

# PA Environment Digest

## An Update on Environmental Issues In Pennsylvania

Edited By David E. Hess, Holston & Crisci

July 12, 2004

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Members of the General Assembly have all but gone home for the summer, except for signing some bills, holding committee hearings and informational meetings, but the discussion over the Governor's environmental spending plan continues.

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## On the Hill

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### “Green Ribbon Commission” to Help Develop Environmental Funding Proposal

A special “Green Ribbon Commission,” basically a conference committee without legislation, will be appointed in the next few weeks to work with the Rendell Administration to develop an environmental funding proposal for the fall.

In a July 4 letter to Gov. Rendell from Senate Majority Leader Sen. David Brightbill (R-Lebanon) and House Majority Leader Rep. Sam Smith (R-Jefferson), the Leaders proposed forming the Commission, made up of members appointed by the House and Senate along with three Governor’s designees, after it was clear none of the Governor’s environmental funding initiatives were included in the budget.

“The Commission, working with the Administration, will study state programs impacting the environment, as well as various proposals for enhanced funding to address environmental problems, preserving farmland and open space, reducing abandoned mines, and cleaning hazardous sites.

“This Commission will develop recommendations for possible program consolidation and improvements, along with possible legislation and the identification of necessary funding for environmental initiatives. Along with consideration of a dedicated funding source, the Commission will evaluate the benefits of a bond issuance and other funding vehicles.

“We believe that by working together we can enact legislation this fall that would put an environmental bond issue before the voters at the Spring 2005 primary election.

In closing, the Leaders said, “Governor, we share your commitment to improve the quality of life for all Pennsylvanians and preserve our natural heritage for future generations. We will work with you to realize that goal.”

Look for continued discussion of Gov. Rendell’s proposals to place new fees on waste from households and businesses through the summer and fall.

**Note:** According to [Watershed Weekly](#) there will be a stakeholders briefing on Growing Greener II in the Capitol Media Center on July 14 at 10:45 from 11:45.

**NewsClips:** [Agriculture Highlights \\$40 Million for Farmland Preservation](#)  
[Rendell Never Really Sold Need for Growing Greener II](#)  
[When Legislature Returns It Must Finish Work on Growing Greener II](#)  
[Growing Greener II Revive this Bill and Save Our Future](#)

### Follow-Up Comments On Growing Greener II Offer Mixed Reviews

After the dust settled on the budget, slots and property tax reform, folks had several different views of what happened on the Governor’s environmental funding initiatives.

In a July 9 memo, House Majority Leader Rep. Sam Smith (R-Jefferson) told House members this about last minute budget discussions—

“You should be aware of the fact that the governor only pushed his plan through media events; he never pushed it legislatively or via budget negotiations. We never discussed specific dollar amounts; we did not discuss which programs to target; and, we did not settle on sources of funding. So, despite public claims from at least one Democrat Senator about a specific amount, such is not the case.

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“The fact is the Governor’s Growing Greener proposal was a shotgun proposal blasting money in all directions. Republicans and Democrats alike had problems with the funding source and, while there are some elements of our model Growing Greener environmental program that justify borrowing (bond financing), other elements should clearly be paid for out of general funds (or pay as you go).”

Also in comments this week, Jan Jarrett from PennFuture said, "Pennsylvania's environment became road kill on the highway to slots. This agreement (Brightbill-Smith commitment) isn't worth the tree destroyed to print it. It protects nothing. Not one stream, not one park, not one forest, not one farm, not one hometown.

“The health, environment and economy of Pennsylvania can't be protected by mere promises. It takes money -- money, which the legislature has just refused to make available. It's time for our elected officials to stop making campaign promises, and to show us the money.”

**NewsClip:** [General Assembly Fails to Act on Growing Greener II](#)

### **Funding for Odor-Reducing Compost Technology Included in Budget**

Rep. Art Hershey (R-Chester), chairman of the House Agriculture and Rural Affairs Committee, this week provided more details on the \$250,000 in DEP’s 2004-05 state budget for the research and implementation of new technologies that will help to reduce the odors caused by composting.

"I am thrilled that my colleagues in the General Assembly and the governor agree with me about the importance of research needed to address the challenges caused by composting so that we can address the concerns of local residents in regard to reducing odors in our air and strike a balance that allows our agricultural community to continue contributing to our community,” said Hershey.

