



Senate Environmental Resources and Energy Committee

Senator Mary Jo White
Chairman

Patrick Henderson, Executive Director

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July 30, 2007

The Honorable Kathleen A. McGinty
Secretary of Environmental Protection
16th Floor Rachel Carson Building
Harrisburg, PA 17105

Dear Secretary McGinty:

I am writing to inquire as to the current status of the Hazardous Sites Cleanup Act Program.

As you know, one of the budget agreements reached between Governor Rendell and legislative leaders was to use a portion of realty transfer tax revenue for the Hazardous Sites Cleanup Act (HSCA) Fund. Specifically, the agreement called for redirecting approximately \$22 million a year for two years from the Keystone Recreation, Park and Conservation Fund to HSCA. Personally, I preferred a higher funding level for a much longer period. However, efforts to implement this budget agreement in the House of Representatives were ultimately unsuccessful. I think a concerted effort on your part in the closing days of session would have helped to implement this agreement.

Given the fact that the new budget year has begun without an infusion of additional revenue for HSCA, I would appreciate a reply to the following questions:

- 1) On June 20th, you wrote to Budget Secretary Masch and stated that the Department of Environmental Protection (DEP) would be developing an employee furlough strategy in early July. I would appreciate a copy of the furlough strategy.
- 2) Given the early notification requirements and employee “bumping” rights under the state’s collective bargaining agreement which you and Secretary Crawford have outlined to me previously, I presume that furlough notices have already been delivered to the 253 HSCA-related employees identified in your letter. What date did the furlough notice go out to employees?
- 3) Your June 20th letter states that DEP is working to establish a statewide list of HSCA sites that should receive priority status for continuation, should the new fiscal year start without funding. I would appreciate a copy of this site list.

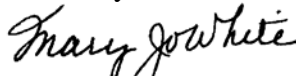
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- 4) Your June 20th letter states that the current lack of funding “necessitates” the discontinuation of all other projects not on the priority status list – and that approximately 12-18 months would be needed to restore projects to normal operating levels once funding was restored. How many of these projects have been discontinued as of July 30th? I would appreciate a copy of this list as well.
- 5) What, if any, additional funding has DEP or the Administration made available to support the HSCA program? For example, have any employee salaries/project costs been shifted to other DEP or Administration funding sources which are supporting programs that may not be as critical as HSCA?

Your June 20th letter states that the HSCA program will be completely shut down no later than September 30th. I take this statement very seriously, and presume it would not have been made without first evaluating and exhausting every other administrative alternative available to DEP. Therefore, the requested information will assist greatly in preparing for the Department’s next steps regarding the Hazardous Sites Cleanup Program.

Thank you for your prompt attention to this request.

Sincerely,



Mary Jo White, Chairman
Senate Environmental Resources
& Energy Committee

cc: Senator Pileggi
Senate Majority Leader
Senator Armstrong, Chairman
Senate Appropriations Committee
Michael Masch
Secretary of the Budget
Gregory Fajt
Governor’s Chief of Staff
Steve Crawford
Secretary for Legislative Affairs