

— PA — Environment Digest

*An Update on
Environmental
Issues in
Pennsylvania*

Edited By David E. Hess, Holston & Crisci

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[PA Environment Digest Video Blog](#)

Chester Results Switch House to Democrats, Priorities for 2007 Outlined

The much watched seat of former Republican House member E.Z. Taylor in Chester County is now apparently in the hands of Democratic candidate Barbara McIlvaine Smith by 23 votes, giving not only that district to the Democrats, but the House as well.

This is the first time the Democrats have controlled the House in 12 years, if further Republican challenges are unsuccessful and if Speaker John Perzel (R-Philadelphia) hints about getting one or more Democratic members to switch do not materialize.

Democratic control of the House means, of course, changes in committee chairs and potentially House Democratic and Republican Leadership as leaders move up or down a rung to elect a new Speaker.

The new Speaker-Apparent Bill DeWeese (D-Greene) said his top priority for the new session would be providing additional property tax relief saying he might favor a plan that increases sales tax by half or a full point. He noted Gov. Rendell was looking at the same plan.

“The House Democratic majority looks forward to working with Gov. Ed Rendell on reducing property taxes for every homeowner,” said Rep. DeWeese. “Thus far, our collaborative efforts have put into motion a billion dollars in property tax cuts mostly for seniors, increased the minimum wage, invested billions of dollars in economic stimulus, protected our environment and made strides toward energy independence.”

Interim President Pro Tempore of the Senate Joe Scarnati (R-Jefferson) said this week he would like to do more to provide property tax relief noting seniors were grateful for the relief the General Assembly gave them, but middle class taxpayers saw little or no benefits.

With the formal end of the two-year legislative session this week, committees officially cease to exist and all legislation dies until the General Assembly returns to session January 2 when new committees are named and legislation is reintroduced to start over in the process.

Stay tuned for more....

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Session Schedule

The Senate and House return for the new session on January 2, but officially don't begin work until January 22.

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Video Blog

Partnership Key to MaryD Mine Reclamation Project



Representatives of more than 20 partners gathered to celebrate the start of a [multi-purpose mine reclamation project in MaryD](#), Schuylkill County this week.

The \$967,000 project will turn the old baseball field, currently owned by the Mary D Fire Co., into a passive mine drainage treatment system to treat up to 1,000 gallons per

minute of acidic discharges from long-abandoned underground mines.

PA Environment Digest editor David Hess caught up with several of the partners to talk about how the project was developed and who was involved.

The partners included William Reichert, [Schuylkill Headwaters Association](#), Carol Collier, [Delaware River Basin Commission](#), [Rep. David Argall](#) (R-Schuylkill), Dane Bickley, [Exelon Schuylkill River Restoration Fund](#), Dan Blaschak, [Blaschak Coal Corp.](#) and Todd Stell, [Stell Environmental Enterprises Inc.](#)

Video Blog: [Partnership Key to Mary D Reclamation Project](#)

On the Hill

On the Governor's Desk

Gov. Rendell took final action on all the bills remaining on his desk this week, including the veto of his 13th bill this session. Here's the rundown . . .

Preserving Open Space: [House Bill 183](#) (Ross-R-Chester) providing more local taxing options for preserving open space was signed into law by the Governor as Act 154. The bill would allow local governments to--

- Appropriate money to a land trust “for the acquisition or conservation and preservation of interests in real property for the purpose of achieving open space benefits...” (including costs of appraisals, legal services, title searches, document preparation, title insurance, closing fees and survey);
- Transfer open space property interests to a land trust with or without consideration; and
- Create a “Local Land Trust” subject to various accountability measures.

Infrastructure Security: [House Bill 854](#) (Rubley-R-Chester) establishing the Terrorism Infrastructure Disclosure Protection Act prohibiting the release of certain infrastructure records was signed into law by the Governor as Act 156.

Windmill Farm Assessments: [Senate Bill 514](#) (Gordner-R-Columbia) amending the Tax Reform Act related to property tax assessments for windmill farms and other issues was signed into law by the Governor as Act 167.

Continuing Ed for Engineers, Land Surveyors, Geologists: [Senate Bill 655](#) (Madigan-R-Bradford) establishing continuing education requirements for individuals licensed under the Engineer, Land Surveyor and Geologists Registration Law was signed into law by the Governor as Act 170.

One Call Program: [Senate Bill 1104](#) (Tomlinson-R-Bucks) making changes to the One Call Program was signed into law by the Governor as Act 181.

Healthy Foods, Healthy Schools: [Senate Bill 1209](#) (Waugh-R-York) establishing the Healthy Foods, Healthy Schools Program was signed into law by the Governor as Act 184.

Governor’s Transfer of Funds: [House Bill 471](#) (Reichley-R-Berks) an Administrative Code bill relating to merchant marine bonuses from World War II and cardiovascular disease was amended with provisions limiting the ability of the Governor to transfer funds during a fiscal year in response to concerns raised about Gaming Control Board funding was vetoed by Gov. Rendell (Veto #13).