"Resident concerns regarding composting odors and environmental impact will be addressed. At the same time, we will protect our agricultural community and the benefits they provide; benefits such as tax revenues without the corresponding costs for new schools, increased police protection and more. Just as important, by preserving our agricultural community, we will help to control development and preserve our open spaces."

### **Quick Updates**

**Guaranteed Energy Savings Contracts:** [House Bill 1996](#) ( Adolph-R-Delaware), which establishes new procedures and reporting requirements for cooperative purchasing expands and makes more specific the measures government agencies can include in guaranteed energy savings contracts, was given final approval, but has only been signed in the House, not the Senate. When it’s signed it will go to the Governor for his action.

**Chesapeake Bay Education Program:** [House Bill 2775](#) (Zug-R-Lebanon), creating a Chesapeake Bay Education Program in the Department of Education to promote school-based projects was introduced in the House.

## **In Other News**

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### **DEP Secretary Outlines Administration’s Priorities for DEP**

DEP Secretary Kathleen McGinty this week released a statement of priorities for DEP that she said was the Governor’s vision for the agency called, [“Greater Environmental and Public Health Protection As a Driver of Economic Growth: The Rendell Administration’s Agenda for DEP.”](#) Some key excerpts from the statement...

Environmental protection is too often seen as a tradeoff with economic growth rather than as an engine of efficiency, productivity, and enhanced competitiveness. To the extent this win/lose mentality persists, society will fail to take the necessary steps to protect the environment and will compromise quality of life and enhanced prosperity. DEP will, in all of our programs, encourage or require:

- Energy efficiency/energy conservation
- Use of renewable energy/ indigenous advanced energy resources
- Energy recovery where potential energy resources may be wasted or not utilized
- Carbon sequestration
- Innovation in energy production and use to reduce dependency on foreign energy sources, foster business development, address climate change, and encourage job growth

**Watershed Protection:** DEP will, in all of our programs, encourage or require:

- Protection and restoration of streams, rivers, lakes, and aquifers on a watershed basis
- Water conservation
- Protection of aquatic life and biodiversity in streams, lakes and rivers
- Groundwater protection, recharge and restoration
- Encourage and engage watershed groups in this effort

**Community Revitalization and Development:** DEP will, in all of our programs:

- Encourage or require community redevelopment in areas where development has already occurred by, among other things, encouraging the use or replacement of existing infrastructure as preferable to new infrastructure
- Eliminate incentives for sprawl development
- Promote preservation of agricultural lands
- Reward land use planning and implementation that is based on regional or multi-municipal planning and implementation
- Promote increased human quality of life in existing communities
- Promote and restore communities, including low-income and minority communities as well as mining communities
- Integrate the objectives and tasks of the interagency land use and transportation action plan

**Mine Safety:** Build a world class mine safety program that will keep pace with technology changes and Strengthen the role of mine safety in permitting and enforcement actions

**Fiscal Responsibility:** DEP will, in all of our programs:

- Ensure that programs are based on fees that recover their administrative costs, including permitting, inspections, and enforcement

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- Allocate personnel and financial resources on a statewide and/or regional basis to the most significant environmental and public health problems, needs, or opportunities
- Develop and begin implementing performance-based planning and budgeting
- Reduce unnecessary costs to the regulated community

### **EPA Offers New Tool for Achieving Smart Growth and Water Quality Goals**

EPA this week released a new report that will help communities protect water resources and achieve smart growth. Some of the adverse effects of growth and development include: loss of woodlands, meadowlands, and wetlands, and increased polluted run-off. Smart growth is development that is good for the economy, public health and the environment.

The report documents 75 innovative approaches -- including redeveloping abandoned properties, encouraging rooftop gardens, creating shared parking, and promoting tree planting -- that state and local governments and water quality professionals can use to achieve their smart growth and water quality goals.

Visit EPA's [Smart Growing and Communities webpage](#) to see a copy of the report and for more information about smart growth. To receive a free copy of the report, send an email to: [ncepimal@one.net](mailto:ncepimal@one.net) or call 1-800-490-9198.

### **[DEP Energy Advisory Board Discusses Advanced Portfolio Standard](#)**

### **[Rendell Administration Asks End State Preemption of Energy Efficiency Standards](#)**

**NewsClip:** [McGinty Testimony on State Energy Efficient Appliance Legislation](#)

### **“Better Roads, Cleaner Streams” Workshop a Success**

The [Center for Dirt & Gravel Road Studies](#) held its 4th Annual Maintenance Workshop and awards program in Coudersport on June 28-30. The 3-day titled “Better Roads, Cleaner Streams,” brought together 225 conservation district, state & national forestry, municipal elected officials, municipal road maintenance professionals and road industry vendors to participate in both classroom and field exercises aimed at “how-to” demonstrations of environmentally sensitive maintenance practices and techniques.

