



Citizens Advisory Council

to the Department of Environmental Protection

P.O. Box 8459 • Rachel Carson State Office Building
Harrisburg, PA 17105-8459 • 717-787-8171 • Fax 717-705-4980

January 22, 2019

Dear Senator:

On behalf of the Citizens Advisory Council (CAC) to the Department of Environmental Protection (DEP), I am writing to urge you to pass legislation that will appropriate a funding source for the Hazardous Sites Cleanup Fund (HSCF). The HSCF will become insolvent as early as fiscal year 2019-2020 because of the expiration of the Capital Stocks and Franchise Tax in 2015. It is important to act now to find a revenue stream for the HSCF to avoid cessation of cleanup activities and grant programs and to allow enough lead time for money to be allocated before potential insolvency.

The HSCF is a special fund established under the Hazardous Sites Cleanup Act (HSCA) (35 P.S. § 6020.101 et seq.) and provides funding for DEP to carry out many activities that address releases and threatened releases of hazardous substances to the environment. The HSCF supports DEP's federal and state "superfund" programs as well as the voluntary cleanup program established under the Land Recycling and Environmental Remediation Standards Act (Act 2) (35 P.S. § 6026.101 et seq.). Additionally, the Department of Community and Economic Development's (DCED) brownfields grants, DEP's hazardous waste program, household hazardous waste collection program, and small business advantage grant are all supported by the HSCF. DEP's 2017 Fund Annual Report (Document ID 2620-RE-DEP4351) is a helpful tool that gives detailed financial information regarding the HSCF and provides a detailed list of sites that will be impacted by insolvency.

Public health, welfare, and the environment will be jeopardized and economic development will be thwarted if the HSCF becomes insolvent. Whether it is water supply replacement for citizens with contaminated drinking water or the redevelopment of blighted properties in depressed communities, citizens across this Commonwealth benefit from the activities carried out under the HSCF. Many of these contaminated sites are legacy sites with no responsible party to fund remediation activities.

Cleanup of perfluoroalkyl substances (PFAS) contamination is just one example of the work that will be forced to stop if the HSCF runs out of funding. On September 19, 2018, Governor Wolf created the multi-agency PFAS Action Team to coordinate the Commonwealth's response to this emerging contaminant. DEP is currently responding directly under HSCA at 3 sites where PFAS is threatening human health and is overseeing investigations by the military at 10 other sites where PFAS has been detected, all with money from the HSCF. Efforts to protect drinking water sources at these and additional

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Cynthia Carrow
John J. Walliser, Esq

Bedford County
William Fink

Cumberland County
Duane Mowery
James Welty
R. Timothy Weston, Esq

Delaware County
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David Dunphy
Jerome Shabazz

Tioga County
Thaddeus K. Stevens

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Mark Caskey

sites and coordinate with the federal government on PFAS contamination will cease or become severely restricted if the HSCF becomes insolvent.

The Small Business Advantage Grant funded by the HSCF provides 50% matching grants, up to a maximum of \$9,500 to enable Pennsylvania small businesses to purchase energy efficient or pollution prevention equipment, or adopt waste reduction processes. DEP awarded 176 small business a total of \$924,211 in grants under this program during the 2016-2017 grant year. Without the HSCF, small business will lose the ability to implement these cost-saving and environmentally-friendly activities.

The Hazardous Sites Cleanup Program is a perfect example of the legislative and executive branches of our government working together as Constitutional trustees of the Commonwealth's public natural resources for the benefit of all citizens, including generations yet to come. I urge you to continue this cooperation by passing legislation that will fully fund this vital program.

CAC is happy to lend its support and help in any way we can to resolve this issue. If you have any questions or would like to discuss this further please contact our Executive Director, Keith J. Salador, by phone at 717-787-8171 or by email at ksalador@pa.gov.

Sincerely,

A handwritten signature in cursive script, reading "Jerome Shabazz", with a long horizontal flourish extending to the right.

Jerome Shabazz
Vice Chair
Citizens Advisory Council