, like numerous cousins  
14 and brothers have all worked in the coal mines.

15                  My husband now works in the coal mines  
16 as do a lot of people from our community, either  
17 directly employed as a miner or in a lot of indirect  
18 job affiliated with the mining industry. These are  
19 hard working men that are able to support their  
20 families and prosper in our town, due to their  
21 affiliation and jobs within the coal mining industry.  
22 Both of my sons have played multiple sports like  
23 basketball, baseball, football, and while we all sit  
24 on the bleachers, it is amazing to count the families  
25 and the people who are all associated in the coal

1 mining industry.

2                   Not every state is as fortunate as we  
3 are to have our energy resources. And not every  
4 community has the good natural resource jobs like we  
5 do. Maintaining these resources and having a diverse  
6 electric portfolio has enabled Pennsylvania to become  
7 the second largest producer and exporter of energy in  
8 the nation. It also helps keep the price of  
9 electricity low and predictable for businesses and  
10 residents like myself. That's important for someone  
11 like me, a mom raising their children in today's world  
12 where we want a good stable community and a place  
13 where our children can have job opportunities. Low  
14 electricity prices, while seldom thought of is of  
15 major importance issue for us.

16                   I have worked between the Brookville and  
17 Punxsutawney Hospitals as a registered nurse for 19  
18 years and I know firsthand the importance of having  
19 reliable, predictable power. We are open 24 hours a  
20 day, 365 days a year, regardless of the weather, to  
21 provide care to our patients and for our community.  
22 To provide care, you have to have reliable electricity  
23 which we produce the fuel for all around western  
24 Pennsylvania. The sun does not have to shine and the  
25 wind does not have to blow for our hospitals to have

1 power.

2                   My husband and I, we also have a farm.  
3 Margins in farming are little tight as in a lot of  
4 other things right now, and we do not want to see  
5 increased costs of any sort, including our electricity  
6 bills. No one needs increased electricity costs, not  
7 businesses, not our seniors living on fixed incomes  
8 and not us farmers. That's not the government  
9 assisting. It is the government increasing the cost  
10 of our daily lives for a political goal.

11                   We already have legislation that forces  
12 utilities to purchase electricity from wind and solar.  
13 To continue to promote renewable energy sources that  
14 cannot support our energy system on their own with our  
15 tax money is maddening. This regulation hits us at  
16 least three different times. First, as we fund the  
17 artificial inclusion of renewables into the electrical  
18 market --- into the electric market through direct tax  
19 subsidies, secondly, we foot the bill for the  
20 increased electric rates. And finally, the price of  
21 goods and services are going to be driven up due to  
22 the increased energy costs of the Pennsylvania  
23 businesses that we all buy from. Increased  
24 electricity prices are increased costs for all of us  
25 and all our communities.

1 I urge DEP to apply for, and take  
2 advantage of, the available two-year extension from  
3 the EPA before submitting a compliance plan.  
4 Pennsylvania needs to just take its time to determine  
5 all the impacts of compliance and potential paths. I  
6 love my family. I love our community, and I love our  
7 environment. A healthy environment is as important to  
8 me and our farming, but I just disagree with the Clean  
9 Power Plan. I just don't feel it's in everyone's best  
10 interest. There is no reason that we need to be in a  
11 rush to fast track it. Can't we just delay it and see  
12 what the courts have to say and see if anything that  
13 is to be done is in the best interest of all of us,  
14 not just environmentalists? You know, we all are able  
15 to vote, not just them. You need to listen to all us,  
16 not just the loudest or the greenest. Thank you.

17 SECRETARY QUIGLEY:

18 Thank you. Next is Janie Lowry,  
19 followed by Mark Adams, followed Byron Lord.

20 MS. LOWRY:

21 Thank you, gentlemen, for giving me the  
22 opportunity. My name is Janie Juliette Lowry and I  
23 live in Punxsutawney. I have a husband, Dan, and two  
24 sons, Daniel and Derik.

25 AUDIENCE MEMBER:

1                   Excuse me, microphone please.

2                   SECRETARY QUIGLEY:

3                   It's on. It's on.

4                   MS. LOWRY:

5                   It's on? All three of them work in the  
6 coal industry, each for different companies.  
7 Punxsutawney has been a good place to raise a family  
8 and coal has played a pivotal role economically for my  
9 family and for my community. I am active in the  
10 community and previously worked for the Punxsutawney  
11 Area Chamber of Commerce. I know how important large  
12 manufacturers, and in our case, miners are to healthy  
13 communities. Fossil-fuels, unequivocally, provide  
14 good paying jobs. We need a base of strong jobs with  
15 good wages and benefits so that we can have all the  
16 indirect jobs which spin off of that. If you take  
17 away the foundation, you take away what can build on  
18 that foundation. In Punxsy, that foundation is  
19 natural resources, and to intentionally decrease their  
20 use would be very destructive for communities like  
21 ours.

22                   Pennsylvania is blessed with an  
23 abundance of natural resources. It is the only state  
24 of the original 13 colonies that has it all, coal,  
25 iron ore, timber and petroleum. Natural resources are

1 a very efficient, productive way to make electricity.  
2 Coal, oil and gas are simply stored solar energy we  
3 get to use at our convenience. They are here for our  
4 use and with sound regulation, we have learned to use  
5 them responsibly. When it comes to the quest for  
6 affordable utility rates and cheap energy, natural  
7 resources are reliable and efficient. Subsidizing  
8 unreliable, expensive energy and penalizing reliable  
9 and cheap energy is not in the best interest of our  
10 state. It will cost Pennsylvania thousands of good  
11 paying jobs and prosperity for an insignificant  
12 improvement in our environment. Even after the  
13 federal government has provided billions of tax  
14 dollars over the past three decades to bring the price  
15 down on renewables, their costs soar high above fossil  
16 fuel energy sources.

17 I began day trading 30 years ago and  
18 find it fascinating that I can live in Punxsy and yet  
19 trade stocks remotely hundreds of miles away from Wall  
20 Street. I actively followed all the economic and  
21 business news I could get my hands on and tried my  
22 best to recognize trends from which to trade or  
23 benefit from. There is one screaming analogy in  
24 trading that is very familiar to me in this situation,  
25 emotion. I believe there is a lot of emotion driving

1 the need to remove fossil fuels from the energy mix  
2 mainly because we've let a few take the lead with  
3 misinformation and lies. This can lead to grave  
4 consequences. Emotions can drive human behavior when  
5 the future is uncertain, but all we need to do is look  
6 at history for our answers.