Gov. Rendell’s veto message read in part—

“The provisions of House Bill 471 that seek to limit transfers between appropriations are especially troubling. The Executive Branch is charged with the day-to-day operation of state government. To carry out that charge effectively, and to do so in a timely manner, it is from time to time necessary to transfer appropriated funds between agencies so long as the original purpose of the appropriation is adhered to. For example, it may be more efficient and cost effective for a department or agency to help administer a program that initially was the responsibility of a different department or agency. Losing that flexibility could result in the delay or denial of the delivery of services to our citizens.

“In addition, the requirement in the bill that transfers must be approved by the Attorney General would unnecessarily complicate the efficient administration of state government even further - for example, it would significantly impair the process established in the Fiscal Code that allows for the transfer of funds between several Department of Public Welfare appropriations to provide child care for low income families. These families are not in a position to suffer the delay in payments that this requirement could cause.

“For these reasons I must withhold my signature from House Bill 471.”

Senate, House to Resume Review of Controversial Mercury Rule Next Year

As required by the Regulatory Review Act, the Senate and House will pick up their review of the Department of Environmental Protection’s final rule to reduce mercury emissions from coal-burning power plants the fourth week in January.

Because the General Assembly adjourned November 28 ending its two year session before the committee review period for the regulation expired, the Regulatory Review Act requires the review to resume no earlier than January 22 or when legislative committees are reconstituted in the new legislative session.

The regulation is required to be resubmitted to the new General Assembly for at least a 10 day review period. During that time the Senate environmental committee is given the opportunity to report out a resolution blocking the rule.

If a resolution is reported out by the committee within that time, the House and Senate are given an additional 10 legislative days or 30 calendar days (whichever is longer) within which to pass the resolution and then present it to the Governor for his action like any piece of legislation.

During this interim period, DEP is prohibited by the Act from publishing the rule as final in the *PA Bulletin*.

Senators Mary Jo White (R-Venango) and Ray Musto (D-Luzerne), the Majority and Minority Chairs of the Senate Environmental Resources and Energy Committee, shared the requirements of the Regulatory Review Act in a [memo to all Senators this week](#).

The Senators noted, “The DEP regulation has met with strong opposition within the General Assembly, as well as with labor, business, coal, utility and electric generating organizations. We believe it is incumbent on the legislature to utilize the full time

authorized by law to review this regulation to determine if it is in the public’s interest. Additionally, we will continue our efforts to reach a compromise with Gov. Rendell on this issue.”

Links: www.PaEnergyNews.com
[Senate Hearings on Mercury Rule](#)
[Mercury Rule Work Group Proceedings](#)

Issue Notebook: [PA Mercury Emissions Update](#)

November Environmental Synopsis Newsletter Now Online

The November issue of [Environmental Synopsis](#) published by the [Joint Air and Water Pollution Control and Conservation Committee](#) is now available online.

This month’s issue features stories on Pennsylvania’s forests, wastewater treatment operations wet weather guide, low-level radioactive waste and a summary of Committee activities.

The Joint Committee is chaired by Rep. Scott Hutchinson (R-Venango) with Sen. Ray Musto (D-Luzerne) serving as vice-chair.

In Other News

Partners Celebrate MaryD Mine Reclamation Multi-Use Project

Representatives of more than 20 partners gathered to celebrate the start of a multi-purpose mine reclamation project in MaryD, Schuylkill County.

The partners include the Schuylkill Headwaters Association, Delaware River Basin Commission, Eastern Schuylkill Recreation Commission, Schuylkill County Commissioners, Schuylkill County Conservation District, Schuylkill Township, Rep. David Argall (R-Schuylkill), Mary D Fire Co., Mary D Baseball Association, Enterprising Environmental Solutions Inc., URS Corp., the Exelon Schuylkill River Restoration Fund, William Penn Foundation, DEP, DCNR and Stell Environmental Enterprises Inc.

Video Blog: [Partnership Key to Mary D Reclamation Project](#)

The [\\$967,000 MaryD project](#) will turn the old baseball field, currently owned by the Mary D Fire Co., into a passive mine drainage treatment system to treat up to 1,000 gallons per minute of acidic discharges from long-abandoned underground mines.

The Blaschak Coal Corp. of Mahanoy City, Schuylkill County, donated approximately 10 acres of abandoned mine land for the site of a year-round recreation facility that will new six-acre facility that will include a baseball field; a regulation soccer



Secretary McGinty (center) presents check to support MaryD Project.

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field; basketball courts; walking path; handicap accessible concession, pavilion and restroom facilities; parking; fencing and bleachers.

Environmental Protection Secretary Kathleen A. McGinty attended the groundbreaking to mark the \$200,000 contribution DEP was making toward the construction of the treatment facilities, as well as \$47,000 in in-kind contributions for project design and technical assistance on the reclamation of the donated Blaschak land.

