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HOUSE OF REPRESENTATIVES Southwest Caucus



December 10, 2015

House Democratic Caucus Leadership
c/o Rep. Frank Dermody, Leader
423 Main Capitol Building
Harrisburg, Pennsylvania

Dear House Democratic Caucus Leadership:

As budget negotiations continue, we'd like to call your attention to an important matter that could be lost in the inevitable flurry of activity surrounding the resolution of the impasse.

Since 2013, the Department of Environmental Protection (DEP) has been formulating regulations for Pennsylvania's oil and gas industry. We are concerned that Department is taking a "one size fits all" approach that could harm our longstanding conventional oil and gas industry.

As you know, there are substantial differences between the conventional extraction of oil and gas and the extraction of Marcellus Shale gas. But when the initial proposed rulemaking was issued, DEP treated them almost identically. Simply put, this made no sense.

The General Assembly agreed and addressed the issue in the 2014 Fiscal Code, adopting amendments that directed the Department to develop distinct regulations for the two segments. Through regulatory maneuvering, DEP all but ignored that direction.

Earlier this year, in the Fiscal Code amendment vetoed by the Governor, the legislature yet again included language that more clearly directed the Department to advance distinct regulations. It is our understanding that the Wolf administration does not support this language. However, we strongly urge you to support its inclusion in the final, negotiated Fiscal Code.

Make no mistake - we support strong, modern, and appropriate regulation of both the conventional and unconventional oil and gas industry in Pennsylvania. But they are not the same, and should not be treated as such.

Sincerely,

Rep. Robert F. Matzie, Chair

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