7           Fifty (50) years ago leading experts  
8 made predictions of catastrophic disaster and complete  
9 degradation of our environment from the use of fossil  
10 fuels. We know that predictions are never exact but  
11 they should at least be close to the truth. They were  
12 far from it. Instead of restricting fossil fuels as  
13 we were supposed to, we nearly doubled our usage and  
14 what happened? A thriving improvement in the quality  
15 of human life, exactly the opposite of those  
16 predictions. We need to be judicious in making  
17 decisions that will cost jobs and wipe out prosperity.  
18 Our air, water and land is cleaner now than ever  
19 before. The U.S. has reclaimed over 2.1 million acres  
20 of land in the past 35 years and coal has contributed  
21 more than \$10 billion for that reclamation. When the  
22 coal operators go away, who will be left to pay? Will  
23 that burden be placed on the backs of the few tax  
24 payers who are left? I strongly believe that by  
25 cutting the good paying jobs in the energy sector, we

1 bankrupt the state causing poverty, depression, and  
2 despair for many families.

3           A common trend my family and I see is  
4 the increased involvement of government in things that  
5 affect our daily lives. Some of the best intended  
6 actions result in creating other problems as  
7 consequences. This happens again and again in life  
8 and the longer you live the more you realize it. I  
9 believe this includes Pennsylvania submitting a plan  
10 for the Clean Power Plan. There are times when  
11 waiting for more data is the most prudent decision.

12           It is my hope and the purpose of me  
13 being here today to urge you to take the two-year  
14 extension from the EPA before submitting a compliance  
15 plan so that more information can be collected to  
16 analyze the impact and unintended consequences of  
17 enacting a plan. Our families and communities depend  
18 on it. Everything you do should be viewed through the  
19 prism of creating or retaining jobs. Regulation is  
20 strangling businesses. Please take this into  
21 consideration for our children and the future of  
22 Pennsylvania. Thank you.

23                           SECRETARY QUIGLEY:

24           Thank you. Next, Mark Adams, followed  
25 by Byron Lord, followed by Tom Causer.

1                   MR. ADAMS:

2                   Good afternoon. My name is Mark Adams.  
3 I'm the District Director for State Senator Joe  
4 Scarnati. Secretary Quigley, we welcome you to the  
5 25th Senatorial District.

6                   SECRETARY QUIGLEY:

7                   Thank you.

8                   MR. ADAMS:

9                   I'm just here as a fact-finding mission  
10 to find out what the comments and concerns are of the  
11 constituency of the 25th Senatorial District, and  
12 report it back to the Senator, so thank you for having  
13 me.

14                   SECRETARY QUIGLEY:

15                   Thank you. Next Byron Lord, followed by  
16 Tom Causer, followed by Angela Zaydon.

17                   MR. LORD:

18                   Good afternoon. My name is Bryon Lord.  
19 I've been a coal miner for more than 30 years. My  
20 grandfather was a coal miner and listening to his  
21 stories when he worked in the mines got me interested  
22 in it at a very young age. I started working in the  
23 mines right out of high school. I've worked for 5  
24 different mining companies in over 15 different mines  
25 across the State of Pennsylvania. I am currently

1 employed at Rosebud Mining and have been there since  
2 2003. Mining has allowed me to provide for my family  
3 with good wages and good benefits.

4                   Pennsylvania is the fourth leading  
5 producer of coal in the United States. Coal generates  
6 over of 40 percent of the nation's energy. This is a  
7 huge demand for electricity. We could benefit from  
8 all sources of energy, including gas, wind and solar.  
9 It is diversity in our fuel sources that keeps our  
10 electricity costs low. To take coal out of this  
11 equation will drive up the cost of electricity and  
12 could actually decrease the reliability of having it  
13 at the flip of a light switch.

14                   I've seen a lot of changes over the  
15 years made inside and outside of the coal mine to  
16 improve mining equipment, mining methods and  
17 regulations. Utilities have added a lot of  
18 environmental controls onto their plants. My  
19 understanding is it has cut their emissions by over 80  
20 percent across the board. Coal is used in a much  
21 cleaner and better way than ever before and is readily  
22 available. What I have experienced is an industry  
23 that has continued to improve itself and gotten better  
24 at every turn.

25                   So what I came here today to say is

1 stop, slow down, don't make any harsh or drastic  
2 decisions. Don't allow the EPA to take over what is  
3 our state's rights and responsibility to control. Say  
4 no to the over-reaching EPA, study the effects that  
5 closing these mines and power plants will have on our  
6 economy. The loss of mining jobs alone will be  
7 astronomical, let alone the ripple effects to other  
8 companies, like the trucking industry, equipment  
9 supply companies, right down to the companies that  
10 supplies our paper products.

11                   There are several states already  
12 rejecting the federal EPA regulations. They are doing  
13 their homework and tallying the costs and consequences  
14 of closing the coal power plants. Taking this  
15 extension will allow time to study the Clean Power  
16 Plan and the effects on our economy, both good and  
17 bad. Taking this extension will allow the court  
18 system to determine if their Clean Power Plan is even  
19 legal or not. There is no reason to be in a hurry to  
20 destroy jobs and increase our electricity prices. Get  
21 the extension and examine all sides affected and  
22 inform the public of it. The federal government does  
23 not care how the people of Pennsylvania will pay their  
24 bills or care for the families, but we the taxpayers  
25 of this state do and so should our state officials.

1 Thank you.

2 SECRETARY QUIGLEY:

3 Thank you. Sorry about the  
4 mispronounce, Bryon.

5 MR. LORD:

6 What's that?

7 SECRETARY QUIGLEY:

8 Sorry about the mispronounce. I called  
9 you Byron. Thank you. Up next Tom Causer, followed  
10 by Angela Zaydon, followed by Kim Horton.

11 MR. CAUSER:

12 Good afternoon, Mr. Secretary. My name  
13 is Tom Causer, and I'm the President and Chief  
14 Operating Officer of Terra Green Energy. I want to  
15 thank you for the opportunity

16 AUDIENCE MEMBER:

17 What association do you represent?

18 MR. CAUSER:

19 I'm the President and Chief Operating  
20 Officer of Terra Green Energy.

21 SECRETARY QUIGLEY:

22 Sir, why don't you move a little closer  
23 so we can avoid the disruption? Why don't you move a  
24 little closer if you can't hear. Don't interrupt the  
25 speakers. Please proceed.

1                   MR. CAUSER:

2                   I'd like to thank you for the  
3 opportunity to address you and other members of your  
4 team today. I'm here this afternoon to talk to you  
5 about the Clean Power Plan and jobs, general job  
6 creation and job preservation. In particular how  
7 incorporating the use of biomass into a strategy for  
8 complying with the Clean Power Plan would be a win-win  
9 for a wide range of stakeholders across our great  
10 Commonwealth.