“Pennsylvania has the largest abandoned mine problem in the country,” Secretary McGinty said. “We make our greatest progress cleaning up these dangerous sites and restoring our waterways when we combine scarce state and federal funding with financial and in-kind contributions from local communities and private industry.”

In addition to DEP’s funding, the project will be financed by \$100,000 from the Department of Conservation and Natural Resources for construction of recreation facilities and easement costs; \$110,000 from Exelon Corp. to build a wetland to treat acid mine discharge; and \$510,000 from the William Penn Foundation for treatment and recreation facilities construction.

“This project demonstrates the commitment and initiative of all partners to reduce the amount of pollutants acid mine drainage contributes to the Schuylkill’s headwaters, reclaim abandoned mine lands and enhance the quality of life for area residents,” said Carol R. Collier, Executive Director of the Delaware River Basin Commission. “The Schuylkill River and its tributaries provide drinking water to over 1.5 million Pennsylvanians.”

NewsClips: [Groups Team Up to Clean Mine Sites](#)
[MaryD’s Next Phase Will Reduce Acidic Mine Drainage](#)
[MaryD Field of Dreams is Born From Acid Rain Drainage](#)

Link: [MaryD Project Diagram](#)
[PA Land Trust Association Model Water Quality Easement](#)

Video Blog: [Partnership Key to Mary D Reclamation Project](#)

Quaker Run Stream Restoration Completed by Wildlife for Everyone Foundation

[Wildlife for Everyone Endowment Foundation](#) and local partners announced the completion of a stream restoration project at the Quaker Run abandoned mine site.

The project is a cooperative effort that includes Coal Township, the U.S. Fish and Wildlife Service, and the Department of Environmental Protection.

More than 2,000 feet of stream were restored and more than three acres of wetlands were created. The site had been extensively disturbed by past mining and industrial activity. The Fish and Wildlife Service designed the project and supervised contractors in the actual construction of the project.

“This project in Northumberland County serves as a model for stream and wetlands restoration on abandoned mined land,” explained Vern Ross, Executive Director of Wildlife for Everyone Endowment Foundation.

The Department of Environmental Protection, Bureau of Abandoned Mine Lands, provided funding to Coal Township to restore the land and the Wildlife for Everyone Endowment Foundation provided financial management services. The Foundation will

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hold a portion of the funds for five years to be used in the event that any remedial work is necessary.

The project was undertaken at the request of Coal Township because it was unable to locate a contractor who could complete the work with the available funding. The project provided an excellent opportunity for the Fish and Wildlife Service to demonstrate habitat restoration techniques on heavily disturbed land. “This was a good fit for the Foundation because one of our major focus areas is habitat restoration”, stated Russ Schleiden, Chairman of the Board.

Dr. Thomas Ballestero, an engineer from the University of New Hampshire, designed the stream and wetlands and provided construction oversight. Dr. Ballestero works with the Fish and Wildlife Service under an intergovernmental personnel assignment.

Dr. Ballestero used natural channel design methods to calculate the proper dimensions and slope for the new channel. Since there were no remnants of the original channel on site, he studied the stream above the project site and several streams in similar settings in the watershed. The new, constructed channel mimics the form and function of a naturally stable stream in the region.

The wetlands were designed to take advantage of the site topography and drainage and to control runoff from the adjacent industrial development and mined land. About three acres of wetlands were created.

The planting plan was developed by Kelly Williams, a Wildlife and Fisheries Science student from Penn State. She seeded the area with a variety of native plants and also used some woody plants that were transplanted from adjacent wetlands. The wetlands were designed to have fluctuating water levels to promote a wide variety of plants. Additional plantings will be completed in the spring of 2007.

Dave Putnam, a wildlife biologist with the Fish and Wildlife Service pointed out that one of the advantages of working with the Foundation is its ability to hold the funds needed for future years’ work. “Government agencies are generally tied to yearly funding cycles and these cycles rarely permit funding from one year to be carried over to future years. In this case, plantings may take place over the first two years and some may be done even five years from now. “

Dr. Ballestero pointed out that “the wetlands catch nearly all of the water entering the site and will attenuate storm water surges and filter it before it enters Quaker Run. Prior to the work, the stream was suffering serious erosion problems due to concentrated storm flows. While this project will not solve all of the water quality problems in the watershed, it shows that a great deal can be accomplished.”

The work was completed in September and cover vegetation is expected to be fully established over the next growing season. Amphibians moved into the upstream wetlands as soon as they were completed. Dragon flies were also very numerous over the new wetlands.

The site is located between Shamokin and Kulpmont south of Route 61 adjacent to the Rinehart Food Center. It will be very interesting to watch the site mature over the next few years.

For more information on this and other projects, visit the [Wildlife for Everyone Endowment Foundation website](#).

DEP Awards \$27 Million in Watershed, Mine Reclamation Grants

The Department of Environmental Protection this week announced the award of \$27 million to help finance 153 projects to clean up streams and rivers, address serious environmental problems at abandoned mine sites and revitalize communities across the state.

