

-PA ——— Environment Digest

*An Update on
Environmental
Issues in
Pennsylvania*

Edited By David E. Hess, Crisci Associates

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[PA Environment Digest Video Blog](#)

Improvements Needed To Nutrient Credit Trading, Clean Water Coalition Says



Senators Vance, Brubaker, MJ White, Musto

Members of the [Pennsylvania Fair Share for Clean Water Coalition](#) testified at a state Senate hearing this week that action is needed quickly on legislation to improve the state's Nutrient Credit Trading Program in order to reduce the cost of complying with federal and state clean water mandates, provide farmers with the help they need to install conservation practices and allow for future growth.

Video Blog: [See the Opening Comments At The Hearing + Video Of Hearing](#)

The Coalition members presenting testimony included the Pennsylvania Municipal Authorities Association, Pennsylvania Farm Bureau, Pennsylvania Builders Association and the Chesapeake Bay Foundation.

The hearing was held by the Senate Environmental Resources and Energy and Agriculture and Rural Affairs Committees on legislation introduced by Sen. Pat Vance (R-Cumberland) as [Senate Bill 1493](#) and in the House by Rep. Eugene DePasquale (D-York) as [House Bill 2717](#).

Both bills would create a Nutrient Credit Trading Board that would function as a bank to which farmers who install conservation practices could sell credits certified by the Department of Environmental Protection as valid for projects that reduce nutrient pollution.

Wastewater plants and builders who need to reduce nutrient pollution could then buy these credits from the bank without the risk of the credits disappearing or becoming invalid. Coalition members explained how the addition of a nutrient credit bank option would improve the viability of the trading program.

“Federal and state clean water mandates require a significant reduction in nutrient pollution flowing into Pennsylvania's rivers and streams from wastewater plants and farms,” said Matthew Ehrhart, Pennsylvania Executive Director of the Chesapeake Bay Foundation. “Because installing conservation practices on farms is many times more cost-effective than building whole new treatment systems at wastewater plants, an innovative nutrient credit trading program was developed by the Department of Environmental

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Protection to allow farmers to take credit for nutrient reductions on their farms and sell them to wastewater plants and builders who need to make similar reductions.” ([Full testimony](#))

“The current nutrient credit trading program, however, has a fundamental problem: farmers don’t want to invest in conservation practices if they don’t have a buyer, and buyers don’t want to use credits if they have to deal with dozens of farmers over 10 or 15 years,” said Ehrhart. “A trading bank solves that problem by allowing farmers to sell credits to the bank at any time and buyers can buy credits guaranteed by the bank. It reduces the risk for everyone, reduces costs for ratepayers and farmers and allows for future growth.”

“Pennsylvania stakeholders have resolved many issues as the Nutrient Trading Program has evolved. We need to nail down these remaining issues so we can put this new tool to work.” said Ehrhart.

It would cost over \$1 billion to upgrade wastewater plants to meet the clean water mandates in the Chesapeake Bay watershed without using nutrient credit trading. These kinds of costs will double or triple current sewage rates.

“The cost to ratepayers to comply with nutrient pollution reduction mandates for the 184 wastewater plants in the Chesapeake Bay watershed alone is over \$1 billion, and while we are grateful for the infrastructure funding passed as part of the state budget in July, we need to look at all the tools we have available to reduce costs,” said John Brosious, Deputy Director of the Pennsylvania Municipal Authorities Association. “Nutrient credit trading offers a significant opportunity to reduce those costs by investing in farm conservation practices that can, in many cases, reduce nutrient pollution much less expensively than we can.” ([Full testimony](#))

“The current credit trading system does not provide the certainty and reliability wastewater plant operators need in specific amounts and at specific times to meet their DEP permit limits,” said Brosious. “Having a bank guaranteeing that the credits will be there at the time they are needed would significantly reduce the risk of using the credit option and would be a real benefit to our ratepayers.”

The Department of Environmental Protection estimates federal and state clean water mandates in the Chesapeake Bay Watershed will cost farmers over \$600 million to implement. Unfortunately, no additional funding was provided in the state budget adopted in July to help farmers install those conservation practices or to county conservation districts which help design them.

“We see nutrient credit trading as one of several ways farmers could finance the costs to improve the management of their farms beyond minimum environmental compliance levels, but it’s not a magic bullet and it does not eliminate the need for other sources of funding,” said Joel Rotz, State Governmental Relations Director for the Pennsylvania Farm Bureau. “The current credit trading system has a ‘chicken and egg’ problem: farmers will not invest in conservation practices without knowing if they can sell the credits and potential purchasers fear they will be held accountable for permit violations if conservation practices are not implemented.” ([Full testimony](#))

“For any nutrient trading program to be viable, it must provide absolute assurance that permit holders who purchase nutrient credits in good faith to meet permit requirements will not be subject to sanctions,” said Rotz. “And farmers that generate credits must be assured they have a market. A nutrient credit trading bank will provide both assurances.”

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Federal and state clean water mandates reduce and cap the amount of nutrient pollution going into rivers and streams. As a result, any future growth depends on farm conservation and wastewater projects that reduce pollution enough to offset any new nutrient discharges.

“We fully support cleaning up the Chesapeake Bay and a key to achieving that goal is a functioning, robust nutrient credit trading program,” said Robert J. Fisher, President of R.J. Fisher and Associates, representing the Pennsylvania Builders Association. “The current trading program creates an unacceptable level of risk and uncertainty for both generators of credits and potential users, including builders.” ([Full testimony](#))

“A nutrient credit trading bank would help solve these problems by guaranteeing the long-term price and availability of credits for potential buyers and it will provide an additional market for farmers with credits to sell,” said Fisher. “These credits are vital to the building industry because without them there can be no growth-- residential or commercial—beyond the nutrient reduction caps imposed by the clean water mandates.”

The Pennsylvania Infrastructure Investment Authority last year approved investing \$50 million in EPA revolving fund loan monies to purchase nutrient credits, but those funds have not been spent. Coalition members believe investing those funds through the proposed nutrient credit bank would make significant improvements in water quality and ensure future growth opportunities.

Alexandra Chiaruttini, an attorney with Stock and Leader, said one of the reasons the current nutrient credit trading program does not work is the length of time it takes for DEP to validate credits, nine months or more in many cases. No business, she said, can wait nine months for an answer and expect to make money in the nutrient credit market. ([Full testimony](#))

Based on her experience in several trades so far, Chiaruttini said DEP needs to develop reliable formulas for what each farm conservation practice will yield in nutrient credits, rather than make every attempt at validating a credit a months-long negotiation.

Cathy Curran Myers, DEP Deputy Secretary for Water Management provided the Committees with an overview of DEP’s [Nutrient Trading Program](#).

"Pennsylvania's trading program is one the nation's most comprehensive, as it is one of the first of its kind to have nonpoint source and point source trading options," said Myers. "This innovative, market-based system is leading to cleaner water in Pennsylvania while helping the state to comply with increasingly stringent federal water quality standards. It is also paving the way for new investments in the state's communities—especially in Pennsylvania's rural areas where agriculture is strong and farmers are doing their part to reduce pollution to our waterways.

"It was created as an innovative and scientifically based option that was implemented as one of many alternatives for communities to reduce the amount of nitrogen, phosphorus and sediment that impairs and degrades our streams and rivers. The program has established itself as a viable option for farmers to generate new revenues, for communities to keep consumer fees and charges related to drinking water and wastewater low, and for treatment plants and developers to meet water quality standards."

"Dischargers and developers are beginning to consider credit purchases instead of traditional bricks and mortar solutions to meet their water quality obligations," said Myers, pointing to two examples where municipalities are using nutrient trading to reduce the cost of complying with federal water quality requirements while keeping rates down for citizens.

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Fairview Township, York County, will purchase 20,000 nitrogen credits per year for the next 15 years from Red Barn Trading Co. of Lancaster. The municipality's estimated costs to upgrade its sewer plants and the sewage treated at the Lower Allen plant was \$6.2 million, which would have required a rate increase of \$22 per quarter for residents. Under the nutrient trading agreement, residents will only see a \$9 increase per quarter.

In 2007, Mount Joy Borough, Lancaster County, became the first municipality to implement nutrient trading as part of its overall permit compliance plan. The borough invested \$2.9 million in plant improvements and partnered with a local farmer who will generate credits by converting more than 900 acres to continuous no-till agriculture. Mount Joy reduced its annual projected cost for nutrient treatment using the trading option from \$382,500 per year to \$248,000 per year -- a 35 percent reduction.

"Pennsylvania's program is empowering local communities to use nutrient trading to solve local issues, while providing long-term benefits," said Myers. "Groups are learning firsthand how effective nutrient trading can be in meeting environmental goals at less expense than traditional command and control approaches. Similarly, they are also finding that credit trading can provide a means by which to improve their competitiveness.

"Innovations like water quality trading will further contribute to Pennsylvania's already successful efforts to restore vital natural resources and make crucial investments in our local communities."