“This was the first time we’ve taken the workshop on the road to a host community, and that created some intriguing logistical challenges, but the event came off wonderfully,” commented Kevin Abbey, Center Director. “The workshop continues to grow in popularity each year so we were very fortunate to have 2 actively involved local host agencies working with us –the Potter County Conservation District and the Department of Conservation & Natural Resources (DCNR) Susquehannock Forest District 15 Office.”

Included in this year’s workshop for the first time was a “Township Day” tailored to municipal road maintenance personnel. It featured a cross pipe installation demonstration, maintenance grading techniques on Driving Surface Aggregate (DSA) material and a road diagnostic walk through on Cobb Hill Road, an identified road runoff pollution site in Allegany Township, Potter County. Each of these guided field trips

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showcased “hands-on” environmentally sensitive maintenance practices that are geared to prevent sediment pollution of local rivers and streams.

Conservation district representatives, state forestry employees and pollution prevention specialists took center stage with classroom sessions on natural drainage principles, roadside vegetation management and road grading techniques for Driving Surface Aggregate material.

Special award presentations were made to: Charlie Schwarz, recently retired Tiadaghton District 12 Assistant Forester, for his 37+ years of forestry stewardship and strong support of environmentally sound maintenance of state forestry roads; and Dr. Peter Ryan, President of God’s Country Chapter of Trout Unlimited, for his leadership role in the founding of Pennsylvania’s Dirt & Gravel Road Program and continued involvement with Potter County’s Conservation District Board.

For more details, email or call [Kevin Abbey](#) at (814) 863.5956.

### **Communities, Groups Can Now Apply for DCNR Conservation Partnership Grants**

This week the Department of Conservation and Natural Resources announced an open application period for the Community Conservation Partnerships Program Grants. Applications are due October 13.

You can attend one of nine grant writing workshops sponsored by DCNR and [Pennsylvania Recreation and Park Society](#) in July and August on funding for recreation and conservation programs, including Community Recreation, Land Trusts, Rails-to-Trails, Rivers Conservation, Pennsylvania Recreational Trails, Snowmobile/ATV and Land and Water Conservation Fund. The dates and times follow...

July 13 -	Days Inn Conference Center, Meadville	8:30 a.m.-12 p.m.
July 14 -	Four Points Sheraton--North, Pittsburgh	8:30 a.m.-12 p.m.
July 20 -	The Inn at Nichols Village, Clarks Summit	8:30 a.m.-12 p.m.
July 21 -	Montgomery County Comm. College, Pottstown	8:30 a.m.-12 p.m.
July 22 -	Montgomery County Fire Academy, Conshohocken	8:30 a.m.-12 p.m.
July 27 -	Radisson Hotel, Williamsport	8:30 a.m.-12 p.m.
July 29 -	Clarion Hotel and Convention Center, Carlisle	8:30 a.m.-12 p.m.
August 4 -	Holiday Inn, Clarion	8:30 a.m.-12 p.m.
August 5 -	Ramada Inn, Altoona	8:30 a.m.-12 p.m.

The [Grant Application Manual](#) for fiscal year 2004-2005 as well as forms and additional information regarding the directions to the workshops can be found online. The Manual can also be obtained by contacting the Bureau of Recreation and Conservation, 6th Floor Rachel Carson Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-4734, [rec&con@state.pa.us](mailto:rec&con@state.pa.us). The Bureau will conduct the workshops in cooperation with the.

### **[SRBC to Hold Groundwater Management Plan Workshops](#)**

### **Izaak Walton League Issues Revamped Clean Water Action Kit**

The Izaak Walton League has issued its all-new, totally revised and updated [Watershed Stewardship Action Kit](#) for clean water advocates and activists.

Citizen involvement in watershed protection and conservation activities has proven to have measurable, positive results on the quality of the nation's waters. Hands-on involvement in stream and wetland conservation projects gives communities concrete tools to help restore the nation's watersheds.

The toolkit includes a number of fact sheets on wetlands, the Clean Water Act, and watershed action plans. It also provides background on how to develop, fund, conduct, and get publicity for watershed protection projects in local communities. It also includes a list of relevant publications from the Environmental Protection Agency with directions on they can be acquired.