Included in the \$27 million, which represents the eighth round of funding awarded by DEP under the traditional Growing Greener program, are \$7.9 million in traditional watershed grants and \$13.1 million in grants under the voter-approved Growing Greener II bond initiative.

In addition, DEP is recommending \$5.9 million in Nonpoint Source Implementation Program Grants, funded through Section 319(h) of the federal Clean Water Act.

Since 1999, DEP has supplied \$181.7 million in watershed grants for 1,592 projects in all 67 counties of Pennsylvania through the traditional Growing Greener Program.

The grants are used to create or restore wetlands, restore stream buffer zones, eliminate causes of nonpoint source pollution, plug oil and gas wells, reclaim abandoned mine lands and restore aquatic life to streams that were lifeless due to acid mine drainage.

Since passage of the voter approved Growing Greener II bond issue last year, DEP has awarded \$28.4 million for 106 watershed projects.

[A complete list of grants awarded is available online.](#)

NewsClip: [Two Clearfield County Streams Win Funding for Cleanups](#)

Congress Still Has A Chance to Fund Abandoned Mine Reclamation Program

Members of the PA AML Coalition say Congress still has time to reauthorize the fees necessary to finance the federal Abandoned Mine Reclamation Fund before it adjourns for the year.

“The current S. 2616 represents an historic consensus with conservation interests, the coal industry, United Mine Workers Association, eastern and western coal producing states all supporting the legislation,” said John Dawes, Chair of the Coalition. “In addition this legislation is not a tax on the citizens. It is a self supporting program. It provides for a continuation of the fee paid by the coal producer that under this new legislation will actually be reduced over the 15-year life of the reauthorization.”

The proposed bipartisan legislation would bring \$1.4 billion to Pennsylvania to reclaim 184,000 acres of abandoned mine lands that pose significant safety and environmental hazards.

Pennsylvania has over 4,600 miles of biologically dead stream miles and an average of 26 citizens die each year in the country as a result of unreclaimed mine openings, highwalls and flooded pits. This number is more than the number that die in underground mining accidents.

The federal AML Fund was created by the Surface Mining Control and Reclamation Act in 1977 and was modeled after surface mine laws enacted in Pennsylvania.

The fee supporting the Fund actually expired two years ago, but has been extended twice and currently will expire on September 30, 2007.

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Currently the AML Fund is attached to tax extenders legislation that is generally regarded as non-controversial and is essential to the nation's business. However, the AML Fund must remain attached to this legislation, which did not happen in August, and come to the Senate for a vote in a very short window of opportunity that is far from a sure thing.

“There simply is no excuse for Congress not to find a method to pass the AML legislation in this current Congressional session and no excuse for the Congressmen and women and Senators not to use their ability to make that happen regardless of the election outcomes,” said Dawes. “It is time for the clear message of local citizens to be translated into action by their elected representatives who are after all, supposed to represent their interests. Anything short of that will provide a disservice to citizens and the environment.”

Link: [Groups Rally to Support Mine Reclamation Funding](#)

Video Blog: [John Dawes Talks About AML Fee Reauthorization](#)

Reminder: Watershed Mini Grants from Dominion, WPC Due December 15

Dominion and Western Pennsylvania Conservancy's [Freshwater Conservation Program](#) is now accepting applications for the 2006-2007 Watershed Mini Grant Program.

The deadline to apply is December 15.

The program offers funding to watershed organizations in the following counties: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Fayette, Franklin, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lawrence, McKean, Mercer, Potter, Somerset, Tioga, Venango, Warren, Washington, and Westmoreland.

Watershed Mini Grants may be used for expenses in three categories: operating costs, organizational promotion and outreach, and/or restoration projects. Cash or non-cash match is preferred, but not required. Grants of up to \$1,000 may be awarded for operating expenses. Up to \$2,500 is available for promotion and outreach or restoration projects.

[The grant application and proposal guidelines are available online.](#)

Grant applications can also be mailed to you by contacting the Western Pennsylvania Conservancy, c/o Emily Warner, 246 South Walnut Street, Blairsville, PA 15717, by calling 724-459-0953, ext 103 or send email to: emilywarner@paconserve.org.

Reminder: Coldwater Heritage Partnership Invites Grant Applications Due Dec. 15



The Coldwater Heritage Partnership announced it is now accepting applications for the next round of [Coldwater Conservation Grants Program](#) to protect and conserve the health of Pennsylvania's coldwater ecosystems.

Applications are due December 15.

The partnership will award grants of up to \$5,000 to organizations to outline strategies that best conserve and protect our coldwater fisheries.

The grants are designed to help develop conservation

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plans that identify the values and threats to the health of coldwater ecosystems that have naturally reproducing trout. The information can then be used as a catalyst for more comprehensive planning or for development of watershed improvements projects.