The Fair Share for Clean Water Coalition supports these steps needed to help ratepayers, farm families and future homeowners and businesses comply with clean water mandates—

- Urges voter approval of the \$400 million water infrastructure referendum on the November 4 election ballot;
- Reforms to the state's nutrient credit trading program that will help to make it a viable alternative to provide for both environmental improvements to the Bay and sufficient future sewage capacity for new development;
- \$50 million in direct cost share aid to farmers to install conservation practices (\$35 million for REAP farm tax credits and \$15 million in cost share grants);
- \$10 million to county conservation district to expand technical assistance to farmers; and
- \$10 million to restore cuts to the Department of Agriculture budget in farm programs.

Sen. Mary Jo White (R-Venango) serves as Majority Chair of the Environmental Committee and Sen. Ray Musto (D-Luzerne) serves as Minority Chair.

Sen. Mike Brubaker (R-Lancaster) serves as Majority Chair of the Agriculture Committee and Sen. Mike O'Pake (D-Berks) serves as Minority Chair.

The agenda, testimony and other comments received by the Committees on this topic are available on the [Senate Environmental Resources and Energy Committee webpage](#).

For more information on credit trading, visit DEP's [Nutrient Trading webpage](#) and the [www.PaFairSharePlan.org](#) website.

NewsClip: [Nutrient Trading Program Helps Meet Water Quality Goals](#)

Link: [Fair Share Coalition: New Budget Supports Wastewater Plants, Farmers Left Out DEP's Nutrient Trading Webpage](#)

Video Blog Feature

DEP's John Hanger Talks About Climate Change At PEC Members Meeting

Acting Department of Environmental Protection Secretary John Hanger talked about implementing the new PA Climate Change Act (Act 70) during the [PA Environmental Council's 39th Annual Members meeting](#) in this [Video Blog story](#).

Acting Secretary Hanger complimented PEC's leadership on the climate issue which resulted in producing an updated state greenhouse gas inventory and a [Climate Change Roadmap](#) developed by a diverse group of stakeholders.

Act 70 establishes a 21-member advisory committee that is charged with advising DEP on implementing the law, creating a report on potential climate change impacts and economic opportunities for the Commonwealth, and developing an action plan to implement cost-effective strategies to reduce or offset the state's greenhouse gas emissions.

Acting Secretary Hanger made a personal commitment to be involved in the development of the action plan required by the Act.



Video Blog: [Acting DEP Secretary John Hanger Talks About Climate Change](#)

Link: [DEP Climate Change Advisory Committee Holds First Meeting](#)
[PEC Praises Final Passage of Climate Change Action Plan Legislation](#)
[PEC Unveils Stakeholder-Driven Climate Change Roadmap](#)

Video Blog Feature

Special Schuylkill River Watershed Profile Looks at Present, Future Challenges

The *Reading Eagle* this week published a three-part series on the Schuylkill River Watershed, including [State of the Watershed](#), [Protecting the River](#) and the [Schuylkill's Future](#) segments.

It also included a very informative online [video and multi-media presentation](#).

Video Blog: [Schuylkill River Watershed Special Series](#)

Links: [Schuylkill Action Network](#)
[Schuylkill Watershed Profile](#)



On the Hill

On the Senate/House Agenda/Session Schedule/Bills Introduced

The Senate and House committee meeting schedules and floor Calendars are listed here--

Session Schedule

Here is the House and Senate fall voting schedule—

House

September 22, 23, and 24

October 6, 7, and 8

November 12, 13, 17, 18, 19, 24, and 25

Senate

September 22, 23, 24

October 6, 7, 8

November 20-21 (tribute to retiring members, certain nominations)

You can watch the [Senate Floor Session](#) and [House Floor Session](#) live online.

Calendars/Committees

The Senate and House committee meeting schedules and floor Calendars as they left them for summer recess--

Calendars

House (September 22): [House Bill 934](#) (Scavello-R-Monroe) authorizing counties to impose up to a \$4/ton solid waste management fee to support local recycling, anti-litter programs; [House Bill 44](#) (Rubley-R-Chester) banning the sale, installation and unsafe disposal of mercury thermostats; [House Resolution 546](#) (George-D-Clearfield) urging Congress to investigate gas and energy prices;; [House Resolution 712](#) (Hutchinson-R-Venango) re-establishing the Forestry Task Force; [House Resolution 719](#) (George-D-Clearfield) endorsing request for federal funding for PA river basin commissions.

[Special Session House Bill 13](#) (Bennington-R-Mifflin) amends the Alternative Energy Portfolio Standards Act to provide for increased use of energy efficiency, extends the compliance period from 15 to 21 years and provides additional milestones for the use of alternative energy; [Special Session House Bill 17](#) (McIlvaine Smith-D-Montgomery) excluding purchase price of hybrid electric vehicles from sales and use tax; [Special Session House Resolution 6](#) (Thomas-D-Philadelphia) designating November 15 as “Pennsylvania GIS Day” and the week of November 11-17 as “National Geography Awareness Week.”

Senate (September 22): [House Bill 420](#) (Hickernell-R-Lancaster) providing for downtown reinvestment area grants under the Main Street Program; [House Bill 2233](#)

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(Freeman-D-Lehigh) extending the Elm Street Program; [House Bill 1742](#) (Pashinski-D-Luzerne) providing penalties for the theft of scrap metals.

And on the Special Energy Session Calendar: [Special Session House Bill 36](#) (George-D-Clearfield) establishing a State Energy Office to promote energy development and conservation.

Committees

House: the Environmental Resources and Energy Committee meets to consider [House Bill 2480](#) (DeWeese-D-Greene) providing for the adoption of the Mid-Atlantic Area National Electric Transmission Corridor Compact, [Special Session House Bill 55](#) (Brooks-R-Crawford) providing incentives for using switchgrass and other biofuels feedstock to reclaim abandoned mine lands, [Special Session House Resolution 107](#) (*not yet online*), [House Resolution 883](#) (Harper-R-Montgomery) directing the Legislative Budget and Finance Committee to review how grants are funded under the Growing Greener II program; [Senate Bill 1330](#) (D.White-R-Indiana) establishing the Coal Methane Review Board, [Senate Bill 1062](#) (Wonderling-R-Montgomery) reimbursing brownfield developers for certain costs, [Senate Bill 1050](#) (Baker-R-Luzerne) establishing the Used Tire Pile Remediation Account and making an appropriation; and the House Republican Policy Committee holds a hearing on electric rate cap mitigation.

Senate: the Environmental Resources and Energy Committee holds an informational meeting on DCNR's carbon sequestration plan and a separate meeting to consider [Senate Bill 1573](#) (Musto-D-Luzerne) making a correction to the Water Facilities Bond language, [Senate Resolution 375](#) (Dinniman-D-Chester) urging Congress to oppose certain federal rules governing the regulation of interstate transportation of natural gas, [House Bill 44](#) (Rubley-R-Chester) banning the sale of thermostats containing mercury; the Game and Fisheries Committee holds a hearing on powers and duties of deputy wildlife conservation officers with the Game Commission; the Urban Affairs and Housing Committee meets to consider [Senate Bill 1291](#) (Rhoades-R-Schuylkill) providing additional authority for blight reclamation projects.

Other: the Joint Legislative Budget and Finance Committee meets on [Senate Resolution 195](#) (Brubaker-R-Lancaster) related to a review of the Agricultural Conservation Easement Purchase Program; the Environmental Issues Forum will hear a presentation by U.S.G.S on emerging contaminants in PA Streams, sponsored by the [Joint Conservation Committee](#).

Bills Introduced

This bill of interest was introduced this week—

Water Bond Issue Fix: [Senate Bill 1573](#) (Musto-D-Luzerne) amends the Water and Sewer Systems Assistance Bond Fund language to fix provisions related to the \$400 million bond issue referendum.

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Stony Creek Scenic River: [Senate Bill 1582](#) (Piccola-R-Dauphin) prohibiting the exchange of property by the Game Commission or the Department of Conservation and Natural Resources within the Stony Creek Wild and Scenic River corridor.

Long-Term Leases: [House Bill 1276](#) (Stern-R-Blair) authorizing the Department of Conservation and Natural Resources to enter into certain long-term leases of up to 50 years for rights-of-way..

Regulating Heating Oil: [House Bill 1944](#) (King-D-Montgomery) authorizing the Public Utility Commission to regulating heating oil distribution.

Alternative Natural Gas: [House Bill 2300](#) (Turzai-R-Allegheny) providing for any person distributing natural gas produced from alternative sources not be included within the definition of public utility.

Access to Wells: [House Bill 2533](#) (George-D-Clearfield) providing notice of surface use by oil and gas well operators and use compensation agreements.

Recycling Light Bulbs: [House Bill 2740](#) (Quinn-R-Bucks) adding fluorescent light bulbs to the choices for curbside recycling programs.

Low-Income Heating Assistance: [House Bill 2769](#) (Quinn-R-Bucks) creating a Home Energy Assistance Act providing the Department of Public Welfare to match funds based on contributions by stockholders, employees and ratepayers.