### **New Volunteer Program Seeking Well Masters**

Rural homes and farms in Pennsylvania rely on private wells, springs and cisterns for their drinking water. Currently, there are over 1 million of these private water systems in the state and approximately 20,000 new wells are drilled each year.

These systems are not required to undergo any water testing and they do not have to meet any drinking water standards set by the state. Surveys have indicated that many private water systems fail to meet drinking water standards. Families using private water systems should be aware of changing water quality issues and the best methods to protect their water supply.

For this reason, William E. Sharpe, professor of forest hydrology, and Bryan R. Swistock, extension associate, received funding through the USDA Cooperative State Research, Education and Extension Service to initiate a network of Master Well Owners throughout the Pennsylvania.

This two-year program will train 240 volunteers throughout the state on the subject of proper construction and management of private water systems. Volunteers of the Network will be required to attend a one-day workshop where they will be trained on topics such as well location, construction, and maintenance, land-use impacts/wellhead protection, springs and cisterns, drinking water standards and water testing, water treatment, and water conservation.

In total, eight training workshops will be held in various areas throughout the state based on the eight Penn State Cooperative Extension regions. Two training workshops have already been held and six more workshops will be held between August of 2004 and April of 2005. In return, Master Well Owners are asked to share their knowledge with homeowners and farmers using private water systems in their local community.

For additional information or to become a [Master Well Owner](#), please contact [Stephanie Clemens](#) or call 814-865-2205.

## **Reclamation Advisory Board Releases 2003 Annual Report**

The Mining and Reclamation Advisory Board sent a copy of its [2003 annual report of activities](#) to the General Assembly this week outlining the accomplishments of DEP's reclamation and remining programs.

Since their inception, Pennsylvania's remining programs have reclaimed over 2,745 acres of abandoned mine lands. The value of that reclamation, done by private industry, is over \$23.6 million.

## **Pennsylvania Game News Is 75 Years Young!**

[Pennsylvania Game News](#), the Pennsylvania Game Commission's monthly magazine, is celebrating its 75th anniversary this month.

First published by the agency in July of 1929 as the "Monthly Service Bulletin," it was developed to communicate with officers in the field, and for officers to communicate among themselves.

The first issue was 11 pages long (one side of the paper only) and printed with a mimeograph machine. Now, 900 issues later, Game News is still going strong, and has become a collectible series for many hunters, trappers and outdoor-enthusiasts.

To celebrate this milestone, the Game Commission is offering [for sale two collector patches](#). The first patch, designed by Mark Anderson - a regular contributor to Game News - recognizes the 75 years of Game News, and sells for \$5. The second patch, which also sells for \$5, is the first of a new series of patches and highlights the popular "Field Notes" section of Game News. Nick Rosato, one of the magazine's contributing artists since the 1950s, designed this patch.

Leading off that first issue in April of 1932, Pennsylvania Governor Gifford Pinchot wrote, "The program of the Pennsylvania Game News will help the people of Pennsylvania to learn more about the wild creatures of the open spaces and what they mean to us, and how we can keep them alive in health and plenty for our satisfaction and their own."

Another reason for Game News' uniqueness and popularity is the featured artwork. Among the many outstanding artists who have contributed to Game News over the years, foremost is [Ned Smith](#).

"Ned's first illustration for Game News appeared in the October 1948 issue, and his first cover was on the January 1952 issue," said Bob Mitchell, current editor of Game News. "In 1950, Smith was hired as a staff artist, a position he held until 1953. He illustrated countless features, and is also well known for his "Walking Shoes" and "Gone for the Day" columns, and his art graced 118 covers. Smith went on to earn fame as one of the 20th century's preeminent artists, until his death in 1985."

## **DEP Seeks New Director of Land Recycling & Waste Management**

DEP is recruiting nationally to fill the position of Director of the Bureau of Land Recycling & Waste Management.

Requests for application materials must be received by August 18 and applications must be postmarked by September 1.



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This position functions as director of a large departmental program responsible for regulating the statewide hazardous, municipal and non-hazardous industrial waste planning, permitting and compliance programs, as well as hazardous sites cleanup, land recycling, and storage tank and pipeline utility remediation programs.

Minimum qualifications for this position are nine years of experience in the land recycling and waste management field, four of which must include managerial and second-level supervisory experience, and a bachelor's degree in an engineering or scientific field related to land recycling and waste management with a salary range of \$72,352 to \$102,944 annually.