The Coldwater Heritage Partnership urges watershed groups, conservation districts, municipalities and local chapters of Trout Unlimited to apply.

The CHP is a cooperative effort of Pennsylvania Council of Trout Unlimited, the Department of Conservation and Natural Resources, the Fish and Boat Commission, and the Western PA Watershed Program.

The Partnership was formed to provide technical assistance and funding support for the evaluation, conservation and protection of Pennsylvania's coldwater streams.

Besides offering grants, CHP works to: foster greater public understanding of watershed characteristics and how they affect coldwater ecosystems; identify special areas of concern, such as areas with exceptional water quality and high potential for impacts; and provide technical assistance and financial opportunities to organizations dedicated to protecting our coldwater ecosystems.

For more information, contact PATU Coldwater Resource Specialist Deborah Nardone at 814-359-5233, or visit the [Coldwater Conservation Grants Program webpage](#).

Stormwater Conference Set for February 15-16 in State College

Stormwater professionals, developers, municipal officials, conservation professionals and watershed stakeholders are invited to a statewide [Stormwater Conference](#) on February 15-16 in State College.

This one and one half day conference will focus on issues related to implementing the [DEP Stormwater BMP Manual](#) and give participants the opportunity to learn about tools and strategies for managing stormwater.

Online registration and other information is available at the [Stormwater Conference webpage](#).

Information on exhibitor space is available by contacting 717-234-5550 or by sending email to: glehman@cbf.org.

Royal Green Corp Becomes Greener By Reducing Waste

Royal Green Corp., Berks County, has eliminated 11,000 tons of residual waste and saved \$150,000 in costs by installing a new system to recover previously waste metals from its operations.

The \$50,000 cost of the project was recovered in the first three years of operation. This was the first of two projects that Royal Green implemented

Royal Green financed the project using a loan from the Small Business [Pollution Prevention Assistance Account Program](#) administered by the Department of Environmental Protection.

Loans of up to \$100,000 with a 2 percent interest rate and a maximum term of ten years are available under the program.

The loan must be used to purchase or upgrade equipment, or to implement a process change, that reduces or reuses raw materials on-site, reduces the production of waste at the source or significantly reduces energy consumption. Equipment and processes

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that focus on recycling or pollution control (scrubbers, filters, dust collectors, etc.) are ineligible for the loan.

The project must have a payback period less than or equal to the term of the loan and the expected benefits must extend beyond the term of the loan.

For more information visit the [Pollution Prevention Assistance Account Program webpage](#) or contact Gene DeIVecchio at 717 772-8951 or send e-mail to gdelvecchi@state.pa.us.

Shades of Green Award Nominations Now Being Accepted Through January 31

The [Shades of Green Leadership Awards](#) are designed to highlight the efforts of persons in Western Pennsylvania who have contributed to the region's environmental transformation through green leadership within the built environment.

Nominations are due January 31.

The awards are not for individual "brick and mortar" projects, but for the people driving programs, policies, initiatives and/or efforts that are leading our region toward a "greener" economy. It is understood that no one person brings about this kind of change on their own, but rather that it is the result of many combined efforts throughout our community.

There are three award categories: government, business and nonprofit.

To achieve recognition, nominees must demonstrate three or more of the following attributes:

- Vision: "big picture" and long-term thinking;
- Leadership: ability to motivate and inspire others;
- Innovation: advancement of new strategies and technologies;
- Collaboration: works with others to achieve success; and
- Influence: effects broad-based change.

For the purpose of this nomination process, built-environment-related activities are defined as those policies, standards, development efforts and other actions that occur as a result of human intervention to create, build or operate a product or system. The approach in this regard must subsequently impact the health and productivity of both the natural and human environments.

The Awards will be presented at a luncheon during the [GreenSense 2007 Conference](#) on March 15.

For more information, visit the [Shades of Green Leadership Awards webpage](#), send email to info@gbapgh.org or call 412-431-0709.

GreenSense 2007 Smart Way to Build Profits Conference Set for March 15

Are you looking for ways to differentiate your properties in the marketplace? Learn how by attending the [GreenSense 2007 Conference](#) March 15 in Pittsburgh.

Join Susan Eastridge and other speakers at GreenSense 2007 as they reveal their proven strategies for gaining a competitive advantage by investing in high-performance, green-building strategies.

Keynote speaker Susan Eastridge, developer for the



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Pittsburgh Cultural Trust's riverfront project, will describe how the biggest downtown housing initiative in city history and its commitment to green building is a smart way to build profits.

As chief executive officer and founder of Concord Eastridge, Inc., Eastridge is one of many nationally recognized experts from the green development field who will share their secrets to financial success through green building.

Breakout sessions will be geared to those new to green building and seasoned professionals. Afternoon tours of Pittsburgh-area green buildings will show green development in action.

For more information, including sponsorship opportunities, visit the [GreenSense 2007 Conference webpage](#).