Waste Facility Health Impacts: [House Bill 2769](#) (Quinn-R-Bucks) requiring consultant with the Department of Health regarding public health impacts of waste facilities.

Senate/House Bills Moving

The following bills of interest saw action in the House and Senate this week—

Senate

Energy Office: [Special Session House Bill 36](#) (George-D-Clearfield) establishing a State Energy Office to promote energy development and conservation, was amended and reported out of the Senate Environmental Resources and Energy Committee and is now on the Calendar for action.

Elm Street/Main Street Programs: [House Bill 420](#) (Hickernell-R-Lancaster) providing for downtown reinvestment area grants under the Main Street Program and [House Bill 2233](#) (Freeman-D-Lehigh) extending the Elm Street Program were both reported from the Senate Community, Economic and Recreational Development Committee are now on the Calendar for action.

Scrap Metal Theft: [House Bill 1742](#) (Pashinski-D-Luzerne) providing penalties for the theft of scrap metals was amended and reported from the Senate Appropriations Committee and is now on the Calendar for action.

House

Mercury Thermostats: [House Bill 44](#) (Rubley-R-Chester) banning the sale of thermostats containing mercury was passed by the House and has been scheduled for action by the Senate Environmental Resources and Energy Committee on September 23.

"Because mercury recycling provisions are not mandated and since there are no public awareness programs, many old mercury thermometers are being improperly disposed of in incinerators and landfills, where they will likely break and leach into the soil, air and water," said Rep. Rubley. "My bill will create a public awareness program to encourage drop-off locations for consumers to return old mercury thermostats at their convenience when they go to their home improvement centers."

Elk Damage: [House Bill 2575](#) (Hanna-R-Clinton) providing for fencing and payment for damage farmers suffer caused by elk was passed by the House and now goes to the Senate for consideration.

Biomass Energy: [House Bill 664](#) (George-D-Clearfield) creating a tax exemption for biomass products used for home heating was reported from the House Rules Committee, Tabled and referred to House Appropriations Committee.

Litter Education: [House Bill 1319](#) (Siptroth-D-Monroe) providing for an acknowledgement of litter fines and penalties on learner's permit and driver's license applications was referred to the House Appropriations Committee.

Stormwater Planning: [House Bill 2266](#) (Steil-R-Bucks) providing for watershed-based stormwater planning was reported from the House Rules Committee, Tabled and referred to the House Appropriations Committee.

Guaranteed Energy Savings: [House Bill 2559](#) (Petroni-D-Allegheny) making changes to the guaranteed energy savings contract provisions was amended and reported from the House Urban Affairs Committee, Tabled and referred to House Appropriations Committee.

Infrastructure Funding: [House Bill 2638](#) (McCall-D-Carbon) creating the Legacy Account Program to fund certain infrastructure and education facility improvements was reported from the House Rules Committee and re-referred to the House Appropriations Committee.

Fair Share Nutrient Reduction Program: [House Bill 2656](#) (Hanna-D-Clinton) establishing the Fair Share Nutrient Reduction Assistance Program was reported from the House Rules Committee and re-referred to the House Appropriations Committee.

Extending Rate Caps: [Special Session House Bill 54](#) (George-D-Clearfield) that would extend electric rate caps was reported out of the House Environmental Resources and Energy Committee, Tabled and referred to the House Appropriations Committee.

Siting Landfills: [House Bill 1164](#) (Wansacz-D-Luzerne) setting siting criteria for landfills near State Parks was reported out of the House Environmental Resources and Energy Committee, Tabled and referred to House Appropriations Committee.

Energy Assistance: [House Resolution 848](#) (Waters-D-Philadelphia) urging the President and Congress to increase funding for Low-Income Home Energy Assistance Program was reported out of the House Environmental Resources and Energy Committee and is on the House Calendar for action.

Subpoena Power: [House Resolution 843](#) (George-D-Clearfield) authorizing the House Environmental Resources and Energy Committee to investigate all aspects of the Governor’s Energy Initiative was reported of the House Environmental Resources and Energy Committee and is on the House Calendar for action.

House Committee OKs Bill No One Wants To Become Law on Electric Rate Caps

After many members said they did not want it to become law, the House Environmental Resources and Energy Committee this week reported out [Special Session House Bill 54](#) (George-D-Clearfield) that would extend electric rate caps.

Other bills approved by the Committee would set additional siting criteria for landfills, ask Congress for more low-income heating assistance and give the Committee subpoena power to investigate the Governor’s Energy Independence Initiative.

The bills include:

- [House Bill 1164](#) (Wansacz-D-Luzerne) setting siting criteria for landfills near State Parks;
- [House Resolution 848](#) (Waters-D-Philadelphia) urging President and Congress to increase funding for Low-Income Home Energy Assistance Program; and
- [House Resolution 843](#) (George-D-Clearfield) authorizing the Environmental Resources and Energy Committee to investigate all aspects of the Governor’s Energy Initiative.

Rep. Greg Vitali (D-Delaware) and other Committee members said they hoped Special Session House Bill 54 would not become law, but rather they hoped it would help force Senate action on [House Bill 2200](#) (George-D-Clearfield) that would require utilities to adopted programs to encourage energy conservation.

Members also noted that Gov. Rendell and others said the bill did not pass “constitutional muster.”

"Pennsylvania is not prepared to deal with the \$4 billion jolt to the pocketbooks of its citizens and businesses that will occur with the end of the rate caps," Rep. George said. "It's time to insulate the consumers rather than the utilities already reaping record profits and expecting a bigger bounty with double-digit rate increases."

The Majority Chair of the Committee is Rep. Bud George (D-Clearfield) and the Minority Chair is Rep. Scott Hutchinson (R-Venango).

NewsClip: [Environmental Panel Sends Rate Cap Bill To House Electric Customers In PA Due For Jolt](#)

Senate Environmental Committee OKs Bill To Create State Energy Office

The Senate Special Session Committee on Energy Policies this week amended and reported out [Special Session House Bill 36](#) (George-D-Clearfield) establishing a State Energy Office to promote energy development and conservation, according to Sen. Mary Jo White (R-Venango), who serves as Majority Chair of the Committee.

The office would be created within the state Department of Environmental Protection.

“I commend Rep. Bud George for his leadership and sponsorship of this legislation,” said Sen. White. “Energy is perhaps the most critical issue facing the commonwealth and this office and advisory committee will help Pennsylvania meet this challenge.”

The Committee approved two amendments to [Special Session House Bill 36](#). One amendment creates an Energy Advisory Committee, with members appointed by the governor and legislature.

The second amendment gives the State Energy Office the responsibility of implementing the Pennsylvania Climate Change Act. The Act, sponsored by Sen. Ted Erickson (R-Delaware) and signed into law in July, created a Climate Change Advisory Committee to advise the state on climate change issues and identify green economic opportunities in Pennsylvania.

“The amendment also reinforces the commitment from DEP that, as the Climate Change Advisory Committee examines the issue and makes recommendations to state government, any proposal to implement caps on greenhouse gas emissions will be done through legislation,” said Sen. White. “This is particularly critical given the growing concerns over higher electric costs in the commonwealth and the need to ensure that as we address this issue, we do not unnecessarily increase the burden on Pennsylvania consumers or businesses.”

Reacting to the Committee action, Rep. George said, “We need a focused effort on energy issues rather than the current shotgun approach with energy-related initiatives scattered across different state agencies.

Sen. Ray Musto (D-Luzerne) serves as Minority Chair of the Committee.

More information is available at the [Senate Special Session Committee on Energy Policies webpage](#).

House Committee To Meet On Transmission Line, Waste Tire Other Bills

The House Environmental Resources and Energy Committee meets on September 23 to consider legislation adopting an electric transmission line compact, establishing a Coal Methane Review Board, funding waste tire removal, brownfields redevelopment, encouraging reclamation of mine sites with biomass and a resolution to review the Growing Greener II bond program.

The bills include:

- [House Bill 2480](#) (DeWeese-D-Greene) providing for the adoption of the Mid-Atlantic Area National Electric Transmission Corridor Compact;
- [Special Session House Bill 55](#) (Brooks-R-Crawford) providing incentives for using switchgrass and other biofuels feedstock to reclaim abandoned mine lands;
- [Special Session House Resolution 107](#) (*not yet online*);

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- [House Resolution 883](#) (Harper-R-Montgomery) directing the Legislative Budget and Finance Committee to review where grants were made under the Growing Greener II program;
- [Senate Bill 1330](#) (D.White-R-Indiana) establishing the Coal Methane Review Board;
- [Senate Bill 1062](#) (Wonderling-R-Montgomery) reimbursing brownfield developers for certain costs; and
- [Senate Bill 1050](#) (Baker-R-Luzerne) establishing the Used Tire Pile Remediation Account and making an appropriation.

DCNR Carbon Sequestration Plan Topic Of Senate Informational Meeting

The Senate Environmental Resources and Energy Committee will hold an informational meeting on September 24 on the [Carbon Management Plan](#) developed by the Department of Conservation and Natural Resources.