11                   Just as a background, I was born and  
12 raised by my grandfather's dairy farm in North Central  
13 Pennsylvania. I've worked for companies such as  
14 Quaker State and Allied-Signal, always in the  
15 specialty chemicals and energy business. Along the  
16 way I've also served as Chairman, McKean County Board  
17 of Commissioners, and before that I served as  
18 President of a local area Economic Development  
19 Corporation. For more years than I wish to remember,  
20 I've been focused on finding ways to bring jobs,  
21 living wage jobs, to our region.

22                   I am not here to argue the pros and cons  
23 of the Clean Power Plan. I am here to clearly  
24 advocate for the inclusion of biomass as a component  
25 of any statewide strategy designed to meet the plan's

1 goals. In particular, the benefits of co-firing in  
2 existing coal-fired power plants.

3           What is accomplished by co-firing?  
4 First, and foremost, an existing power plant overnight  
5 becomes a generator of baseload, renewable,  
6 sustainable electrical power. Co-firing can  
7 significantly extend the useful life of a power plant,  
8 preserving jobs in the facility, and in the mines that  
9 supply the majority fuel for that facility, all the  
10 while creating hundreds, if not thousands of new jobs  
11 supplying the biomass.

12           It is reasonable to ask where all the  
13 biomass will come from. The answer is from our  
14 sustainably managed forests, but only a portion. The  
15 balance will come from planting and harvesting  
16 on-purpose grown energy crops such as hybrid poplar,  
17 hybrid willow, and energy grasses.

18           Remember I told you I was raised on my  
19 grandfather's farm? During my youth this farm was one  
20 of 14 dairy farms on Annin Creek in McKean County.  
21 Single family farms, milking cows, raising families,  
22 sending their kids off to college. Would you like to  
23 guess how many of these dairy farms exist today? The  
24 answer is none. The farmland, of course, is still  
25 there. Sometimes the grasses are mowed, sometimes

1 not. Mostly nonproductive. Much of this is marginal  
2 farmland but well suited for the production of energy  
3 crops.

4                   Who will benefit from incorporating a  
5 co-firing component in the Commonwealth's plan? I  
6 would suggest the employees of the Electrical  
7 Generation Facility, miners and their families,  
8 landowners, both public and private, agricultural  
9 landowners of marginal crop lands, rural communities  
10 with the creation of new jobs, local governments by  
11 the preservation and enhancement of tax base and least  
12 not, our electrical power consumers who will continue  
13 to be provided low cost, dependable electrical power.

14                   One last thought, just so that everyone  
15 understands the magnitude of job creation potential.  
16 It is estimated that for every one million tons of  
17 biomass grown, harvested, processed and delivered,  
18 1,800 jobs are created. There is every reason to  
19 believe that this initiative could create well over  
20 5,000 living wage jobs right here in Pennsylvania.  
21 It's too big of an opportunity not to take an  
22 advantage of. Thank you.

23                   SECRETARY QUIGLEY:

24                   Thank you. Next Angela Zaydon followed  
25 by Kim Horton, followed by Tom Schuster.

1                   MS. ZAYDON:

2                   Good afternoon. Thank you for allowing  
3 me to testify as well. My name is Angela Zaydon, and  
4 I represent the Manufacturer and Business Association.  
5 We are a regional employers' association that  
6 represents more than 4,500 member companies located  
7 throughout 27 counties in Pennsylvania. We have  
8 offices in Erie and Harrisburg, and we are dedicated  
9 to providing information and services to our members  
10 that will assist them in the pursuit of their business  
11 and community interests. MBA also works to improve  
12 Pennsylvania's ability to compete with other states  
13 for investment, jobs and economic growth.

14                   We strongly believe that Pennsylvania's  
15 Department of Environmental Protection should refuse  
16 to comply with the United States EPA's Clean Power  
17 Plan, and at the very least ask for the extension as  
18 many other states have done.

19                   The National Association of  
20 Manufacturers published a poll. And according to  
21 their poll nearly --- they surveyed 600 registered  
22 voters in Pennsylvania. And according to this, nearly  
23 two in three rate their local air quality as excellent  
24 or good, and majorities in every region of the state  
25 rate their local air quality positively. By a three

1 to one margin, Pennsylvanians think that a bigger  
2 problem for their local area is less economic growth  
3 and job opportunities caused by regulations. And most  
4 importantly, 75 percent think stricter regulations  
5 would increase the price they pay for everyday goods  
6 and services.

7           They are not wrong. Another study that  
8 we know had electricity rates --- at this point we  
9 have heard everything from 14 percent up. So even if  
10 we go with the lowest amount at 14 percent each year  
11 through 2031, every single year added up. Because of  
12 this massive increase, our state's job creators will  
13 face a spike of 62 percent by 2020 compared to 2012  
14 rates. Our commonwealth's businesses, especially  
15 energy-intensive manufacturers will be forced to cut  
16 29,000 well-paying life sustaining jobs with full-time  
17 benefits and very, very good benefits at that.

18           In addition, manufacturing is an  
19 industry that supports 567,000 jobs on the plant floor  
20 and sustains millions of additional jobs through  
21 supply chains and distribution networks in our  
22 Commonwealth. Manufacturing in Pennsylvania also  
23 accounts for over \$77 billion in gross state products  
24 and more than 12 percent of our Commonwealth's total  
25 gross state product. This is an industry that ought

1 to be uplifted, not disproportionately hurt by  
2 unnecessary bureaucracy.

3           Bear in mind that the Clean Power Plan  
4 does not happen in a vacuum. Recent and outrageous  
5 and unattainable ozone level reductions would cause  
6 the loss of \$98 billion in gross state products,  
7 101,000 job losses and \$109 billion in private sector  
8 compliance costs. When the Clean Power Plan and ozone  
9 reductions proposals are combined with overreaching  
10 mercury rules, Waters of the United States power-grab,  
11 and new methane standards, when you put that all  
12 together we as the consumers, the job creators and the  
13 drivers of the productive sector will pay much, much  
14 more. This is money that can't be reinvested back  
15 into hiring, increased wages, benefits or plant  
16 expansions.

17           Wind and solar sources are simply not  
18 reliable and they're not a viable option for replacing  
19 current electric makeup. They are more expensive and  
20 they cannot compete with other sources without heavy  
21 intensive --- incentives and taxpayer funded  
22 subsidies. The taxpayer is then effected three times,  
23 through higher electric rates, higher taxes and higher  
24 costs of goods and services as the end result. The  
25 result will unfortunately be losses in our sector,

1 both to other states and across the global market.