Nominations Sought for Karl Mason Award from PAEP



The [Pennsylvania Association of Environmental Professionals](#) is accepting nominations for the [Karl Mason Award](#).

Nominations are due January 15.

Presented annually, the award is named for Karl Mason who served in the Pennsylvania Department of Health from 1952 until his death in 1966. He was regarded as the Commonwealth's first environmental administrator. The award was created to commemorate his vision of a strong, well-managed environmental program.

The award is given to a Pennsylvania person, organization, or project that has made significant contribution to the betterment of Pennsylvania's environment, exemplifying Karl Mason's vision.

Anyone may submit a nomination for this award to: Cynthia Bardman, Karl Mason Nomination Committee, summit@microserve.net or phone 610-845-8834.

For more information, visit the [Karl Mason Award webpage](#).

Rachel Carson to Be Celebrated at PA Environmental Professionals Conference

The theme of the [2007 Annual Conference](#) of the PA Association of Environmental Professionals will be "The Legacy of Rachel Carson and the State of the Environment in Pennsylvania."

The three-day conference will be held in State College May 16 to 18.

Participants will explore current ecological, regulatory and pollution prevention issues in Pennsylvania from a variety of perspectives.

To mark the 100th anniversary of Rachel Carson's birth in Springdale, PA, the Association will feature events that examine her role in challenging others to think differently about environmental issues.

For more information, visit the [2007 Annual Conference webpage](#).



Links: [The Life of Rachel Carson](#), [Centennial Events](#)

[Pennsylvania Environmental Heritage – Rachel Carson](#)
[Rachel Carson Homestead Association](#)

Duquesne Light 16.2% Rate Increase Includes Energy Dev. Authority Contribution

The Public Utility Commission this week [approved an agreement](#) with Duquesne Light Co. to increase its electric rates by 16.2 percent and require the electric power distributor to contribute \$1.5 million per year to the [PA Energy Development Authority](#) for renewable energy projects through 2010.

The bill for an average residential customer using 600 kWh of electricity will increase from \$63.87 a month to \$74.23 a month, according to the settlement. The company's original proposal called for a distribution rate increase of about \$143.7 million with average residential bills increasing to about \$75.86 a month (18.8 percent).

Under the settlement, the company also will increase the number of customers who can participate in Customer Assistance Programs from about 23,000 to 27,000 and expand the size of its Low Income Usage Reduction Program by \$350,000 to about \$1.5 million per year, increasing the number of consumers served from 1,750 to 2,250.

The settlement was reached between the company and the formal complainants in the case. The 18 formal complainants included the state's Office of Consumer Advocate, the state's Office of Small Business Advocate, Citizens for Pennsylvania's Future, Duquesne Industrial Intervenors, the Community Action Association of Pennsylvania, the International Brotherhood of Electric Workers Local 29, the Pennsylvania Large Energy Users Coalition and the Commission's Office of Trial Staff.

Duquesne Light serves more than 580,000 customers in Allegheny and Beaver counties.

PUC Releases Autumn Edition of the Keystone Connection Report

The Pennsylvania Public Utility Commission this week released the autumn edition of the [Keystone Connection report](#).

The quarterly report represents the PUC's efforts to provide beneficial information to the public about important developments in the electric, natural gas, transportation, telecommunications and water markets.

The publication's format contains coverage of all utilities under the PUC's jurisdiction, including news on consumer issues and general information on Commission happenings.

State Planning Board Unveils Report and Recommendations on Infrastructure

The State Planning Board this week released its [Report and Recommendations](#) on legislative and executive actions that will help the Commonwealth address the goals of reinvesting in cities and towns, fostering growth and competitiveness of both urban and rural economies, and improving the quality of life in all of Pennsylvania's diverse communities.

"The State Planning Board took its charge from Gov. Rendell very seriously and worked hard over the past year and a half to study and make recommendations on some challenging issues for Pennsylvania," said chair Judy Schwank. "Over the next year, we

hope to gather input from Pennsylvanians in regional sessions and further refine or expand our recommendations.”

The State Planning Board includes fifteen citizens representing diverse interests and regions of the state, four legislative members appointed by the majority and minority parties in each house, as well as the Secretaries of Agriculture, Community and Economic Development, Environmental Protection, Natural Resources, Transportation and Public Welfare.

The Board was directed to make recommendations in three areas:

- Conflicts among development, municipal, and conservation interests and needs on open space and infrastructure issues;
- Specific policies, such as criteria for state investments, incentives for more multi-municipal planning and implementation, attracting private investment, and tax and revenue sharing that will achieve smart growth goals for revitalization of cities and towns and sound economic development in rural communities; and
- Proposed options for improved governance measures that will enable Pennsylvania to compete more effectively for economic growth while improving the quality of life in Pennsylvania’s diverse communities.

The Board’s initial report makes recommendations in the areas of governance, infrastructure and economic development.

