

US EPA ARCHIVE DOCUMENT



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

August 4, 2000

MIKE FISHER
ATTORNEY GENERAL

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Harrisburg, PA 17120
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Mr. Bradley M. Campbell
Regional Administrator
U.S. Environmental Protection Agency, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Pennsylvania Legal Statement for Final
Authorization, Including Changes to the Federal
RCRA Program through June 1998 and
Pennsylvania Supplemental Legal Statement

Dear Mr. Campbell:

You have been provided with a Legal Statement prepared by the Office of General Counsel in support of Pennsylvania's application for program authorization under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C.S. § 6901 *et seq.*, as well as a Supplemental Legal Statement for Changes to the Federal RCRA Program from July 1998 through July 6, 1999 ("Legal Statements"). In the cover letter accompanying these documents, the General Counsel indicated that a letter concurring in the Legal Statements would be submitted by the Pennsylvania Office of Attorney General.

Under Section 204(c) of the Commonwealth Attorneys Act, Act of October 15, 1980 (P.L. 950, No. 164), 71 P.S. § 732.101 *et seq.*, the Office of Attorney General is responsible, in the first instance, for representing Commonwealth agencies in civil litigation. Therefore, this letter of concurrence is submitted to satisfy the requirement of 40 C.F.R. §271.7 respecting legal counsel's "full authority to independently represent the State Agency in court on all matters pertaining to the State program."

The Office of Attorney General has reviewed the Legal Statements dated July 27, 2000 and is in agreement with their contents. The Office of Attorney General concurs in the conclusions of the Legal Statements that the Commonwealth has adequate authority

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to carry out the program set forth in the revised "Program Description" submitted by the Department of Environmental Protection as part of the application program authorization.

Sincerely yours,



Cristina S. Papson
Senior Deputy Attorney General
Review and Advice Section

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