DCNR Secretary Michael DeBeradinis provide an overview of the Planning process and its results. The Committee will also hear comments by [Jonathan Matthews](#), Assistant Professor of Energy and Mineral Engineering at Penn State.

Sen. Mary Jo White (R-Venango) serves as Majority Chair of the Committee and Sen. Ray Musto (D-Luzerne) serves as Minority Chair.

Senate Committee To Consider Water Bond Fix, Mercury Thermostat Ban

The Senate Environmental Resources and Energy Committee meets September 23 to consider legislation banning the sale of thermostats with mercury, making a fix to boilerplate language in the \$400 million water bond referendum legislation and a resolution on federal natural gas shipment rules.

The bills include:

- [Senate Bill 1573](#) (Musto-D-Luzerne) making a correction to the Water Facilities Bond language;
- [Senate Resolution 375](#) (Dinniman-D-Chester) urging Congress to oppose certain federal rules governing the regulation of interstate transportation of natural gas; and
- [House Bill 44](#) (Rubley-R-Chester) banning the sale of thermostats containing mercury.

Sen. Mary Jo White (R-Venango) serves as Majority Chair of the Committee and Sen. Ray Musto (D-Luzerne) serves as Minority Chair.

For more information, visit the [Senate Environmental Resources and Energy Committee webpage](#).

Environmental Issues Forum on Emergent Water Pollutants, New Synopsis

On September 22 the [Joint Legislative Air and Water Pollution Control and Conservation Committee](#) will hold its next Environmental Issues Forum featuring a presentation on emerging water pollutants.

The speaker will be J. Kent Crawford, Water Quality Specialist for the Pennsylvania Science Center with the U.S. Geologic Survey.

The Forum will be held a noon in Room 205 Ryan Building.

The [September issue](#) of *Environmental Synopsis* published by the puts the spotlight on the progress made in cleaning up Pennsylvania's waste tire piles.

Other topics covered include: fluorescent light bulb recycling, climate change in the U.S., water reuse and recycling and emerging contaminants in water.

The chair of the Joint Committee is Rep. Scott Hutchinson (R-Venango) and the vice-chair is Sen. Ray Musto (D-Luzerne).

Video Blog: [Dr. Crawford's Emerging Water Pollutant Discussion - 2006](#)

Other News

DEP Invites Comments On TMDL Plans in Elk, Luzerne Counties

The Department of Environmental Protection is inviting comments on two Total Maximum Daily Load Plans for watersheds in Elk and Luzerne Counties. They include:

- **Sinnemahoning Creek Watershed**, Elk County: DEP will hold a public meeting October 16 to discuss the plan at the St. Joseph Church Parish Hall, Force, Pa. Contact: Bill Brown, 717-783-2951.
- **Newport Creek Watershed**, Luzerne County: DEP will hold a public meeting to discuss the plan on October 7 at the Newport Township Building, Nanticoke, Pa. Contact: Contact: Bill Brown, 717-783-2951.

To see copies of TMDL plans, visit [DEP's TMDL webpage](#).

Fish and Boat Commission Boating Facilities Grant Applications Due

The Fish and Boat Commission has announced that non-profit land trusts, conservancies, and watershed associations may now directly apply for grants through the agency's [Boating Facilities Grant Program](#).

The program previously allowed only local government entities to apply for the grants.

Applications are due October 31.

The grant program, administered by the PFBC, will reimburse recipients for up to 75 percent of the costs for land acquisition, project design and engineering, development, expansion, and major rehabilitation of public recreational boat access facilities in Pennsylvania.

Eligible activities include the rehabilitation, expansion or construction of new boat ramps, bulkheads, courtesy floats, access roads, parking areas, restrooms, signs and localized landscaping. Activities must benefit and directly support public recreational boating. Eligible projects must occur on public lands owned by the project sponsor, or where the sponsor has a long-term lease or agreement on the site.

Program grant funds are available in each annual state fiscal period as authorized and allocated by the PFBC.

The Boating Facility Grant Program funds are derived from boat registration fees, state fuel taxes collected on fuel used in motorboats, and taxes on fishing equipment and motorboat fuel from the Federal Aid in Sport Fish Restoration Program. General state funds are not used for this program.

For more information about the Boating Facility Grant Program and an application, visit the [Boating Facilities Grant Program webpage](#).

PUC Approves Voluntary Loss Of Water Pilot Program

The Public Utility Commission this week tentatively approved a voluntary pilot program to help its jurisdictional water companies better track and reduce levels of unaccounted-for water.

"An enhanced, more comprehensive method has been developed by the International Water Association and the American Water Works Association which gives every indication that it offers superior data and indicators for improved operational accountability. The Water Audit not only assists utilities to identify where the water losses are occurring, but also expresses by volume how much is lost and at what cost," Commissioner Powelson said in his motion. "Utilities participating in our pilot program, along with their customers, will be well served by implementing the Water Audit methodology. Operational efficiencies can be expected through improved tracking of costs to pump and treat water that is not revenue producing. Ultimately, tighter control of water production to match the actual customer demand will assist in sustaining existing water sources while controlling expenses."

The Commission voted 5-0 [to approve a motion](#) by Commissioner Robert F. Powelson to seek comments on the creation of a Water Audit pilot program that will enhance the companies' tracking of levels of unaccounted-for water, which is water that is lost between the treatment plant and sale to customers.

Unaccounted for water can be caused by things such as underground leakage, inaccurate billing information and unauthorized use. Interested parties have 30 days to comment on the proposed Water Audit program.

Vice Chairman Tyrone J. Christy [issued a statement](#) asking questions of those making comments. Commissioner Kim Pizzingrilli also [issued a statement](#) that included a list of questions.

The Water Audit is designed to provide an effective, standardized structure by guiding the water utility to quantify apparent and real loss volumes in a systemized approach and assigning cost impacts to the losses. The voluntary pilot program would further overall infrastructure reliability, help preserve water resources, limit water leakage, and enhance customer service.

Check Out the Fall Training Schedule, Pa Chapter American Water Works Assn.

The new [fall training schedule](#) is now available from the PA Chapter of the American Water Works Association.

Drinking water and wastewater plant operators, municipal officials and many others can benefit from these training programs.

To learn more, visit the [Training Zone](#) of the PA-AWWA website.

Gov. Rendell Appoints Westmoreland District's Greg Phillips To ORSANCO

Gov. Rendell this week appointed Gregory M. Phillips, District Manager/CEO of the [Westmoreland County Conservation District](#), to serve as one of three commissioners representing Pennsylvania on the Ohio River Valley Water Sanitation Commission.

ORSANCO works to control and abate pollution in the Ohio River Basin.

Phillips has been a champion for good water quality for nearly 25 years. Under his direction, the Westmoreland Conservation District has advanced a number of important initiatives to improve the health and safety of local streams, including: cleaning up the polluting drainage from abandoned coal mines, reducing the amount of stormwater runoff that goes into our streams and waterways, reducing erosion from farms and development sites, promoting good forest stewardship, encouraging water-quality education, and stabilizing dirt and gravel roads.

“I am looking forward to learning more about the issues facing this six-state compact and to the opportunity to add my experience with upper watershed work and non-point-source pollution control to the commission,” Phillips said.

Non-point-source pollution is the number one source of water pollution in Pennsylvania. It is called non-point-source because it doesn’t originate from a single, easy-to-see place, such as a pipe from a factory. It also can be many different kinds of water pollution.

For instance: it could be soil that washes off a long stretch of bare streambank, or motor oil and debris that is carried into a stream from a shopping center parking lot, or excess fertilizers and pesticides that migrate from lawns in a residential development into our waterways.

Phillips’ appointment to ORSANCO will run until September 2010.

His other community service includes serving as the treasurer of the Western Pennsylvania Coalition for Abandoned Mine Reclamation, a 23-county organization that works to restore streams and land damaged by past coal mining; and as a member of the Office of the Chair of the Smart Growth Partnership of Westmoreland County, a group that promotes sustainable land-use.

Over the years he has helped to found a number of important grassroots conservation organizations, including the Sewickley Creek Watershed Association, Penn’s Corner Conservancy Charitable Trust, Westmoreland CleanWays, and the Westmoreland Agricultural Land Preservation Program.

Go Green at Wildlands Conservancy’s Annual Dinner and Auction November 21

The [Wildlands Conservancy](#) will be hosting the Lehigh Valley’s premier eco-friendly event – the Green Gala - on November 21 at Brookside Country Club, Macungie, Pa.

Each year, over 250 supporters attend the event which consists of both silent and live auctions. Proceeds benefit Wildlands Conservancy’s land preservation, river restoration, trail development, environmental education and recreational programs.

This year’s event will kick-off a landmark anniversary for the organization which will be celebrating 35 years making a positive impact on the environmental health of the Lehigh Valley region

“In 35 years we have completed significant environmental protection projects and have become the preeminent environmental organization in the region,” says president Christopher Kocher, “This event allows us to raise the funds necessary to meet the growing demands of the community and make the Lehigh Valley a better place to work, live and play.”

