

## An Open Letter to Governor Corbett

June 12, 2013

The Honorable Tom Corbett, Governor  
Commonwealth of Pennsylvania  
508 E-Floor Main Capitol Building  
Harrisburg, PA 17120

Dear Governor Corbett:

You recently sent me a letter containing a few words of thanks and notification that you had removed me from the Pennsylvania Department of Environmental Protection's (DEP's) environmental policy oversight board, the Citizens Advisory Council (CAC). I can't begin to express the disappointment I felt upon your termination of my 8 years (2005 to 2013) of volunteer community service on behalf of the citizens of Pennsylvania.

Why me and why now? Nearly 18 months has passed since your election, so I thought perhaps you realized the importance of a strong, bipartisan, and diverse citizen's component to the CAC because the Commonwealth faces staggering and complicated environmental issues. I'm especially puzzled by my removal since there are vacancies on the Council. I am a wife, mother, environmental professional (*with field testing experience*), biologist, attorney, and businesswoman who happens to be African American, and as such, I represented the broad diversity on the CAC that the DEP web site maintains is necessary for the CAC to achieve its mission.

According to the DEP, "It is the mission of the Citizens Advisory Council to strive to ensure that all people of the Commonwealth enjoy the benefits included in Article I, Section 27 of the Pennsylvania Constitution. This mission specifically states that the Council is to carry out the mandates of Act 275 of 1971 and Act 95 of 1992 by:

- performing non-partisan, independent oversight of the operations, management and policy of the Department of Environmental Protection;
- evaluating environmental issues and laws;
- participating in the development of environmental regulations; and
- providing advice concerning environmental matters to the Department, the Governor, the General Assembly, and the Commonwealth's federal representatives.

The Council strives to represent all people of the Commonwealth and endeavors to bring a collective view of the public interest in environmental protection and natural resources, forged from the Council's own diversity of personal experiences and perspectives.”

How can the Council “represent all people of the Commonwealth” when a significant segment of our population doesn’t have a voice? Further, I not only brought an ethnic viewpoint, but also the perspective of those Pennsylvanians, regardless of color, who share my lifetime of experiences being poor, middle-class, rural, suburban, and female. As a businesswoman for 25 years, I have the ability to understand the business perspective as well, which allows me to help craft unique solutions to our environmental challenges when no solution seems possible.

Governor, I didn’t serve on the CAC for myself. I served on the CAC because of my love for my community— the Pennsylvania community. I have heard from many citizens all over Pennsylvania during my service, who sought me out by telephone or email, to share the environmental challenges that they face in the hopes that someone would listen.

Why do I care?

I care because when I was young, my family and my community were faced with an environmental challenge that impacted my life and my choice of careers. I grew up in the shadow of a community environmental crisis. Our rural, working-class community was identified as a location for a landfill directly across the road from where my family lived, and where I caught the school bus each day. It was a legal battle that my family and my community did not have the resources or environmental knowledge to fight. Thus, I have critical empathy for those who face environmental challenges; I call it “environmental empathy.”

Environmental empathy is the ability to take into consideration how one would feel if faced with the same environmental challenges as those citizens impacted by policy-making decisions. I committed long ago, via my career choice and community service, to being the rare voice of *all* citizens faced with environmental obstacles, but especially of those who lack the resources and environmental knowledge to manage the regulatory process when they are faced with a crisis that negatively impacts their homes, families, and communities. My personal

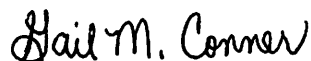
legacy on the CAC was to serve the Commonwealth and its citizens, while taking into account the needs of Pennsylvania business and industry.

You removed me from the CAC when the Commonwealth faces key environmental issues, including:

- ***Brines from Gas Development on Public Roadways and the Permit Process***—The DEP withdrew General Permit WGMR064, which allowed brines, a byproduct of gas development, to be applied to public roadways for dust suppression and road stabilization. Brine typically contains salts, volatile organic compounds, heavy metals such as arsenic, lead, barium, and mercury, and may be radioactive as a result of naturally occurring components. A November 6, 2011 report from the Harvard Environmental Law Center, however, outlines key, related issues that remain to be addressed, especially issues surrounding Pennsylvania's procedures for informing the public and soliciting public input in the permit process.
- ***The DEP's Water Testing Protocols***—It is unclear what water testing protocols the DEP uses when monitoring and testing wells suspected of gas contamination. This is especially important in Western and Central Pennsylvania where some Marcellus Shale gas fracking activities are directly impacting local communities. Since the Commonwealth has preemptive environmental protection authority over local jurisdictions, it is critical that protocols are clear, consistent, public, and readily accessible so citizens feel safe drinking from their taps, cooking for their families, and watering their crops and animals.
- ***Significant Increase in the Number of Pennsylvania Environmental Justice Communities***—The United States Environmental Protection Agency (EPA) identifies, tracks, and monitors environmental justice communities around the country. The health and environment of residents in these communities are disproportionately and adversely affected by nearby hazardous waste disposal facilities. During the March 2013 CAC meeting, DEP Environmental Justice staff reported an increase in the number of environmental justice communities in Pennsylvania. This should be a concern for all citizens in the Commonwealth, and underscores the critical need to reevaluate our environmental regulatory and policy development framework.

We all lose when dedicated, diverse, and qualified voices are excluded from the environmental policy-making table. I know that I have given my best to the Commonwealth for the past 8 years as a volunteer and will truly miss serving the citizens of Pennsylvania as a member of the CAC.

Sincerely,



Gail M. Conner, Esquire  
Former Member of the Citizens Advisory Council  
of the Pennsylvania Department of Environmental Protection

Newtown Square, Pennsylvania  
Delaware County