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Robert M. Routh  
Public Policy and Regulatory Counsel  
Clean Air Council

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***Testimony for Joint Public Hearing on Senate Bill 275 (Yaw)***

Good morning and thank you for the opportunity to participate with you all virtually. My name is Robert Routh. I am a policy and regulatory attorney for Clean Air Council, a member-based environmental non-profit that is headquartered in Philadelphia and has been serving the people of Pennsylvania since 1967. The Council's mission is to protect and defend everyone's fundamental right to a healthy environment. In particular, my work focuses on legal and policy issues related to statewide efforts in Pennsylvania to reduce greenhouse gas emissions and combat climate change. Of relevance for this hearing, according to the Department of Environmental Protection's (DEP) [2020 Greenhouse Gas \(GHG\) Inventory](#), over 11% of Pennsylvania's total GHG emissions come from the residential and commercial building sectors. Specifically, those emissions result from fossil fuels combusted to provide heat and hot water to residential homes and commercial buildings. In cities like Philadelphia and Pittsburgh, the building stock's relative contribution to GHG emissions is substantially higher.

I am here today on behalf of my organization to raise several significant concerns regarding [Senate Bill 275](#). To begin, this bill, as written, is overbroad and has the potential to chill municipal efforts to adopt new energy efficiency measures or even to offer financial incentives to developers to pursue all-electric construction for new buildings. The bill prohibits municipalities (i.e. counties, cities, boroughs, and townships) from adopting any policy that has the "effect of restricting or prohibiting, the connection or reconnection of a utility service based upon the type of source of energy to be delivered." This language is too broad and ambiguous to be workable. Although the co-sponsor memo frames the issue as being one of consumer choice, SB 275 does not actually offer any additional energy choices to the people of Pennsylvania. Instead, it seeks to lock in the status quo. It would ensure that local elected officials are prohibited from enacting locally tailored solutions to local concerns.

This is certainly not the first preemption bill to be introduced in Harrisburg. Most recently, language preempting municipal efforts to reduce single-use plastics has been amended into must-pass budget legislation in each of the past two years. That action is currently being

challenged in the Commonwealth Court. Moreover, this legislation is not unique to Pennsylvania, as similar bills have been adopted in at least seven states and have been introduced in nearly a dozen others over the past year alone. These are coordinated efforts pushed by an industry trade group in statehouses across the country. Furthermore, in many of these states, legislation has been introduced to limit the rights of cities, subvert local climate plans, and stifle local building electrification efforts even where there has been no action at the municipal level to date. Unfortunately, this is also the case here in Pennsylvania. Clean Air Council is concerned that SB 275 is intended to stifle and prohibit necessary conversations that must be had at the local levels before they have even begun. As I stated, the bill's language is so broad as to potentially limit or chill municipal efforts to adopt or expand energy efficiency programs or to incentivize all-electric construction in new buildings.

Beyond the climate impacts that result from buildings heated by fossil fuels, there is also growing evidence of the significant consequences and public health harms associated with both the indoor and outdoor air pollution caused by use of gas appliances and gas as a heating source. A [study](#) released by the Harvard T.H. Chan School of Public Health last week revealed that, in Pennsylvania, air pollution from burning fuels in buildings led to an estimated 1,531 early deaths and over \$17 billion in health impact costs just in 2017. To be clear, those figures do *not* account for health impacts from exposure to *indoor* air pollution. Children are at particular risk of health problems if exposed to indoor air pollution, and lower-income households are at higher risk of exposure. As the [EPA says](#), gas emits a whole stew of toxic chemicals, including PM2.5, nitrogen dioxide, carbon monoxide, formaldehyde, and more. Research has found that all of those chemicals individually have negative impacts on health.

There are also the obvious risks associated with explosions and fires that stem from the use of gas in buildings, such as the [explosion in South Philadelphia](#) in December 2019 that killed two people and destroyed five rowhouses. Municipalities must bear the responsibility for responding to these disasters and assume the associated risks and costs. Also, on the merits, all-electric new construction can save money. Electrification of space and water heating can be less expensive than gas, especially in new construction where the cost of adding and maintaining gas piping can be avoided altogether.

All that said, I am not here today to persuade you to enact state policy that would encourage, much less mandate, the electrification of Pennsylvania's building stock. Instead, I would urge you to carefully consider the consequences of SB 275, which Clean Air Council believes is not in the best interests of Pennsylvanians, or local elected officials - each of whom is accountable to their constituents - who may consider adopting energy efficiency measures and clean energy policies best tailored to their municipalities' respective needs and interests. Thank you, and I would be happy to take any questions and discuss further.