The evening will start at 6 p.m. with a silent auction while guests enjoy cocktails and hors d’oeuvres. Featured themes of the silent auction are “The Great Outdoors,”

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“Holiday,” “35th Anniversary Celebration,” and “Go Green!” Dinner will be served at 7 p.m. followed by a live auction.

Welsey Barrett of Wesley Works will provide entertainment during the reception and will be the master of ceremonies. Wildlands Conservancy president, Christopher Kocher, will present the Charles H. Nehf, Sr. Conservation Leadership Award during the evening.

Tickets for the Green Gala are \$135.00 per person. RSVP deadline is Friday, November 7, 2008. Sponsorship opportunities are available.

For more information on Wildlands Conservancy’s Green Gala, please contact Elizabeth McKinney, development manger, at 610-965-4397, ext. 26 or email to emckinney@wildlandspa.org.

Link: [Look at the Wildlands Conservancy’s Fall Education Programs Calendar](#)

Two PA Organizations Receive EPA’s 2008 Energy Star Awards

The U.S. Environmental Protection Agency has selected two Pennsylvania organizations to receive one of the 13 [2008 Energy Star Awards for Small Businesses](#) for cutting utility costs significantly and making energy efficiency improvements that help make our nation's air cleaner.

The organizations are: Pine Forest Camp of Greely, Pa and Priority Communications of DuBois, Pa.

[Pine Forest Camp](#) is a third-generation family-run business. “As a business devoted to children and young adults there is a special motivation to set a good example in energy efficiency,” says Mickey Black, grandson of the original founder.

“The Pine Forest Camp is demonstrating the environmental and financial rewards of going green. We hope that small businesses across the country will realize that getting the most from their energy dollars just makes sense,” said Donald S. Welsh, mid-Atlantic EPA regional administrator.

Black's initial motivation for making changes was financial and was just “good business.” Pine Forest Camp saved nearly \$13,000 in energy costs in the first year of its energy efficiency program. The camp's reductions of electricity and propane represent a reduction in annual greenhouse gas emissions equivalent to the CO2 emissions from electricity use of six homes.

To get advice, Pine Forest Camp contacted the [Environmental Management Assistance Program](#) of the Pennsylvania Small Business Development Centers. EMAP is a no-cost, confidential service assisting small business with environmental compliance and environmental improvements.

There are centers statewide, Pine Forest worked with the center at the University of Scranton. As a result of its audit, in the 2007 camping season Pine Forest started with efficiency improvements in lighting, water heating, pool heating and food refrigeration.

“The goodwill generated by this campaign can not be overestimated,” Black adds. So, in 2008 guided again by EMAP, the camp stepped up its energy savings efforts. Pine Forest is one of 10 small businesses and three congregations to be recognized with the 2008 Energy Star Award for Small Business and Congregations.

[Priority Communications](#) was chosen because it cut its utility costs significantly and made energy efficiency improvements that help make our nation's air cleaner.

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"Priority Communications is demonstrating the environmental and financial rewards of going green. We hope that small businesses across the country will realize that getting the most from their energy dollars just makes sense," said Donald S. Welsh, mid-Atlantic EPA regional administrator.

After hearing an interview about energy efficiency on one of its radio stations, the staff at WCED in DuBois decided to launch its own energy efficiency program that has saved it nearly \$12,000 a year in energy costs. WCED is one of several stations run by Priority in Dubois and nearby Weirton, WV.

WCED talk host Gary Stormer challenged his guests from the Clarion University Small Business Development Center to perform an energy efficiency assessment of station WCED's building.

Based on the assessment done by the SBDC Environmental Management Assistance Program, Joe Philippone, president of Priority Communications, was quick to begin making the changes recommended for the building envelope, lighting, and HVAC system. "Keeping energy costs as low as possible helps us remain competitive," he says.

Following the EMAP recommendations, remaining incandescent bulbs were upgraded to compact fluorescent lights and a programmable thermostat was installed. The transition to energy-efficient 34 watt fluorescent bulbs also began. The success of the initial assessment led Philippone to ask for a more in-depth assessment which was performed in early 2007.

The 2007 assessment resulted in upgrading the boilers in the former old bank building. The boiler is expected to pay for itself in a little more than a year. The company is now also transitioning to T8 fluorescent lighting.

The upgrades have added up to real cost savings. The Clarion SBDC EMAP estimates that Priority Communications is saving \$11,000 annually in fuel costs by reducing fuel oil demand by 4,050 gallons from the HVAC upgrades and \$775 annually in electric costs by cutting back 9,200 kWh per year from the lighting upgrades alone.

In total, this represents a reduction in annual greenhouse gas emissions of over 52 tons, the equivalent of the CO₂ emissions from the electricity use of more than six homes.

For more information, visit the [2008 Energy Star Awards for Small Businesses webpage](#) and the [2008 Energy Star Congregations Award Winners](#).

DEP Issues 73 Marcellus Shale Drilling Permits, Drilling Means Major Investment

The Department of Environmental Protection this week announced it issued 73 permits to drill for natural gas in the [Marcellus Shale formation](#) in 12 counties.

The counties include: Armstrong – 1, Bradford – 8, Elk – 2, Fayette – 13, Greene – 10, Indiana – 2, Lycoming – 7, McKean – 2, Potter – 2, Susquehanna – 5, Washington – 16 and Westmoreland – 5.

"We recognize that there are incredible opportunities for the commonwealth in the Marcellus Shale, but realizing those gains cannot come at the expense of our natural resources," said Acting DEP Secretary John Hanger said. "The Marcellus formation could hold trillions of cubic feet of natural gas—enough to help reduce the price of natural gas, which is a cleaner-burning fuel, and to create thousands of new jobs, as well as new income for property owners and communities across Pennsylvania.

"However, this can only be accomplished if it's done right. We're working to facilitate this development, but we're doing so in a manner that gives thorough

consideration to the potential impacts each operation could have on our land and water resources. The permits we're issuing today apply to operations that have met consistent statewide rules to effectively manage the magnitude of water withdrawals for this kind of drilling technique."

This year, 257 permits have been approved for drilling in the Marcellus Shale, with 73 being approved since August 15. In total, 518 permits have been approved for drilling in the Marcellus Shale formation since 2005. Another 24 permit applications are under technical review by the department and awaiting comprehensive water management plans to safeguard the state's water resources.

The permits approved today include enhanced protections for Pennsylvania's water resources.

DEP worked with the Susquehanna and Delaware river basin commissions and the oil and gas industry to create a consistent statewide application process for Marcellus Shale drilling permits that requires gas well operators to better protect water resources.

Operators must provide additional information as part of the permitting process including the sources and locations of water to be used in the drilling process, anticipated impacts of drilling on water resources, and the locations of facilities where drilling fluids will be taken for treatment and disposal.

The Marcellus Shale is a rock formation that underlies much of Pennsylvania and portions of New York and West Virginia at a depth of 5,000 to 8,000 feet. Extracting natural gas from the formation requires a relatively new drilling process known as horizontal drilling, which uses far greater amounts of water than traditional natural gas exploration.

This water can originate from various sources including municipal suppliers or streams. Concerns about the effects of large water withdrawals on streams and aquifers have prompted the need to regulate planned withdrawals at drilling operations.

Much of the Marcellus Shale lies outside of Pennsylvania's traditional oil and gas patch, bringing drilling activity to areas of the state where residents are unfamiliar with mineral extraction.

"Along with our duty to protect our natural resources, we have the responsibility and are committed to providing the industry with prompt reviews and timely decisions on all permit applications," said Acting Secretary Hanger. "Until now, the vast majority of activity surrounding the Marcellus Shale has involved the purchase or leasing of mineral rights, but some drilling and exploration is underway and if these drilling companies find natural gas in the anticipated quantities, we expect drilling activity to increase dramatically and that will provide a significant boost to Pennsylvania's economy."

For more information, visit DEP's [Marcellus Shale webpage](#).

NewsClip: [DEP: Marcellus Shale Could Lead To Billions of Investment](#)

Energy Conservation, Green Building Events In Philadelphia, Lehigh Valley

Pennsylvania residents will learn about energy conservation, renewable energy and green building benefits at a variety of upcoming community events in October--

- October 4: [A Green Buildings Open House](#) is being sponsored by the Northeast Sustainable Energy Association, with open houses in Lancaster County and the Lehigh Valley region;

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- October 24: “[Conservation is Survival](#)” is the theme of the Energy Coordinating Agency’s annual Energy Services Conference in Philadelphia.

The Green Buildings Open House tours feature homeowners and building managers on-site to describe green building features and answer questions about energy efficiency, design techniques and affordability.

Highlights of the “Conservation is Survival” Energy Services Conference in Philadelphia include a discussion of the new statewide energy conservation programs for all homeowners, interactive demonstrations of energy audit equipment and a look at how the end of electricity rate caps will affect homeowners. The \$30 fee includes breakfast.

Get Energy Smarter Community Expo October 12 In Pittsburgh

Conservation Consultants and other partners are sponsoring a Get Energy Smarter [Community Expo](#) on October 12 on the South Side of Pittsburgh. (Don’t worry, it’s a Steelers bye week.)

