



# Senate Environmental Resources and Energy Committee

Senator Mary Jo White  
Chairman

*Patrick Henderson, Executive Director*

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October 18, 2006

The Honorable Alvin C. Bush, Chairman  
Independent Regulatory Review Commission  
333 Market St, 14th Floor  
Harrisburg, PA 17101

The Honorable Kathleen A. McGinty, Chair  
Environmental Quality Board  
15<sup>th</sup> Floor Rachel Carson Building  
Harrisburg, PA 17105

**RE: Final Rulemaking: Mercury Emission Reduction Requirements  
for Electric Generating Units (#7-405)**

Dear Chairman Bush & Chairperson McGinty:

We are writing at the direction of the Senate Environmental Resources and Energy Committee to notify the Independent Regulatory Review Commission (IRRC) and the Environmental Quality Board (EQB) of the Senate Environmental Resources and Energy Committee's intent to further review the above-referenced final rulemaking. This notice is made in accordance with §5.1 (j.2) of the Act 181 of 1982, as amended, known as the Regulatory Review Act.

As you recall, on September 22, 2006 the Committee submitted extensive comments to EQB and IRRC outlining concerns with the proposed regulation. IRRC submitted its comments on September 25, 2006. On June 13, 2006 the Committee approved Senate Bill 1201 by a 10-1 vote. This legislation proposes a significantly different mercury emission reduction plan than contained in the rulemaking. Senate Bill 1201 passed the Senate by a bipartisan, 40-10 vote on June 20, 2006. Extending the Committee's review period will permit the Committee to consider IRRC's final action on the regulation at its scheduled November 16, 2006 meeting, and permit members of the General Assembly to work with the Governor's Office to achieve a consensus mercury emission reduction plan.

This notice of intent to further review the final regulation was adopted by formal action of the Committee at its October 18, 2006 meeting.

Sincerely,

Mary Jo White, Chairman  
Senate Environmental Resources  
& Energy Committee

Raphael J. Musto, Democratic Chairman  
Senate Environmental Resources  
& Energy Committee