



November 14, 2017

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Jerome Shabazz

Tioga County
Thaddeus K. Stevens

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Mark Caskey

Secretary Patrick
McDonnell, Ex-officio

Laura Edinger
Regulatory Coordinator
Policy Office
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Re: Development and Review of Regulations (012-0820-001)

Dear Mrs. Edinger:

The Citizens Advisory Council (“CAC” or “Council”) was established pursuant to Sections 448(p) and 1922-A of the Administrative Code of 1929, as amended by Act No. 1970-275 and Act No. 2016-07, 71 P.S. §§ 158(p) and 510-22. Pursuant to Section 1922-A of the Administrative Code of 1929, the CAC is charged, in part, to advise the Department of Environmental Protection (“DEP” or “Department”) and make recommendations to help improve the work of the Department. As part of the CAC’s overview of the Department’s work, Council may make official comments on policies established by DEP.

The Department recently updated its policy on the Development and Review of Regulations and published the draft Document Number 012-0820-001 on DEP’s eComment page. The CAC thanks the Department for reviewing this policy document and allowing Council and the public the opportunity to provide comments on its guidelines. Council supports the Department’s efforts to provide greater clarification of the process for the development and review of regulations.

CAC is encouraged by the Department’s desire to include advisory councils, including the CAC, early in the process of developing proposed regulations and would like to emphasize that communication between the Department, Committee staff/liaisons, and Committee Chairs is essential to ensuring that advisory committees are able to be more involved up-front in developing regulatory and policy guidance. Early communication with advisory committees will allow the Department to utilize the expertise of committee members and will aid in the development of well thought out policies and regulations.

To ensure that advisory committees are better able to participate in the review and comment period for proposed regulations, Council asks that the Department be given more than two-weeks to review regulatory and other proposals that come before them,

especially when they are lengthy and complex. This is also important for information to be adequately placed on the advisory committee's web pages for public consumption. Council will note that this recommendation can be found in the *Public Participation Committee Report* authored by the CAC on improving the public participation process.

The CAC would like to thank the Department once again for considering the recommendations of Council and updating the policy for the Development and Review of Regulations to ensure participation in the Department's development of regulations, as well as clarification of the process for the development and review of regulations. Please feel free to contact Lee Ann H. Murray, Esq., Executive Director for the Citizens Advisory Council at 717-787-8171 or leemurray@pa.gov if you have any further questions or concerns.

Sincerely,



Donald S. Welsh, Chair
Citizens Advisory Council

cc: Lee Ann H. Murray
Executive Director
Citizen Advisory Council