2           The fact is that the air today is  
3 cleaner than it has been in measurable history.  
4 According to the EPA's own publication, in using  
5 current standards air quality continues to improve as  
6 emissions have continuously declined in all  
7 measureable categories since they were catalogued in  
8 the 1980s. The manufacturing sector takes pride in  
9 continuing to advance technological limits and produce  
10 goods in a safer, cleaner and more environmentally  
11 friendly manner and we will continue to do so. But  
12 manufacturers need reliable, affordable energy. And  
13 in Pennsylvania it's one of the very few things that  
14 makes businesses competitive. So why do we want to  
15 take that away?

16           Manufacturers are committed to being  
17 responsible stewards of our environment, but we are  
18 disappointed that the Obama Administration has chosen  
19 this path and we are even more disappointed that  
20 Governor Wolf has even publically expressed his  
21 support for these burdensome regulations that will  
22 realize maximum economic pain for minimal  
23 environmental gain.

24           SECRETARY QUIGLEY:

25           Thank you. Next Kim Horton, followed by

1 Tom Schuster, followed by George Sankey.

2 AUDIENCE MEMBER:

3 I heard that Kim Horton, he was delayed  
4 with vehicle problems. He may be able to get here  
5 before so if he could be rescheduled.

6 SECRETARY QUIGLEY:

7 Thank you. We'll come back to him.  
8 Thank you. All right. Tom Schuster, followed by  
9 George Sankey, followed by Mike Kamandulis. Again,  
10 I'll apologize for mispronouncing.

11 TOM SCHUSTER:

12 Good afternoon. My name is Tom  
13 Schuster. I'm speaking today on behalf of the Sierra  
14 Club and our more than 24,000 members in Pennsylvania.  
15 We'll be submitting comprehensive written comments on  
16 this issue, but this afternoon I'll focus my comments  
17 on the important issues of economic justice and  
18 transition.

19 The Sierra Club supports the Clean Power  
20 Plan as one necessary step to reduce carbon pollution  
21 and stabilize our climate. The longer we wait to  
22 address the issue, the more difficult it will be  
23 economically to change our energy system in order to  
24 avoid the most disruptive impacts of a hotter climate.  
25 That said, as a resident of an old coal company town,

1 I recognize that transition to carbon-free sources of  
2 energy will have localized economic impacts,  
3 particularly in places like western Pennsylvania.  
4 People working in the coal fields and power plants  
5 deserve assistance in dealing with that transition,  
6 and such assistance will be much easier and more  
7 meaningful if Pennsylvania designs its own plan for  
8 Clean Power Plan compliance, rather than waiting to  
9 have a federal plan applied to us.

10           It's important to realize that a  
11 transition away from coal to lower carbon-emitting  
12 sources of energy, like natural gas, wind, solar and  
13 efficiency is already underway irrespective of the  
14 Clean Power Plan and will continue with or without it.  
15 This transition is largely driven by economic factors  
16 and technological improvements that are making sources  
17 of electricity other than coal much more competitive.

18           The Sierra Club is a member of the  
19 BlueGreen Alliance, a coalition of labor unions and  
20 environmental organizations which advocates on issues  
21 of common interest. Last month BGA released the  
22 report entitled Managing the Employment Impact of  
23 Energy Transition in Pennsylvania Coal Company ---  
24 Country. This report analyzed the employment impacts  
25 in terms of number and types of jobs of four future

1 energy scenarios, two variations of businesses as  
2 usual that assumed no new energy policies, one that  
3 assessed compliance with the Clean Power Plan and one  
4 that looked like --- looked at an even more  
5 accelerated transition to clean energy. Even in the  
6 business as usual scenarios, coal use declined  
7 significantly as it became increasingly uncompetitive.  
8 In the Clean Power Plan scenarios, coal was replaced  
9 by renewal energy, efficiency and gas to an even  
10 greater degree, while net growth in job years was  
11 markedly higher in the Clean Power Plan scenarios than  
12 in the businesses as usual scenarios. However, the  
13 jobs created were not the same types of jobs and not  
14 necessarily in the same places, which underscores the  
15 importance of policies to facilitate a just  
16 transition.

17           This is why from an economic justice  
18 perspective it's so important for the state to act.  
19 Pennsylvania power plants will have to reduce carbon  
20 emissions whether it's under a federal plan or a state  
21 plan. And there will be similar impacts on jobs  
22 either way. But the state plan allows us many more  
23 options to help facilitate worker and community  
24 transitions to mitigate those impacts.

25           For example, if the state adopts a

1 mass-based compliance pathway and auctions off carbon  
2 allowances, it would generate hundreds of millions of  
3 dollars of revenue each year. Some of which could be  
4 used to create a dedicated fund that can provide  
5 assistance to displaced workers, job retraining or  
6 other direct benefits to be determined in consultation  
7 with labor unions in affected fields of employment.  
8 It can also be used to help communities plan for  
9 economic diversification so that they're more  
10 resilient in the face of changes to the energy  
11 industry. This could include finding ways to  
12 capitalize locally on the growth of clean energy and  
13 efficiency industries to replace jobs and property tax  
14 revenues. Such funding would only be available if the  
15 allowances are auctioned off to generators rather than  
16 given away. And it's unlikely that such a fund could  
17 be established under a federal compliance plan.

18           Pennsylvania could also use allowance  
19 set asides to create incentives for early notice of  
20 plant retirements. This could avoid any unfortunate  
21 situations like what occurred in 2013 when FirstEnergy  
22 retired two power plants south of Pittsburgh with only  
23 90 days notice to employees. Having multiple years of  
24 notices instead of just months would bring many  
25 benefits, including fewer layoffs since some positions

1 could be eliminated by attrition rather than an  
2 earlier retirement, more time for younger employees to  
3 find new jobs and retrain if necessary, more time for  
4 communities to plan for economic transition and better  
5 planning for grid adjustments such as transmission  
6 upgrades and construction of replacement generation.

7                   While Pennsylvania has no legal  
8 jurisdiction to require plant operators to give  
9 additional retirement notice or otherwise show more  
10 responsibility to the communities in which they  
11 operate, the Clean Power Plan offers the Commonwealth  
12 pathways to meaningfully incentivize such behavior.

13                   In summary, coal decline is inevitable  
14 and plant retirements will follow. The question is  
15 whether we leave these decisions to the vagaries of  
16 the deregulated power markets or we seize the  
17 opportunity to plan for our own future.

18                   SECRETARY QUIGLEY:

19                   Thank you. Next George Sankey, followed  
20 Mike Kamandulis, followed by Jenny Lisak. I'm not  
21 sure of the last name, L-I-S-A-R (sic).

