

41ST SENATORIAL DISTRICT
JOE PITTMAN

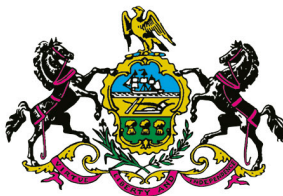
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Majority Leader



Senate of Pennsylvania

COMMITTEES

RULES & EXECUTIVE NOMINATIONS, CHAIR

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Submitted by email to RA-EPNPDES_NWRO@pa.gov

February 9, 2026

Pennsylvania Department of Environmental Protection (DEP)
Northwest Regional Office (NWRO)
Clean Water Program
230 Chestnut Street
Meadville, PA 16335

RE: Proposed Consent Decree Between DEP and Keystone-Conemaugh Projects, LLC
(Key-Con) Court of Common Pleas of Indiana County

To Whom It May Concern:

As Senate Majority Leader representing Pennsylvania's 41st District, which encompasses vital energy infrastructure like the Keystone and Conemaugh Generating Stations, and joined by my colleagues in the Senate Republican Caucus, I submit these comments in strong support of the proposed Consent Decree between the Pennsylvania Department of Environmental Protection (DEP) and Keystone-Conemaugh Projects, LLC (Key-Con). This agreement represents a pragmatic approach that successfully achieves both environmental compliance and the preservation of critical baseload power generation.

For decades, the Keystone and Conemaugh Generating Stations have been cornerstones of Pennsylvania's economy and energy security. These plants directly employ over 1,000 workers and sustain thousands more in supply chains, including coal mining and transportation. They contribute nearly \$5 million annually in property taxes alone, supporting local schools, governments, and communities in Armstrong and Indiana Counties.

Premature closure of these plants will devastate local economies and exacerbate grid vulnerabilities. The Consent Decree allows these stations to continue operating responsibly beyond 2028, avoiding such outcomes.

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Given the escalating reliability crisis at PJM Interconnection, this decree is particularly timely. PJM's December 2025 Base Residual Auction procured only 134,479 MW of unforced capacity, falling short by 6,623 MW of reliability requirements and yielding a mere 14.8% reserve margin, well below PJM's 20% target. Factors like surging data center demand and rapid retirements of dispatchable resources threaten blackouts, as warned in NERC's 2025 Reliability Risk Priorities Report. Key-Con's 3.4 GW of coal-fired capacity provides proven, weather-resilient power, as demonstrated during Winter Storms Uri, Elliott and Fern.

The Consent Decree strikes an essential balance: It enforces the regulatory requirements under the Clean Streams Law and the federal Effluent Limitations Guidelines (ELGs) (e.g., Bottom Ash upgrades by 2026 and FGD wastewater by 2028) while granting flexibility to transition from a 2028 cessation to a compliance pathway. This further aligns with Pennsylvania's withdrawal from RGGI in November 2025, which I opposed as a job-killing carbon tax that would have quickly devastated plants like Keystone and Conemaugh.

Approving this decree and allowing the continued operation of these plants will safeguard jobs and bolster grid stability, while also ensuring protection of our natural resources. I urge DEP to enter the decree promptly, sending a clear signal that Pennsylvania prioritizes a true "all-of-the-above" energy strategy for a resilient future.

Thank you for your attention to this matter.

Sincerely,



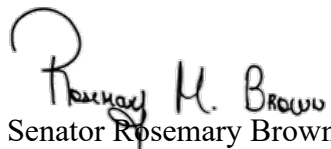
Senator Joe Pittman



Senator David Argall



Senator Camera Bartolotta



Senator Rosemary Brown



Senator Lynda Schlegel Culver



Senator Lisa Baker



Senator Michele Brooks



Senator Jarrett Coleman

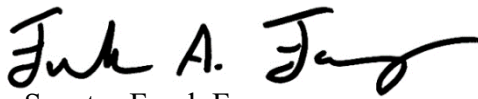


Senator Cris Dush

Pennsylvania Department of Environmental Protection (DEP)

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Senator Frank Farry



Senator Chris Gebhard



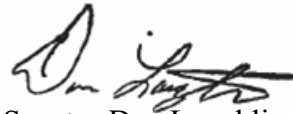
Senator Scott Hutchinson



Senator Dawn Keefer



Senator Wayne Langerholc, Jr.



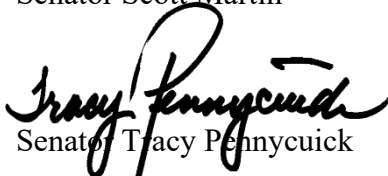
Senator Dan Laughlin



Senator Scott Martin



Senator Doug Mastriano



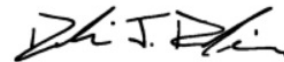
Senator Tracy Pennycuik



Senator Kristin Phillips-Hill



Senator Joe Picozzi



Senator Devlin Robinson



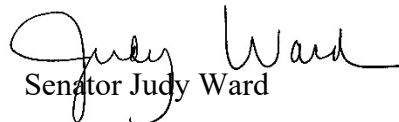
Senator Greg Rothman



Senator Pat Stefano



Senator Elder Vogel, Jr.



Senator Judy Ward



Senator Kim Ward



Senator Gene Yaw

cc: The Honorable Jessica Shirley
Secretary, PA Department of Environmental Protection