Browse among a variety of energy exhibits, win a free insulation package, exchange three of your old light bulbs for new energy efficient ones and visit the Kids Zone.

Duquesne Light is a sponsor of the Expo.

For more information, visit the [Get Energy Smarter website](#).

PA Resources Council 2008 “Going for Green” Annual Awards Dinner November 18



“[Going for Green: Going for Eco-Friendly Choices](#)” is the theme of the Pennsylvania Resources Council’s annual awards dinner on November 13 at the Radisson Hotel Valley Forge in King of Prussia.

The Honorary Dinner Chair this year is Ms. Judy Spires, President of Acme Markets, and the keynote speaker will be Dr. Mark Alan Hughes, Director of Sustainability for the City of Philadelphia.

PRC has selected **Michael DiBerardinis**, Secretary of the Department of Conservation and Natural Resources to receive the prestigious Fox-Calhoun Award named after two of PRC’s founders – Hilda Fox and Cynthia Calhoun. Secretary DiBerardinis is being recognized for his exemplary leadership in natural resource conservation.

The **Philadelphia Eagles** are also being recognized at the event for becoming the most environmentally friendly team in the National Football League. The team’s “[Go Green](#)” slogan encompasses everything from their green jerseys to renewable energy for the stadium and off-setting their carbon footprint when they travel.

Team co-owner, Christina Weiss Lurie, is expected to attend the dinner and accept the award on behalf of the Eagle’s Organization.

In recognition of their achievements, PRC has selected several other environmental leaders from across the Commonwealth to receive awards. The award winners are

- **Philadelphia Housing Authority** for its leadership in the community; Brandywine Conservancy for its leadership in conservation;
- **Wawa, Manko Gold Katcher Fox LLP, 10NBC** for their leadership in environmental education;
- **Exelon Fairless Hills WTE Project** for its leadership in green energy; and

- **The Pennsylvania State University and Pembroke North**, winners of the leadership in sustainable design and development awards.

PRC's Annual Awards Dinner traditionally brings together more than 200 business, government and community leaders from throughout the Commonwealth. For 69 years, PRC has been working with such leaders to create solutions to environmental challenges and to reach out to the community through its educational and service programs.

These programs serve to inform and encourage current and future leaders to take an active role in promoting sustainable living and conserving our natural resources.

PRC welcomes anyone to the dinner who would like to help celebrate the achievements in environmental leaderships that the award winners have accomplished. Because of limited seats, pre-registration and tickets are required.

For information, visit the [Dinner webpage](#) or contact Carol Butler at 610-353-1555 ext. 230.

Mine Families First Response and Communications Plan Available For Comment

The Department of Environmental Protection this week [made available](#) a draft [Mine Families First Response and Communications Implementation Plan](#).

Comments are due on the plan by October 20.

The plan, developed by the Bureau of Mine Safety with assistance from the [Mine Families First Response and Communication Advisory Council](#), outlines the steps that shall be taken by the Department and mine owners and operators to communicate with families of miners who are trapped or awaiting rescue. The Council finalized and approved the plan for public comment at its August 28 meeting.

On October 4, 2007, Gov. Rendell signed into law the "Mine Families First Act." The purpose of this act is to provide assistance to the family members of persons who are trapped or awaiting rescue during an underground mine emergency.

The act assigns responsibilities to the Department, including the development of a Mine Families First Program as part of the Mine Emergency Response Program to ensure two-way communication between those persons in command of a mine emergency operation and the affected families through the mine family first liaison staff.

After completion of the review and comment period, the Department will make necessary revisions to the Plan and develop a final Plan for use as part of a mine emergency response program

Written comments should be submitted to Allison Gaida, Department of Environmental Protection, Bureau of Mine Safety, 100 New Salem Road, Room 167, Uniontown, PA 15401 or send email to: agaida@state.pa.us .

For more information and a copy of the draft plan, visit the [Mine Families First Response and Communication Advisory Council webpage](#).

PA Brownfields 2008 Conference Set For October 1-2 In Harrisburg

On October 1-2, the Commonwealth of Pennsylvania, Team Pennsylvania Foundation, Hangle, Aronchick Segal & Pudlin, and the Pennsylvania Chapter of the National Brownfield Associations will hold its [fourth annual Brownfield conference](#) in Harrisburg.

The conference will be held at the Crowne Plaza Hotel.

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In keeping with previous years' conferences, the agenda highlights timely issues related to brownfield redevelopment, such as sustainable redevelopment, implementation of Pennsylvania's new Uniform Environmental Covenants Act, stormwater management and redeveloping Pennsylvania's abandoned mine lands.

The conference provides tremendous learning and networking opportunities for private and public sector environmental, economic development, real estate development, and planning professionals.

New this year, the conference satisfies requirements for Pennsylvania Economic Development Association Professional Development Units. CM Credits for the American Planning Association are pending.

Special Post-Conference Workshop

Also scheduled is a special post-conference workshop on October 2 from 2:30 to 4:00 p.m. entitled Revitalizing Communities In Appalachia and the Eastern Rust Belt—Finding Common Ground With Minelands, Brownfields and Grayfields.

The U.S. Environmental Protection Agency Region 3, the Pennsylvania Brownfields Center at Carnegie Mellon University and the Department of Environmental Protection are sponsors of the workshop.

For more information or to register for this post-conference event, contact Thomas Kerr at 610-740-1010 ext. 20 or send email to: Thomas.Kerr@bdrine.com.

The registration fee per person for the entire conference is \$100 for public sector participants and \$150 for private sector. There is no charge for the mobile workshop or post-conference workshop, but registration is required.

For more information and to register, visit the [Pennsylvania Brownfields 2008 Conference webpage](#).

Joanne Denworth Recognized By PA Historical and Museum Commission



The [Pennsylvania Historical and Museum Commission](#) this week presented Joanne Denworth with its first "Visionary in Historic Preservation" award to recognize her expertise in land use and the environment to further historic preservation efforts in Pennsylvania.

"Joanne Denworth is best known for her environmental leadership," PHMC Executive Barbara Franco said. "However, her interest in connecting it to historic preservation goals and objectives is commendable.

"This award recognizes her important contributions to the development of policies that apply to and promote the protection and preservation of both the commonwealth's environment and historic resources."

Denworth, a land use and environmental lawyer in the Governor's Office of Policy, is responsible for issues in state agencies relating to land use -- community and economic development, environmental protection, conservation, transportation, water and sewer infrastructure, and energy, primarily.

She provided leadership for the Interagency Land Use Team, a working group of the Economic Development Cabinet that developed the commonwealth's Keystone Principles for Growth, Investment & Resource Conservation. The Keystone Principles was designed to encourage project development that integrates programs and funding sources

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from a variety of state agencies into a comprehensive strategy to address issues affecting whole communities.

Denworth was president and co-founder of 10,000 Friends of Pennsylvania, which is dedicated to revitalizing cities and towns, conserving rural lands, and reducing sprawl. She has been president of the Pennsylvania Environmental Council for 12 years, where she spearheaded coalitions for land use law reform, enhancement of urban environments, and regional action to promote open space protection and resource-conserving development.

Denworth is also co-author and editor of *Guiding Growth* (1993), a growth management handbook for municipalities; and she is the primary author of *Planning Beyond Boundaries* (2002), a manual on multi-municipal planning and implementation.

She has written numerous articles on land use and environmental issues, served as a judge on the Environmental Hearing Board of Pennsylvania, been a township solicitor, and taught at the University of Pennsylvania's Graduate School of City and Regional Planning. Denworth served on the 21st Century Environment Commission's Land Use Team, has been active in a number of Philadelphia civic organizations, and is a graduate of Vassar College and the University of Pennsylvania Law School.

"Historic preservation revitalizes and reinvests in communities and neighborhoods, sustains economies, encourages tourism, creates jobs, preserves open space, and reuses older buildings instead of abandoning or demolishing them," said Franco. "Preservation protects and recognizes the social and cultural resources that define and unite Americans, ensuring that such resources will survive to enrich our communities and lives for generations."

DCNR Seeks Members For Recreational Trails Advisory Board

The Department of Conservation and Natural Resources is accepting nominations for three new appointments to the Pennsylvania Recreational Trails Advisory Board.

Nominations will be accepted through November 21.

The Board was created on October 29, 1992, in accordance with the provisions of the Transportation Equity Act for the 21st Century (TEA 21) and as amended under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

The Board consists of one member from each of the following nine recreational trail user organizations: hiking; cross-country skiing; off-highway motorcycling; snowmobiling; horseback riding; all-terrain vehicle driving; bicycling; four-wheel driving and water trails. One member also represents physically challenged individuals.

The Board's main responsibilities include advising the Department on the use of Federal trails funding in this Commonwealth, reviewing and ranking trail project applications and presenting an annual report to the Secretary on the accomplishments of the preceding Federal Fiscal Year, including recommendations for changes.

Nominations for the three new appointees are to be made from individuals representing the following trail user organizations: snowmobiling, all-terrain vehicle driving, water trails and a representative for physically challenged individuals.