22                   MR. SANKEY:

23                   Good afternoon, everybody. I'm George  
24 Sankey and I'm a business owner from Osceola Mills.  
25 I'm also the father of Thomas Sankey, who's a

1 Representative for the 73rd District. I'm sure Mr.  
2 Quigley is familiar with him. I have comments today  
3 based on several things. One thing with the EPA, to  
4 begin with, I don't say this specifically that we are  
5 one of the very few countries in the world that is  
6 trying to do something about this. One of the major  
7 problems in America today is everybody says it's  
8 there's no jobs, the economy is tanking. Well, I  
9 remember watching a program on TV and Hilary Clinton  
10 was talking to the Prime Minister of India. And she  
11 was overwhelmed with all of the business they were  
12 doing and everything. And she said to him what are  
13 you going to do about your environmental concerns? He  
14 looked at her and said we don't have environmental  
15 concerns here. It's my job to keep this country  
16 going.

17                   Now, we all have our own opinions and  
18 our own thoughts on this. I'm not a strong advocate  
19 of global warming and I say this to Mr. Quigley and  
20 Mr. Kohl, simply do you believe everything you read?  
21 Because I don't. And I think a lot of the facts that  
22 have been presented here today were written down by  
23 somebody and we have no proof of that. But as far as  
24 I'm concerned, there's no positive proof that global  
25 warming is the disaster that our president likes to

1 say it is. I really think it's a pipe dream by him  
2 and I think it's to appease some of his contributors.  
3 I'll move on. I won't say more about that.

4                   The use of coal in Pennsylvania is a ---  
5 has been governed by the DEP, and I don't think the  
6 EPA needs to be involved. I'm lobbying certainly for  
7 the two-year extension. I think that should be a  
8 no-brainer. I don't think that should even be  
9 considered otherwise, okay. All of life is a  
10 compromise, and we're going to have to learn to  
11 compromise here.

12                   And there was a committee meeting my son  
13 was in two years ago --- I want you all to be aware of  
14 this. This is kind of off to the side. But it was  
15 with the people in eastern Pennsylvania, and they had  
16 just closed the Hatfield Plant. And I don't know if  
17 Mr. Quigley was at the meeting or not. It doesn't  
18 matter for his sake. But I was rather surprised when  
19 my son said that the people in the plants there, the  
20 natural gas plants, has said one more week of cold  
21 weather and we're going to have brownouts. This was  
22 two years ago, okay.

23                   Now, for any of you in here, I see a lot  
24 of people that have worked and have drove to work and  
25 I'm going to give an example here. Anybody that's

1 ever had truck brakes froze, needed equipment thawed  
2 out, has used, what we call, little weed burners. I'm  
3 sure these guys are familiar with the little propane  
4 tanks you use. Well, if you ever use them outside in  
5 the winter one of the biggest problems with them is  
6 they'll freeze and you have to wait until they thaw  
7 out. Our natural gas is plentiful in Pennsylvania but  
8 the infrastructure isn't there yet. And we can't get  
9 any coal because the --- it's the same thing with the  
10 little weed burners freeze and you have to wait until  
11 it thaws out. The problem was with the Hatfield area  
12 was, they would not get a non-natural gas through the  
13 plant to turn the wick up. And the gentleman said  
14 it's not like a coal plant where we can go in and turn  
15 it wick up and make it warmer. We are limited to what  
16 we can do and this should be a concern to everybody in  
17 here especially these people. Okay. There are so  
18 many different industries affected by --- I'm sorry  
19 for jumping all around here. There's so many  
20 different industries affected by the coal industry,  
21 pipe and welding shops, trucking companies, machinery  
22 mover and we have certainly seen the effects on all of  
23 this.

24 I want to make sure I get everything in  
25 here. One of these --- coming back to the coal



1 know, whether you and I agree or not, we'd like to  
2 keep you around and I think Pennsylvania does best  
3 what's for Pennsylvania and not one size fit all  
4 government. Thank you.

5 SECRETARY QUIGLEY:

6 Thank you. Next, Mike Kamandulis,  
7 followed by Jenny Lisak, followed by Janis Copenhaver.

8 MR. KAMANDULIS:

9 Good afternoon. My name is Mike  
10 Kamandulis. I'm a resident of Kersey in Elk County, a  
11 retired earth and space science teacher, earth and  
12 environmental science teacher here at the campus of  
13 Penn State-DuBois. I wish to thank you all for being  
14 here today. There are many individuals in our nation,  
15 indeed the world, who sincerely believe that using  
16 natural gas obtained by unconventional means, or  
17 fracking, is a viable means of achieving the goal of  
18 reducing carbon emissions. They trust the industries  
19 that extract, process, compress and transmit the gas  
20 to comply with all pertinent regulations in order to  
21 ensure public safety and minimize environmental  
22 impact. And of course, they also trust the regulatory  
23 agencies charged with the oversight of those  
24 industries.

25 The key word here is trust. Yet sadly,

1 we've learned just this summer after the Food and  
2 Water Watch Organization had to file legal paperwork  
3 in order to obtain the necessary documents from the  
4 state, that our Pennsylvania Department of Health was  
5 woefully negligent in responding to Pennsylvania  
6 citizens' complaints of potentially serious health  
7 conditions caused directly by unconventional gas  
8 extraction-related activities. Indeed, the DOH  
9 employees were instructed to not listen to callers if  
10 certain fracking-related words were spoken. And the  
11 findings are also implicated the DEP as being too  
12 understaffed to adequately respond to these health  
13 impacts. And to my knowledge, we are living in  
14 America, not Russia.

15                   Then a question could be asked, what  
16 have you, John Quigley, one of your relatives was  
17 living close to a well pad where fracking was  
18 occurring and he or she suddenly became severely ill?  
19 And let's further assume that the local medical  
20 personnel linked the serious illness directly to being  
21 exposed to something that came from the well pad.  
22 What would be the response then? Will fines and  
23 penalties significantly alter the operating practices  
24 of the unconventional drillers?

25                   Many of our citizens have undertaken the

1 task of educating themselves about the very real  
2 potential harms associated with unconventional gas  
3 development. Here are some of the dangers which I'm  
4 sure you are very familiar with. Engineers and  
5 scientists at Cornell University have shown that  
6 virtually all unconventional wells over the long term,  
7 approximately 60 years, will fail. Therefore, in the  
8 future, many, many aquifers in our beloved state will  
9 become contaminated. Emissions from unconventional  
10 gas development facilities, such as volatile organic  
11 compounds and nitrogen oxides have been linked to  
12 serious health problems such as asthma and cancer.