The Board makes specific recommendations for legislation to provide better options to counties and local governments for right sizing services such as police and fire; making comprehensive plans effective guides for consistent implementation; removing legal barriers to consolidations and mergers where these make fiscal and political sense; and providing clear authority for tax base and revenue sharing among counties and local municipalities that would benefit from these tools.

The Board also makes recommendations for legislative changes involving transportation, infrastructure, and economic development issues, and endorses the planning process being initiated by state agencies this year to work with partners in nine regions of the state to prioritize economic development projects and integrate them with transportation, infrastructure and land use decisions.

[The full report and Recommendations Report is available online.](#)

Opinion

New Tools Needed to Keep Our Farms Green and Our Streams Clean

By

Matthew Ehrhart

Chesapeake Bay Foundation



There has been a lot of public discussion about the water quality of our rivers and streams and why more hasn’t been done to monitor their health. Right now, Pennsylvanians have a rare opportunity to make change happen by supporting proposed legislation that will improve the health of our waterways throughout the commonwealth.

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Public investments in wastewater plants, programs like Growing Greener, and initiatives of watershed groups and the agricultural community are making a difference in reducing pollution in our rivers and streams. But the task is enormous. More than 13,400 waterway miles in Pennsylvania do not meet water quality standards, often, due to agricultural and stormwater runoff. While farmers want to do their best to keep streams clean, their hands are often tied by limited resources.

A new, innovative tool introduced in the General Assembly would encourage private investment in projects to help solve some of our most difficult water quality problems. The Resource Enhancement and Protection Act of Pa (REAP) would provide transferable business or personal state tax credits to farmers and landowners to cover part of the cost of installing best management practices that will reduce nitrogen, phosphorus, and sediment pollution going into local rivers and streams.

Tax credits worth up to 75 percent of project costs, with a maximum of \$150,000 per taxpayer, would be provided to clean up barnyards, plant forested buffers, install streambank fencing and remove unstable legacy sediments from floodplains. The program would allow the tax credits to be sold and transferred to others or rolled ahead for up to 15 years. Also included is a sponsorship program that allows businesses to finance projects on farms and receive a tax credit for their investment.

Farmers are committed stewards of the land, and have repeatedly demonstrated that if given the appropriate tools, they will take action to reduce pollution. But to date, the tools have been lacking. Each year, state and federal programs that assist farmers in reducing pollution have to turn farmers away.

The Chesapeake Bay Foundation believes the health of our local waterways, drinking water supplies, and the Chesapeake Bay depend, in large part, on having a healthy agricultural industry.

We believe the REAP Program offers a valuable new tool to help us address the serious water quality problems still facing us here in the Commonwealth, as well as meeting our commitments to reduce pollution flowing from the Susquehanna River into the Chesapeake Bay. REAP would take effect statewide, improving the water quality in rivers and streams throughout PA and improving and safeguarding the water supplies of the commonwealth's citizens.

We congratulate Senators Wenger (R-Lancaster), Waugh (R-York), and O'Pake (D-Berks) and Representatives Stern (R-Blair), Hershey (R-Chester), and Daley (D-Washington), and all the sponsors for introducing REAP in [Senate Bill 1286](#) and [House Bill 2878](#).

Links: [Chesapeake Bay Foundation Information Page on REAP](#)

Issue NoteBook: [Resource Enhancement & Protection Tax Credit Proposal](#)

Quick Clips

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

[Report Shows Benefits, Savings of Coordinate Electricity Markets](#)

[Duquesne 16.2 Percent Rate Increase](#)

[PUC Selects Firm to Monitor Rules on Renewable Energy](#)

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[Allegheny Power Planning New Transmission Line](#)
[PPL Goes Live With Large-Scale Hourly Metering System](#)
[It's Getting Much Easier to be Green in Pittsburgh](#)
[What Does It Really Mean to Go Green?](#)
[Building a Green House](#)
[Tech Students To Tackle Innovative Construction](#)
[Designs Evolving for Wind Turbines](#)
[Picture Book Teaches Students Importance of Wetlands](#)
[COALS Anti-Dumping Initiative Adds Incentives for Schools](#)
[Children Share Mature Understanding of Need for Recycling](#)
[PA Land Conservation on Firm Ground](#)
[Plan Would Protect Four Farms in Montco](#)
[Land Preservation Efforts May Be Bearing Fruit in Chester County](#)
[Grant Aids Carbon County to Identify Open Space](#)
[Friends of Chester Creek Receive \\$300,000 Grant](#)
[Pennsylvania's Rich Land Shaped Its Destiny](#)
[Groups Want to Use Appalachian Trail as Living Laboratory](#)
[Editorial: Trail Will Become Environmental Observatory](#)
[Hunters Fault Doe-Kill Plan as Way to Cut Deer](#)
[Hunters: For Some Long-Timers, Excitement Fades](#)
[Nature: Season, Age Show in Bucks' Antlers](#)
[PA Audubon Highlights Deer Management Issue](#)
[No Game Commission Fee Hike in Sight](#)
[Far From His Job, Police Officer Finds Spiritual Time](#)
[Where's the Mercury Scare?](#)
[Cleanup Study to Begin on DelCo Superfund Site](#)
[DEP Awards \\$400,000 in Composting Grants](#)
[DEP Announces Agreement to Extinguish Lackawanna Mine Fire](#)
[Coal Miner's Death Brings Attention to Vocation Struggling to Survive](#)