Appointments will be made by the Secretary of the Department. Appointees will serve for 3- consecutive years.

To obtain a nomination form, contact Pennsylvania Recreational Trails Program, P. O. Box 8475, Harrisburg, PA 17105-8475, call 717-787-7672 or send email to: loross@state.pa.us .

DEP Bid Opportunity For Gas Well Plugging, Indiana County

The Department of Environmental Protection is inviting proposals to plug an orphan well in Creekside Borough, Indiana County. See the [PA Bulletin notice](#) for details.

Spotlight

Indulge Your Senses in Pennsylvania This Fall

From the sounds of nature and flavors of harvest desserts and wine to exclusive screenings of independent films and pumpkin-carving contest, [fall in Pennsylvania](#) is best when all five senses are engaged.

"Pennsylvania offers a brilliant, lush landscape of color with a diverse mix of harvest, film, and food festivals to create a sensory overload for travelers," said Mickey Rowley, deputy secretary of tourism in the Department of Community and Economic Development.



"Every region of the commonwealth offers a unique fall experience. I encourage everyone to explore something different this fall. Take a sampling trek along a wine trail. Get a first look at the latest indie films, or introduce your children to one of our elk."

Breathe in the crisp autumn air as you venture to the Pennsylvania Wilds for the [Annual Elk Expo](#), September 19-20. The Elk County Fairgrounds will host this two-day festival showcasing the beautiful outdoors and wildlife of Pennsylvania.

Guests can participate in a 3-D archery contest, elk viewing tour, arts, food, educational displays, and presentations, as well as travel the 127-mile Elk Scenic Drive to view an estimated 800 majestic elk.

Boasting the distinction of the world's largest "Concord Grape Belt," Erie County will host the annual [Wine Country Harvest Festival](#), September 26-29. Visitors can participate in bus tours of the five local wineries, grape stomping demonstrations, wine and food seminars, and champagne breakfasts.

In early October, step outside and enjoy the scents and sights of fall at the [National Apple Harvest Festival](#), October 4-5 and October 11-12. Just 10 miles northwest of Gettysburg, the festival offers stages and demonstrations, including chainsaw carving, live birds of prey, and Native American dancing. Apple butter hot from the kettle, applesauce made from scratch before your eyes and apple fritters are available.

Catch a glimpse of Hollywood close to home at the [Black Bear Film Festival](#), October 16-19. Held each year in Milford, the mission of the Black Bear Film Festival is to support and promote independent film making. Black Bear pays tribute to the environment by featuring films that celebrate preservation here in the birthplace of the American conservation movement.

In late October, get ready for trick-or-treaters at the 17th annual [Pumpkinfest](#), October 25-26, in Doylestown. Come watch local artists carve giant 100- to 300-pound pumpkin squash into stunning, glowing seasonal creations in the Moravian Pottery & Tile Works' 23 porticos. Activities include a petting zoo, pony and hayrides, and magic shows.

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For more travel ideas and to see the peak time to see Pennsylvania's beautiful fall foliage, visit the www.FallinPa.com website.

Grants & Awards

This section gives you a heads up on upcoming deadlines for grants and financial assistance as well as nominations for awards and other recognition programs. **NEW** means from last week—

- **September 24**— [Coca-Cola, NRC Recycling Bin Grants](#)
- **September 29**— [Friends of the Wissahickon Photo Contest](#)
- **September 30**— [DEP Recycling Performance Grants](#)
- **September 30**— [Watershed Protection Technical Capacity Grants](#)
- **October 1**— [Eastern Brook Trout Habitat Grants](#)
- **October 3**— [NOAA Chesapeake Bay Watershed Education Grants](#)
- **October 3**— [Lehigh Charles H. Nehf, Sr. Conservation Leadership Award](#)
- **October 15**— [PPL Project Earth Environmental Education Grants](#)
- **October 15**— [Tulpehocken and Quittapahilla Watersheds Grants](#)
- **October 17**— [PEMA Volunteer Fire Company Grants](#)
- **October 20**— [Westinghouse Brighter Future School Grant Program](#)
- **October 20**— [DEP Coastal Zone Grant Applications](#)
- **October 31**— **NEW.** [Boating Facilities Grant Program](#)
- **October 31**— [PA Resources Council Lens On Litter Photo Contest](#)
- **October 31**— [Chesapeake Bay Fund Nutrient, Sediment Reduction Grants](#)
- **November 3**— [DEP Recycling Infrastructure Grants](#)
- **November 30**— [PPL Green Building Certification Grants](#)
- **November 30**— [Sinnemahoning Watershed Grant Program](#)
- **December 15**— [Coldwater Partnership Watershed Restoration Grants](#)

[Go To: PA Environment Digest Calendar Page](#)

Quick Clips

Here's a selection of NewsClips on environmental topics from around the state

- [National Public Lands Day, September 27](#) [PA Celebration Sites](#)

[First Audubon Bird Habitat Designated in PA](#)

[Montgomery County Home First Audubon Bird Habitat](#)

[Indifferences Lead To Breakup Of Federation of Sportsmen, National Wildlife Federation](#)

[Bluebirds Defy Formula On Migration](#)

[Deer Farms Experience Rapid Growth](#)

[Haverford Devises Climate Action Plan](#)

[Proposed Green K-4 School Could Be Open Fall 2009](#)

[Lawmakers To Review Energy, Transportation Issues](#)

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[Scout Aims To Give Back To Future](#)
[PUC: Start Thinking About Heating Costs Now](#)
[PA Getting Emergency Federal Heating Aid](#)
[Heating Oil Prices To Make Winter Difficult For Many](#)
[Customer-Owned Electric Coops Rival Big Providers In Service, Rates](#)
[PPL Seeks Approval Of New Pilot Time Of Use Pricing Option](#)
[Editorial: PPL Forum Put Needed Focus On Conservation](#)
[Electric Customers In PA Due For Jolt](#)
[One Man's Trash Is Another Man's Power](#)
[Op-Ed: Coal Must Be Part Of Nation's Energy Policy](#)
[PA Ethanol Plant May Use Barley Instead of Corn](#)
[PA Republicans Oppose Taxing Natural Gas Assets](#)
[2008 National Solar Tour Has Sites in PA](#)
[Delaware County Advisory Board Is Seeking Input On Energy Initiatives](#)
[Central Bucks School District Considers Energy Initiative](#)
[Tamaqua Area Schools Could Save \\$660,000 In Energy Costs](#)
[Editorial: A Rush To Drill](#)
[Editorial: Drill Team, Pittsburgh, County Should Set Drill Policy](#)
[Land Conservation Conference To Meet in Pittsburgh](#)
[Op-Ed: Preserving Our Natural Heritage](#)
[Local Bartering Company Green Apple](#)
[King's College Green Initiative](#)
[Phipps Conservatory New Building To Be Super Green](#)
[Schuylkill Believes Energy Saving Work Is Bright Idea](#)
[Editorial: Fake Greens](#)
[Green Is In For Home Updates](#)
[Triple Crown Corp. Promotes Green Homeownership](#)
[Heritage Areas Join Together To Share Ideas, Resources](#)
[DEP: Exelsior Mine Fire Is Out](#)
[Eco-Terrorists Don't Deserve Sympathy](#)
[Pittsburgh Council Upset Over Lost Billboard Legislation](#)

Watershed NewsClips

Read a sampling of NewsClips on watershed topics from around Pennsylvania.

[Ohio River Watershed Celebration Offers Innovative Energy For A Green World](#)
[Schuylkill River Shapes SE Pennsylvania's Way Of Life \(Online Video\)](#)
[Safeguarding the Schuylkill River](#)
[Funds for Susquehanna River Gauges Could Be Cut](#)
[Carlisle Sewer Plant Needs \\$5 Million To Comply With Bay Mandates](#)
[Susquehanna River Faces New Demands](#)
[Major Expense May Come For Residents With Septic Systems](#)
[Penn State Launches Water Protection Campaign](#)
[State Water Plan Unveiled in Williamsport](#)
[Hearing Assesses Watersheds, Adams County Water Demand](#)
[Immerse In Learning About Coastal Waterways](#)

[Delaware River Basin Commission Seeks To Protect Water From Drilling](#)
[Rain Barrels Help Boost Watershed Protection](#)
[Stream Cleanup Targets The Neshaminy Creek](#)
[Area Business Takes Chesapeake Bay Reform Into Its Own Hands](#)
[Sewage Waste Will Be Turned To Fertilizer](#)
[Sewage Settlement Will Protect PA's Youghiogheny](#)

Regulations

EQB Takes Action on Water, Hazardous Waste and Diesel Idling Measures

The [Environmental Quality Board](#) this week approved four final rulemakings -- the Triennial Review of Water Quality Standards, Hazardous Waste Amendments, Diesel Vehicle Idling, and the Clean Air Interstate Rule. See details below.

Final Rulemaking – Triennial Review of Water Quality Standards (25 Pa Code, Chapter 93): The Federal Clean Water Act requires that states periodically, but at least once every three years, review and revise as necessary, their water quality standards. This regulation constitutes Pennsylvania's current triennial review of its water quality standards. Pennsylvania's water quality standards, which are codified in Chapter 93 and Chapter 92, are designed to implement the requirements of the Clean Streams Law and the Federal Clean Water Act.