13                 Several reputable scientists have  
14 calculated that fugitive emissions of methane from  
15 unconventional gas development could be far worse for  
16 exacerbating global warming than burning coal. This  
17 is because methane is now known to be much more potent  
18 heat-trapping, or greenhouse gas, than had previously  
19 been determined. New scientific research is linking  
20 exposure to diesel fuels with dementia, Alzheimer's  
21 disease and Parkinson's disease. When the full-bore  
22 fracking resumes, there will be many Pennsylvanians  
23 breathing significantly greater quantities of diesel  
24 fumes. Does that situation display wisdom?

25                 The waste products associated with

1 unconventional gas development are extremely  
2 contaminated with a wide variety of chemicals,  
3 including known carcinogens and there are radioactive  
4 materials as well. There will be extremely large  
5 quantities of these waste products that must be  
6 properly disposed of. And currently deep injection  
7 wells are the favorite method of disposal. One must  
8 ask, how long will it be before those contaminated  
9 wastes migrate upward and get into aquifers?

10           The requisite well pad, pipeline and  
11 compressor station infrastructure associated with  
12 unconventional gas extraction in Pennsylvania is  
13 expected to be enormous. And people who live in rural  
14 areas chose to live in those regions for a reason.  
15 They wanted to be away from industrialization. I  
16 therefore believe that the full-bore extraction of  
17 unconventional natural gas is dangerous and unwise.  
18 Instead, it would be far wiser if we move forward with  
19 wind, solar, geothermal and the newer types of nuclear  
20 reactors. And yes, I did say nuclear. There's a  
21 small book out by Mark Lynas called Nuclear 2.0, Why a  
22 Green Future Needs Nuclear Power. A very small, easy  
23 to read, very informative. Thank you very much.

24           SECRETARY QUIGLEY:

25           Thank you. Next, Jenny Lisak, followed

1 by Janis Copenhaver, followed by Tim Potts.

2 MS. LISAK:

3 Jenny Lisak from Jefferson County,  
4 Pennsylvania. If the Clean Power Plan was initiated  
5 specifically to address climate change, it's my  
6 understanding that Pennsylvania's specific plan relies  
7 on natural gas to lower carbon in spite of the simple  
8 fact that there is no more carbon budget left to burn.  
9 We have very little time to drive this economy to zero  
10 greenhouse gas emissions. Science is warning us that  
11 the two degree climate cap is not possible to meet  
12 without negative emissions or a carbon capturing.

13 Most of the other northeast states are  
14 offering generous tax incentives and grants for their  
15 citizens to switch over to zero carbon alternatives  
16 such as solar, wind and biomass. Nothing exists like  
17 that here in PA. Why not something that incorporates  
18 incentives in our Clean Power Plan? These are  
19 solutions that don't explode or leak or spill or emit  
20 or poison. When will Governor Wolf or DEP reside over  
21 the Clean, Green, Renewable Infrastructure Task Force.

22 Natural gas cannot, in my opinion, be  
23 considered for our power plan for multiple reasons.  
24 The main one being its contributions to the climate  
25 crisis. Natural gas contributes four greenhouse

1 gases, CO2, CH4, VOCs and NOx gases. The natural gas  
2 industry is the largest industrial source of emissions  
3 of volatile organic compounds. NOx gases have 300  
4 times more global warming potential than CO2. Natural  
5 gas contributes NOx gases through the use of  
6 compressed natural gas as a fuel and through a  
7 nitrogen fertilizer use and production. The land use  
8 footprint is significant. Healthy field and forest  
9 destroyed for gas production releases carbon and those  
10 scars can no longer sequester carbon.

11           Many scientists are convinced that ---  
12 more convinced than ever that fracked gas is so much  
13 worse than coal. We've been led to believe that  
14 natural gas is a clean alternative to coal. In the  
15 combustion phase natural gas burning contributes  
16 carbon a little more than half that of coal,  
17 equivalent to 205 pounds of carbon per million BTU and  
18 natural gas 117. Propane, another component of  
19 natural gas, is 163 pounds of carbon. But methane in  
20 the first few decades, the one that will determine the  
21 fate of civilization, is 84 to a hundred times more  
22 potent as a greenhouse gas. Oh, and what does methane  
23 break down into ---CO2.

24           There are 31,000 gas leaks in  
25 Pennsylvania, according to Federal data. There will

1 be an eternity in maintaining infrastructure and gas  
2 wells. Abandoned wells have been referred to as super  
3 emitters of methane, and there may be as many as  
4 900,000 of them in Pennsylvania. A National Oceanic  
5 and Atmospheric Administration study measured 6 to 12  
6 percent methane leakage over one the country's gas  
7 fields. According to the Pipeline and Hazardous  
8 Material Safety Administration, 12.8 billion cubic  
9 feet of natural gas has been released from gathering  
10 and transition systems --- transmission systems since  
11 2010, and another 36 million cubic feet escaped during  
12 incidents from the distribution system.

13                   And there is not one day that goes by  
14 that people are not being evacuated and endangered  
15 because of a gas leak. The costs of expanding  
16 infrastructure and promoting gas far outweigh the  
17 benefits. The cost analysis does not figure in low  
18 birth weights, low level ozone, environmental  
19 cleanups, disaster relief or future impact from  
20 crumbling and corroded steel pipes and casings. The  
21 only sensible measure is to turn off the gas.

22                   We can also worry about the fact that  
23 it's a finite resource and we can be amazed that we  
24 can spend millions or trillions of dollars in finding  
25 impacts, addressing health consequences, lobbying

1 research, development, drilling deeper and bigger and  
2 better and farther and faster. We're not providing  
3 relief and no longer can spend it on turning this ship  
4 around into a course of hope for a future with  
5 unspillable sustainable energy. If the gas  
6 contribution to climate crisis isn't enough of a  
7 reason to discontinue this practice, the other  
8 problems associated should be. There are toxic  
9 chemicals injected through our aquifers, the toxic and  
10 radioactive waste, the explosive nature of gas and  
11 many other known and unknown risks. Let's not ignore  
12 the science, the science of climate change and medical  
13 science, the years of scientific research on fracking  
14 that have produced more than 500 peer-reviewed studies  
15 and reports overwhelmingly showing harm and the  
16 science that tells us we must cease using fossil  
17 fuels.

18                   There is also the basic fact that we do  
19 not want heavy industry, potentially explosive  
20 pipelines, clamorous and noxious compressor stations  
21 as neighbors. How is it going to be okay with us to  
22 have to live next door to explosive deafening, loud  
23 toxic, malodorous, heavy industry wafting carcinogenic  
24 emissions VOCs and particulates. And how is it going  
25 to be okay to accept imminent domain and explosive

1 pipelines ripping through our properties regularly  
2 right where we had plans to build our homes, knocking  
3 over our trees and slicing through our farm fields.  
4 There are solutions ---

5 SECRETARY QUIGLEY:

6 Wrap up, please.

7 MS. LISAK:

8 --- wind and solar, biomass, geothermal  
9 and current turbines are carbon neutral and don't  
10 explode, leak or spill or emit or poison.