Watershed NewsClips

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

[Growing Greener Grants Will Aid Hicks Creek Cleanup](#)
[StoneyCreek Projects Still Online](#)
[Group forms, Seeks Funds to Restore Lake](#)
[Chesapeake Bay Cleanup May Cost Sewer Authority \\$175 Million](#)
[Work Under Way to Stabilize Bowman's Creek](#)
[Easton Ready to Buy Creek Corridor Land](#)
[Groups Team Up to Clean Mine Sites](#)
[MaryD's Next Phase Will Reduce Acidic Mine Drainage](#)
[MaryD Field of Dreams is Born From Acid Rain Drainage](#)
[Officials Hoping to Spur Growth Near Waterfront](#)

Regulations

The Environmental Quality Board published proposed regulations for comment that would amend Chapters 109 and 110 to require public water supply agencies and hydropower facilities to [report the amount of water they withdraw](#) to support the development of the State Water Plan. The IRRC also took other actions, here's the rundown....

The Independent Regulatory Review Commission [published its formal order](#) related to DEP's mercury emissions reduction regulation and also acted on two other regulations at its meeting this week: it approved the Department of Agriculture's Commercial Manure Hauler and Broker Certification final rule and the Environmental Quality Board final rule changing the stream designations for Newtown Creek and other streams was deemed approved.

[Pennsylvania Bulletin – December 2, 2006](#)

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 several final policy statements](#) this week covering replacement water supplies, small flow treatment system and continuous air quality monitoring.

Final: DEP ID: 562-4000-102 Increased Operation and Maintenance Costs of Replacement Water Supplies (on All Coal and Surface Noncoal Sites). This guidance document describes the process the Department will use to determine the bond amount needed to assure permanent payment of increased operation and maintenance costs for replacement water supplies.

Final: DEP ID: 274-0300-001 Continuous Source Monitoring Manual, Revision No. 8. This Manual, referenced in 25 Pa. Code § 139.102 (relating to references), contains design specifications, performance specifications, performance test procedures, data storage and reporting requirements, quality assurance criteria and administrative procedures for requesting Department approval of continuous source monitoring systems required under the Department's rules and regulations.

Final: DEP ID: 274-0300-005 Applicability Determination for Continuous Source Monitoring Manual Revision No. 8. This Manual outlines the procedures and schedule to be utilized by monitored source owners and operators to comply with the requirements of 25 Pa. Code § 139.102(3) (relating to references), which are identified and described in the

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Department's Continuous Source Monitoring Manual--Revision No. 8 (Manual) (DEP ID #274-0300-001).

Final: DEP ID: 362-0300-002 Small Flow Treatment Facilities Manual. This Manual amends and clarifies the formerly established guidance (see 33 Pa.B. 5783 (November 22, 2003)) regarding the design, permitting, installation, operation and maintenance of domestic wastewater treatment facilities with flows no greater than 2,000 gallons per day.

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

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

Calendar of Upcoming Events

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

- **December 4** – DEP [Cleanup Standards Scientific Advisory Board](#) meeting. Room 105 Rachel Carson Building. 9:30.
- **December 7** – **CANCELLED**. [DEP Chesapeake Bay Advisory Committee meeting](#). Next scheduled meeting is March 1.
- **December 12** – **CANCELLED**. [Coal and Clay Mine Subsidence Insurance Board meeting](#).
- **December 12** – **CANCELLED**. [Laboratory Accreditation Advisory Committee meeting](#)
- **December 12** – [Delaware River Basin Commission meeting](#) to release Flood Mitigation Task Force recommendations and other issues. 25 State Police Drive, West Trenton, NJ. 10:15.
- **December 14** – [Coal and Clay Mine Subsidence Insurance Board meeting](#). 14th Floor Conference Room, Rachel Carson Building, Harrisburg. 10:00.
- **December 19** – **CANCELLED**. Environmental Quality Board meeting.
- **December 19** - [DEP public hearing](#) on Greene County Ozone Implementation Plan.
- **December 19** – [DEP public hearing](#) on Ozone Implementation Plan for Reading.

DEP Calendar of Events

Watershed Events (*courtesy [PA Organization for Watersheds & Rivers](#)*)

Environmental Education Workshop/Training Calendar

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

Senate Committee Schedule **House Committee Schedule**

Helpful Web Links

[PA Environment Digest Video Blog](#)

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

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

[DCNR Resource Magazine](#) [DCNR Press Releases](#)

[Fish & Boat Commission Press Releases](#) [Game Commission Press Releases](#)

Stories Invited

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