Interested applicants are encouraged to contact Ann Korb at 717-783-2022 or via e-mail at [ra-epjobops@state.pa.us](mailto:ra-epjobops@state.pa.us) for application materials.

### Taking Positive Action

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#### “Pollution Prevention” GreenWorks for Pennsylvania

*This show features individuals, businesses and communities doing their share to prevent pollution before it starts.*

### Wood Products Manufacturer Becomes More Efficient, Environment Friendly

[Pennwood](#), a small wood products manufacturer in East Berlin, Adams County, reduced its operating costs, increased throughput and eliminated air pollution, all by adopting a new way to coat and cure their products with the help of the [Electrotechnology Applications Center at Northampton Community College](#).

ETAC helped the company implement a state-of-the-art vacuum coating and ultraviolet curing process that has extremely high transfer efficiencies and changed coating materials to reduce the company's overall environmental impact.

Over 50 percent of their coating material was lost in overspray before the new process was adopted and each product had to be given two applications of clear topcoat before they met product specs.

Now only one coat is needed and parts are only handled once in the coating process.

For more information on the [Pennwood's case study](#) visit the [ETAC website](#).

### Call for Nominations for Northeast Environmental Partnership Awards

### Watershed NewsClips

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[Groups Work on 3-Year Restoration Plan for Loyalhanna Watershed](#)

[Bucks County Adds 143 Acres to Its Open Space Program](#)

[Potomac paddlers on Week-Long Environmental Trip](#)

[Earth-Friendly Barn Embraces Environment](#)

[Kiski Area Volunteers Battling Alien Plant Life](#)  
[Editorial: Sharing the Load of Saving Penn's Woods](#)  
[A Love of Farming – Battling for a Way of Life](#)  
[Not Only Farmers Reap Farm Tax Breaks](#)  
[Mine Waste Site to be Cleaned Along Turtle Creek](#)

## **Regulations**

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### **[Pennsylvania Bulletin – July 10, 2004](#)**

#### **[Comment Deadlines Open](#)**

#### **[For copies of Proposed Regulations](#)**

#### **[Status of Regulations and Six-Month Regulatory Calendar](#)**

## **Technical Guidance & Permits**

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DEP has released a new draft policy on [Public Participation](#) in the Permit Application Review Process. (DEP ID: 012-0900-003) Public Comments are due Aug. 25. A copy of the draft is not yet posted on DEP's website, but should be available through its list of "[Draft Technical Guidance Documents Available](#)" webpage. [NewsClip](#)

Notice that DEP is conducting a water quality classification [review of a portion of the Wissahickon Creek in Montgomery County](#).

[Final Policy Change to: Policy on Public Access to Information Policy](#). DEP ID: 012-0200-003. A copy is not yet available on DEP's website.

[Availability of Final General Plan Approval](#) and/or General Operating Permit for Small Gas and No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1)

[Issuance of General Permit BWM-GP-11](#) for Maintenance, Testing, Repair, Rehabilitation or Replacement of Water Obstructions and Encroachments and 401 Water Quality Certification

[For copies of Draft Technical Guidance](#)    [For copies of Final Technical Guidance](#)

## **Calendar of Upcoming Events**

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July 14 – [DEP Water Resources Advisory Committee](#) (documents posted)

July 22 – [Statewide Water Resources Advisory Committee](#) (agenda documents not yet posted)

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July 27-29 – [PROP's 14<sup>th</sup> Annual Recycling Conference](#)

**August 10** – DEP Air Quality Technical Advisory Committee to review status of ozone, PM 2.5 and other programs.

[DEP Calendar of Events](#)    [Watershed Events](#)

### **Helpful Web Links**

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[Daily NewsClips](#)   [Weekly DEP Update](#)   [GreenTreks Network](#)   [Watershed Weekly](#)

[DEP Press Releases](#)   [DEP Advisory Committee Meetings & Agendas](#)

### **Contributions Invited**

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Send your stories about environmental issues, programs and positive actions to **PA Environment Digest** - [DHess@HolstonCrisci.com](mailto:DHess@HolstonCrisci.com) .

**PA Environment Digest** is edited by David E. Hess, former Secretary Pennsylvania Department of Environmental Protection, and is published as a service to the clients of Holston & Crisci and the public. Holston & Crisci is a Harrisburg-based government affairs firm whose clients include Fortune 500 companies and non-profit organizations. For more information on Holston & Crisci call 717-234-1716.

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