



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SECRETARY

July 12, 2017

The Honorable John A. Lawrence
Pennsylvania House of Representatives
House Post Office Box 202013
Harrisburg, PA 17120-2013

Dear Representative Lawrence:

Thank you for writing to the Pennsylvania Department of Environmental Protection (DEP) with your comments on the draft Beneficiary Mitigation Plan prepared in relation to the partial consent decree approved by the U.S. District Court for the Northern District of California (*In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, 15-MD-2672-CRB (JSC)).

The Commonwealth's draft Beneficiary Mitigation Plan includes Class 8 truck replacements and repowers as Eligible Mitigation Actions for which we intend to request funding. The older vehicles are required to be scrapped or rendered permanently inoperable. Additionally, the purchase and installation of emission controls on Class 8 trucks is allowed under the Diesel Emissions Reduction Act (DERA) Option, with some restrictions, through the Pennsylvania State Clean Diesel Grant Program. In utilizing the Environmental Mitigation Trust Fund monies, Pennsylvania will prioritize projects that demonstrate high cost-effectiveness and that maximize reductions of emissions of oxides of nitrogen (NO_x).

DEP appreciates the comments you have shared regarding the Commonwealth's draft Beneficiary Mitigation Plan. All comments received will be available through eComment, accessible at <http://www.ahs.dep.pa.gov/eComment/>, and may also be incorporated into a Frequently Asked Questions document that will be posted on DEP'S Volkswagen website at <http://www.dep.pa.gov/Business/Air/Volkswagen/Pages/Environmental-Mitigation-Trust-Agreement.aspx>. Comments received by DEP will be used to develop Pennsylvania's final Beneficiary Mitigation Plan.

If you have any additional questions or concerns, please feel free to contact Sarah Clark, Director of Legislative Affairs, by e-mail at saraclark@pa.gov or by telephone at 717.783.8303.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick McDonnell".

Patrick McDonnell
Secretary