Final Rulemaking - Hazardous Waste Amendments (25 Pa. Code Chapters 260a – 266a, 266b, 267a, 269a, and 270a): Various amendments were contained in this final rulemaking, which will affect persons who generate, store, transport, dispose or treat hazardous waste in Pennsylvania.

Final Rulemaking - Diesel Vehicle Idling (25 Pa Code, Chapters 121 and 126): The final-form rulemaking, which was initiated through a petition to the EQB by the Clean Air Board of Central PA, adds a new Subchapter F to Chapter 126 to restrict any person from idling a diesel-powered motor vehicle with a gross vehicle weight rating of 10,001 pounds or more, or allowing such idling to occur on their property, for more than a total of 5 minutes in any continuous 60-minute period.

Final Rulemaking (With Notice of Proposed Rulemaking Omitted) - Clean Air Interstate Rule – Repeal (25 Pa Code, Chapters 121, 129 and 145): This final-omitted rulemaking repeals the Clean Air Interstate Rule (CAIR), which was previously adopted by the Board on Dec. 18, 2007, and published in the Pennsylvania Bulletin on April 22, 2008.

For more information and copies of the rulemakings, visit the [Environmental Quality Board webpage](#) or contact DEP Regulatory Coordinator Michelle Tate at 717-783-8727 or send e-mail to: mtate@state.pa.us .

NewsClip: [Anti-Idling Regulation Adopted By PA Board](#)

[Pennsylvania Bulletin – September 20, 2008](#)

Comment Deadlines: [Technical Guidance \(DEP website\)](#)

[Copies of Proposed Regulations \(DEP website\)](#)

[Status of Regulations, 6-Month Calendar \(DEP website\)](#)

Technical Guidance & Permits

The Department of Environmental Protection [published notice](#) of several proposed and final policy documents. See details below.

Draft DEP ID: 563-2112-224. Certification Guidelines for the Chemical and Physical Properties of Coal Ash Beneficially Used at Mines. The guidance has been updated to incorporate additional chemical parameters that were recommended by the National Academy of Sciences for sites that receive coal ash. Comments due: November 19.

Draft DEP ID: 563-2112-225. Mine Site Approval for the Beneficial Use of Coal Ash. The Department provides for two beneficial uses of coal ash, placement and soil substitute or soil additive, that can be approved at mine sites as part of the Department's mine reclamation contracts or in other Department approved permitted projects. Comments due: November 19.

Final DEP ID: 383-3301-102. Laboratory Reporting Instructions for Total and Fecal Coliform Bacteria in Public Drinking Water Distribution Systems. This guidance provides instructions to all public water systems and certified laboratories for the reporting of drinking water total and fecal coliform monitoring results as required by the Federal Total Coliform Rule and as implemented under the PA TCR in Chapter 109 of the Pennsylvania Safe Drinking Water Regulations.

Final DEP ID: 562-3900-402. Citizens' Requests: Receiving, Tracking, Investigating, Appealing, and Filing. This document revises the procedures for the investigation of complaints relating to coal and industrial mineral mining activities and the use of explosives.

Final DEP ID: 562-2000-703. Changes to Licenses, Bonds and Permits. This document provides guidance to both Department personnel and mine operators concerning what documents or information need to be submitted and the necessary actions to be taken in the event of changes to a mining company's type of business organization, its ownership or its officers.

[For copies of Draft Technical Guidance \(DEP website\)](#)

[For copies of Final Technical Guidance \(DEP website\)](#)

Calendar of Events

Upcoming conferences, meetings, workshops, plus links to other online calendars. Meetings are in Harrisburg unless otherwise noted. **NEW** indicates new from last week. [Go To: PA Environment Digest Calendar Page](#)

- **September 22**—**NEW**. House Republican Policy Committee hearing on electric rate cap mitigation. Room 418. 10:30.
- **September 22**— Environmental Issues Forum presentation by U.S.G.S on emerging contaminants in PA Streams sponsored by the [Joint Conservation Committee](#). Room 205 Ryan Building. 12:00.
- **September 23**—**NEW**. House Environmental Resources and Energy Committee meets to consider [House Bill 2480](#) (DeWeese-D-Greene) providing for the adoption of the Mid-Atlantic Area National Electric Transmission Corridor Compact, [Special Session House Bill 55](#) (Brooks-R-Crawford) providing incentives for using switchgrass and other biofuels feedstock to reclaim abandoned mine lands, [Special Session House Resolution 107](#) (*not yet online*), [House Resolution 883](#) (Harper-R-Montgomery) directing the Legislative Budget and Finance Committee to review how grants are funded under the Growing Greener II program; [Senate Bill 1330](#) (D.White-R-Indiana) establishing the Coal Methane Review Board, [Senate Bill 1062](#) (Wonderling-R-Montgomery) reimbursing brownfield developers for certain costs, [Senate Bill 1050](#) (Baker-R-Luzerne) establishing the Used Tire Pile Remediation Account and making an appropriation. Room G-50 Irvis Building. 9:00.
- **September 23**—**NEW**. [Senate Environmental Resources and Energy Committee](#) meeting to consider [Senate Bill 1573](#) (Musto-D-Luzerne) making a correction to the Water Facilities Bond language, [Senate Resolution 375](#) (Dinniman-D-Chester) urging Congress to oppose certain federal rules governing the regulation of interstate transportation of natural gas, [House Bill 44](#) (Rubley-R-Chester) banning the sale of thermostats containing mercury. Room 461. 10:00.
- **September 23**—**CANCELLED**. [Governor’s Sustainable Water Infrastructure Task Force](#) meeting. Room 105 Rachel Carson Building. 9:30.
- **September 23**— Joint Legislative Budget and Finance Committee meeting on [Senate Resolution 195](#) (Brubaker-R-Lancaster) related to a review of the Agricultural Conservation Easement Purchase Program. Hearing Room 3, North Office Building. 10:00.
- **September 24**—**NEW**. Senate Urban Affairs and Housing Committee meets to consider [Senate Bill 1291](#) (Rhoades-R-Schuylkill) providing additional authority for blight reclamation projects. Room 156. 9:30.
- **September 24**— Senate Game and Fisheries Committee hearing on powers and duties of deputy wildlife conservation officers with the Game Commission. Hearing Room 1, North Office Building. 9:30.
- **September 24**— [Senate Environmental Resources and Energy Committee](#) informational meeting on carbon sequestration. Room 8E-A, East Wing. 9:15.
- **September 24**—[Delaware River Basin Commission](#) meeting to [provide an update on implementation](#) of the 2004 Water Resources Plan for the Delaware. West Trenton Volunteer Fire Company, West Trenton, NJ. 10:30.

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- **September 24**—DCNR [Conservation and Natural Resources Advisory Council](#) meeting. Room 105 Rachel Carson Building. 10:00.
- **September 29**—DEP [Laboratory Accreditation Advisory Committee](#) meeting ([rescheduled from September 11](#)). Room 206 Bureau of Laboratories Building, 2575 Interstate Dr., Harrisburg. 10:00.
- **September 30**—**NEW**. House Environmental Resources and Energy Committee hearing on natural gas drilling in the Marcellus Shale formation. Room G-50 Irvis Building. 1:30.
- **October 1**—**NEW**. [DEP Climate Change Advisory Committee](#) meeting. Room 105 Rachel Carson Building. 10:00.
- **October 2**— [DEP Solar Work Group](#) meeting. Room 105, Rachel Carson Building, Harrisburg. 10:00. Contact: Libby Dodson, 717-772-8907 or send email to: ldodson@state.pa.us.
- **October 2**— PROP Organics Committee meeting. Tillotson Room, Tippie Alumni Center, Allegheny College. Meadville. 9:30.
- **October 18**—[Joint Conservation Committee](#) Sewage Management and Treatment Task Force. Penn Stater Conference Center, State College. 10:00.
- **October 23**—[Joint Conservation Committee](#) Legislative Forestry Task Force. Penn Stater Conference Center, State College. 10:00.
- **October 30**—**Location Change**. [DEP Nonpoint Source Liaison Workgroup](#) meeting. Fish and Boat Commission, 1601 Elmerton Ave., Harrisburg. 10:00.
- **November 13**— Public Utility Commission hearing seek information on alternative energy resources, as well as energy conservation and efficiency, and demand side response tools and programs to assist consumers. Hearing Room 1, Keystone Building. 12:30.

[DEP Calendar of Events](#)

[Environmental Education Workshop/Training Calendar](#)

(courtesy [PA Center for Environmental Education](#))

[Senate Committee Schedule](#) [House Committee Schedule](#)

You can watch the [Senate Floor Session](#) and [House Floor Session](#) live online.

Stories Invited

Send your stories about environmental issues, programs and positive actions to **PA Environment Digest** - DHess@CrisciAssociates.com or go to www.PaEnvironmentDigest.com .

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