11 SECRETARY QUIGLEY:

12 Thank you. Next Janis Copenhaver,  
13 followed by Tim Potts, followed by Kim Horton if he's  
14 here.

15 MS. COPENHAVER:

16 I do not have anything written because  
17 I'm not going to do anything technical.

18 SECRETARY QUIGLEY:

19 Okay.

20 MS. COPENHAVER:

21 I'm just speaking as a resident and  
22 basically just things that have happened to me  
23 personally. I grew up as a child in Maine. I went to  
24 college in Maryland. And this is as far north as I've  
25 gotten since college. I don't picture myself being

1 able to afford my way back to Maine or --- actually, I  
2 just don't want to move again. I moved here because  
3 this area was beautiful. Everything seemed natural.  
4 And it looked a lot and felt a lot like Maine. And  
5 everything is changing. It's changing too fast.

6 I think that we can't continue doing  
7 business as usual. All of us if we look around us,  
8 look at everything that we do every day, we can see  
9 climate change. I can see climate change in my home  
10 life and in the area around here. Yesterday when we  
11 were driving back from the meeting in Harrisburg with  
12 Mr. Quigley, I was speaking to one of my friends in  
13 Maine. And I do that every day. I talk to somebody  
14 that either lives in Maine, Massachusetts or New  
15 Hampshire. And yesterday while we were driving, in  
16 Bangor it was 68 degrees. At that exact moment here,  
17 it was 50 degrees. That's supposed to be reversed at  
18 least.

19 All this year, all of last year, every  
20 day, all summer it was hotter in Maine and hotter in  
21 Canada than it is here. That's obviously not business  
22 as usual, that's climate change. Something is driving  
23 it. And obviously what is changing earth the most and  
24 the fastest is us humans. It's our responsibility.  
25 We have got to figure out a way to save the earth.

1 The earth is more important than we are. We all love  
2 our families. We all love our children. But we've  
3 got to figure out a way to make the earth go on. That  
4 should be our legacy to save the earth itself.

5           And one other thing that bothers me a  
6 lot is that I picked my house and my 14 acres. I sunk  
7 every cent I had earned in my life to buying it. But  
8 now I can't drink my water. I picked this place and  
9 my land because it was natural, because for the last  
10 35 years I was able to drink my water. But now it  
11 tastes weird. Some days it smells weird. And then I  
12 found out from a neighbor that there was a drilling  
13 rig right up the hill. I can see it directly above my  
14 well. But they say oh, no, drilling for natural gas  
15 doesn't mess up the water. But yet it messed up mine.

16           I'm just wondering how many other  
17 people's messed up and they still say that it's clean  
18 and great. It's good for the air. It's good for the  
19 land or at least it doesn't mess it up. That hasn't  
20 been my experience. It has messed me up. Now I have  
21 to buy the water that I drink, but I can't afford to  
22 buy enough water for the 40 animals that I'm trying to  
23 take care of. That's why I bought 14 acres so I can  
24 continue to have a farm and to raise my animals  
25 naturally. But now I can't do it. I had to stop

1 breeding, because I'm terrified of having my animals  
2 die because of chemicals. Because I have five totes  
3 of water for these animals that hold a hundred gallons  
4 each. I can't buy that much water every week.  
5 There's no way. I'm living on Social Security because  
6 I signed my life's work into buying what I have, and  
7 of course the mortgage that I have. Thank you.  
8 That's all.

9 SECRETARY QUIGLEY:

10 Thank you. Tim Potts, followed by Kim  
11 Horton.

12 MR. POTTS:

13 Thank you. My name's Tim Potts. I work  
14 for the RJ Corman Railroad Company. I'd like to thank  
15 you today for letting me speak to you about the  
16 devastating economic effects of the EPA's Clean Power  
17 Plan. We hear a lot today about lives that matter,  
18 black lives matter, all lives matter, police lives  
19 matter, et cetera. Well, I'm here to tell you people  
20 that the lives of men and women who work in the coal  
21 and related industries in Pennsylvania matter, too.  
22 Each of the 36,000 jobs that the coal industry  
23 provides in Pennsylvania is a real person with bills,  
24 families that depend on them and a work ethic that is  
25 worth fighting for.

1                   When government officials, radical  
2 environmentalists, Hollywood characters and Liberal  
3 elitists talk about bankrupting an industry and  
4 donations are made to kill coal, the real lives of the  
5 people tied to those jobs should be considered. Jobs  
6 built from American energy and supporting Pennsylvania  
7 families and communities that depend on these jobs  
8 should not be targeted by government but protected.

9                   These good Americans only want to work  
10 in honor and dignity. But when their jobs and those  
11 of their neighbors are eliminated in the coal mining  
12 areas of Pennsylvania, they have no one to sell their  
13 homes to, which is generally their only possession.  
14 Thus these people are prohibited from making --- from  
15 working and fall to the negative side of the economic  
16 ledger for the rest of their lives. This is not the  
17 America that I have always loved and cherished.

18                   The elimination of low cost reliable  
19 coal-fired four cent per kilowatt hour electric power  
20 will hurt our citizens on fixed incomes and our poor  
21 the most. According to the U.S. Chamber of Commerce,  
22 the increased cost of electricity will consume an  
23 average disposable income \$2,100 per American  
24 household. Also, the elimination of low cost  
25 electricity will hurt our manufacturers and will not

1 be able --- many will not be able to compete in the  
2 global workplace. A global workplace where, by the  
3 way, China has been building a new 500 megawatt coal-  
4 fired power plant every week for five years. It will  
5 burn 4,300,000 tons --- 300 million tons of coal this  
6 year.

7                   We live in an era where due to  
8 government planning and control, we will see our  
9 nation's fortunes and its future held hostage and  
10 mortgaged by the importation of foreign energy. Our  
11 government has turned its back on domestic energy  
12 production and now has declared war on our most  
13 abundant energy source. Defying the technological  
14 advances that have made the use of coal less of a  
15 threat to the air we breathe and the water we drink,  
16 our political ruling class has turned their back on  
17 the fuel that fueled this nation's expansion west,  
18 it's industrial development, it's defense, the  
19 economic opportunities it brought to hundreds of  
20 thousands of earnest, hardworking Americans who worked  
21 the mines and ran the trains to earn the wages that  
22 provided for their families, educated their children,  
23 paid their taxes and wove the diverse backgrounds and  
24 origins into the American tapestry.

25                   This war on coal was already caused the

1 RJ Corman Railroad Company great damage. Through the  
2 end of last week our year to date revenue was down 43  
3 percent, car loadings were down 42 percent and  
4 unemployment --- excuse me, employment was down 33  
5 percent. The employees who remain have seen their  
6 wages and benefits decline accordingly.

7                   Thousands and thousands of regulations,  
8 taxes have struggled the free enterprise system.  
9 Nothing good has ever come of government and more  
10 regulation. Good comes from the hardworking people,  
11 like those in the coal and related industries. That's  
12 when a nation and its people flourish. We flourish  
13 when we are free from regulations like these.

14                   Power plants in the U.S. reached a 27  
15 year low in April of this year for carbon emissions.  
16 It's wasn't government mandates that inspired the  
17 change, but the abundance of U.S. --- affordable U.S.  
18 energy. Perhaps the Obama administration believes it  
19 won't get credit for emission reductions unless it  
20 imposes regulations after the fact. The problem is  
21 the recent regulatory onslaught threatens major harm  
22 to our economy. I think that if you look at the facts  
23 and not the hype, you would have to agree that this  
24 plan in its current form is simply unworkable and  
25 would do more harm than good. Thank you.

1                   SECRETARY QUIGLEY:

2                   Thank you. Kim Horton. Not seeing Kim.

3                   AUDIENCE MEMBER

4                   I have not heard from him. I don't  
5 think he's coming. Thank you.

6                   SECRETARY QUIGLEY:

7                   All right. Well, we have reached the  
8 end of the folks who have signed up to speak, but if  
9 there is anyone else here this afternoon that has not  
10 signed up but would like to speak, please raise your  
11 hand, step forward, identify yourself, please. If you  
12 could just tell us your name and where you live,  
13 please.

14                   MR. ROSCHKE:

15                   Okay. I'll spell it. First name  
16 Timothy, T-I-M-O-T-H-Y. Last name, be very careful,  
17 R-O-S-C-H-K-E. It's German. I really have comments  
18 of the commentators, nothing prepared, things just  
19 jotted down as I heard them, in particular three of  
20 them. Number two speaker who represented Rosebud  
21 Mining. Later the woman who represented the business  
22 organization and Mr. Sankey. And I'll start with ---  
23 let me hit some generalities. First of all, no one  
24 has talked about the health costs. As of last year,  
25 Pennsylvania had the third most corrupted air in the

1 United States in the state boundaries. The next one  
2 I'm a little vague on, but it's health costs from  
3 activities within the state and that consequent to our  
4 polluted air. And I think it's around five. Could be  
5 more, could be less.

6           And there's a lot of throwing around the  
7 term science, which unless you have studied science it  
8 is very easy to play with in ignorance. When we hear  
9 someone oppose proven science by arguing that is  
10 actually anti-science, the flags should go up that  
11 something phony is going on. And it's usually not a  
12 true scientific endeavor. The next is regulations.  
13 You know we wouldn't need regulations in an ideal  
14 world which people think that our economic system is  
15 one thing that we need to tend to. For example, if  
16 people were honest, if senators were honest, state  
17 senators, if corporations were honest, you know, we  
18 wouldn't need regulations.

19           But because these corporations, senators  
20 and people are corrupt, we do need regulations to try  
21 to even the playing field in the area of business.  
22 There's a lot of carping about regulations and yet  
23 what that seems to be is let me be dishonest in my own  
24 way. Don't make me liable for consequences and that's  
25 supposed to equate regulations. I don't see it.

1                   One man, again I think it was the  
2 gentleman from Rosebud, did mention morals. He very  
3 pointedly mentioned morals, and I appreciate that. I  
4 lump it together with ethics. It's something that  
5 nobody else has mentioned here. Just say a  
6 responsibility to your fellow man. One problem in  
7 Pennsylvania as in many similar states is the  
8 communities are failing. And they are failing because  
9 the little people no longer care about each other.  
10 And they don't care about each other because they're  
11 scared or frightened.

12                   The next is the lights. Everybody  
13 proposing that coal has known --- I should say  
14 proposing, the efficacy of coal has mentioned the  
15 electrical grid, which is a --- has been a problem.  
16 It's going to cause failures comparable to the  
17 failures of the pipelines that are now reaching their  
18 age, whereas alternative energy in fact negates or  
19 reduces, reduces the whole issue of the electrical  
20 grid, power grid. One minute?

21                   SECRETARY QUIGLEY:

22                   Yes, sir.

23                   MR. ROSCHKE:

24                   Okay. Mr. Sankey, because he himself  
25 opened the arguments ad hominem, I am going to apply

1 ad hominem. He's subjective of his own accusations.  
2 He is hung by his own petard, to use a phrase. And to  
3 borrow a further one from Heinrich (sic) Goebbels,  
4 former head of the Gulag --- of the Gestapo. If you  
5 tell people a lie long enough and loud enough, they  
6 will believe you. I think Mr. Sankey needs a little  
7 more education to be able to sort through the lies  
8 that he's being fed by the Koch brothers and --- hen  
9 he accuses other people using facts as lies.

10 Real quickly, dubious facts brought up  
11 by the woman representing the business organization  
12 and very dubious facts brought up by the gentleman  
13 representing Rosebud. We have had railroads, coal,  
14 tumber --- timber, coal consumption, petroleum,  
15 petroleum consumption right at this stage over and  
16 over again since 1840. My friends, when will  
17 Pennsylvania learn?

18 SECRETARY QUIGLEY:

19 Thank you. Is there anybody else who  
20 would like to speak? Okay. Thank you. Everybody  
21 gets one.

22 AUDIENCE MEMBER:

23 I just want to know if we're allowed to  
24 ask a question?

25 SECRETARY QUIGLEY:

1                   We can talk outside. This isn't a Q and  
2 A. This is a public --- we're here to listen, but  
3 happy to talk outside. Anybody else that wishes to  
4 speak? Seeing none, I want to thank you all for your  
5 participation. This is an important dialogue and  
6 really appreciate you coming out today. Please drive  
7 home safely. Thank you.

8                                   \* \* \* \* \*

9                                   HEARING CONCLUDED AT 3:25 P.M.

10                                   \* \* \* \* \*

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CERTIFICATE

I hereby certify that the foregoing proceedings,  
hearing held before Secretary Quigley was reported by  
me on 10/30/15 and that I, Jackie Hazlett, read this  
transcript, and that I attest that this transcript is  
a true and accurate record of the proceeding.

Jackie Hazlett  
Court Reporter

Jackie Hazlett