

# **ANNUAL REPORT**

**2015**

**February 2016**

COMMONWEALTH OF PENNSYLVANIA

REPLY TO:  
HOUSE OF REPRESENTATIVES  
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SENATOR SCOTT E. HUTCHINSON  
CHAIRMAN

TONY M. GUERRIERI  
EXECUTIVE DIRECTOR

Joint Legislative Air and Water Pollution Control  
and Conservation Committee

**TO: Members of the General Assembly**

**FROM: Senator Scott E. Hutchinson, Chairman**

**SUBJECT: 2015 Annual Report**

**DATE: February 10, 2016**

**“Day by day, nothing seems to change, but pretty soon everything’s different.”**

**- Bill Watterson**

The Joint Legislative Air and Water Pollution Control and Conservation Committee was established in 1968 to serve as a source of unbiased research on the impact of coal mining on the economy and environment of Pennsylvania. As time has passed, the world has become a much more interconnected place, changing not only what environmental issues need to be addressed – but also the perspectives in which they are viewed. The very nature of these issues has changed due to population growth, land use, energy choices and new technologies in use today. Members of the Pennsylvania General Assembly have had to continually formulate and adapt legislative policy to address a host of rapidly-evolving environmental issues.

The Committee’s mandate is to gather, analyze and disseminate information on conservation and the environment relevant to the issues facing the General Assembly. Since 1968, we have examined an increasingly broad range of subjects including energy, water technology, natural areas and more. The Committee acts as a conduit – synthesizing environmental research and political decision-making. Many of these projects are conducted at the request of the Committee’s legislative members. The projects bring light to emerging issues which may not yet be on the legislative radar, but which have potential significance for future policy discussions.

It is with great pleasure that we present the Committee’s Annual Report for 2015. This report details the activities and achievements of the Committee in its effort to serve the General Assembly during this past year. The range and depth of our activities are reflected in the pages that follow, both in summaries of our research and in the highlights of our ongoing activities. The annual report provides context to our recent activity and also serves as a guide for the Committee’s future.

## **COMMITTEE NARRATIVE**

In the mid-1960s, there was a growing public awareness on the impact of pollution on air and water resources. As a result, in 1967, Pennsylvania voters approved, by a 2-to-1 margin, a \$500 million bond referendum for conservation and recreation purposes. Funds were to be used for the conservation and reclamation of land and water resources of the Commonwealth, including the elimination of acid mine drainage, the construction of sewage treatment plants, and for developing outdoor recreational areas.

On January 19, 1968, Governor Raymond P. Shafer signed Act 448, creating a new legislative service agency known as the Joint Legislative Air and Water Pollution Control and Conservation Committee. The Committee's mandate was to provide oversight to the General Assembly on the expenditures from the bond referendum. It was to be governed by an eighteen-member board, comprised of nine legislative members from each party – half from the Senate and half from the House of Representatives.

In its first year, the Committee reviewed flood control projects, mine drainage treatment plants and new state parks. Very quickly, however, the Committee's legislative purview expanded beyond bond expenditures to include an important role in many of the Commonwealth's most ground-breaking environmental laws including: Wild and Scenic Rivers Act of 1968; the establishment of the Pennsylvania Department of Environmental Resources in 1970; the 1970 amendments to Pennsylvania's Clean Streams Act; the Surface Mining Conservation and Reclamation Act of 1971 and Article 1, Section 27 of the Pennsylvania Constitution, also known as the Environmental Rights Amendment.

Over the decades, the Committee's scope has continued to grow to include a myriad of environmental challenges. Key examples of the Committee's assistance to the General Assembly include:

- **The Legislative Forestry Task Force:** Since 1994, the Legislative Forestry Task Force, through a series of resolutions enacted in succeeding legislative sessions, has worked on a number of policy issues affecting the health and productivity of Pennsylvania's forests.
- **Pennsylvania's Waste Tire Recycling Act:** Working with stakeholders, the Committee took an active role in developing Act 190 of 1996, and a follow-up measure to expand the original law (Act 111 of 2002) for the safe disposal of waste tires.
- **Pennsylvania's Sustainable Water Infrastructure Task Force:** In 2008, the Committee, in cooperation with DEP, held a series of eight public meetings which resulted in Act 64 of 2008, a successful bond issue for construction, rehabilitation and improvement of water treatment systems within the Commonwealth.
- **Prescribed Burning Practices Act:** Working closely with former Representative Gary Haluska of Cambria County, the Committee and its Forestry Task Force played a significant role in the development of Act 17 of 2009, which regulates the prescribed burning of state-owned lands.

For nearly 50 years, the Committee's mission remains the same: to assist the General Assembly in ensuring the sustainable use of Pennsylvania's diverse natural resources.

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**COMMITTEE MEMBERS**

**2015 – 2016 Session**

**Chairman**

**Senator Scott E. Hutchinson**

**Rep. Stephen Bloom**  
**Rep. Matthew Bradford**  
**Rep. Eli Evankovich**  
**Rep. Ted Harhai**  
**Rep. Patrick Harkins**  
**Rep. Kurt A. Masser**  
**Rep. Stephen McCarter**  
**Rep. Marguerite Quinn**  
**Rep. Rick Saccone**

**Senator David G. Argall**  
**Senator Ryan P. Aument**  
**Senator Camera Bartolotta**  
**Senator Andrew E. Dinniman**  
**Senator Matthew H. Smith**  
**Senator Patrick J. Stefano**  
**Senator Sean Wiley**  
**Senator John T. Yudichak**

**COMMITTEE STAFF**

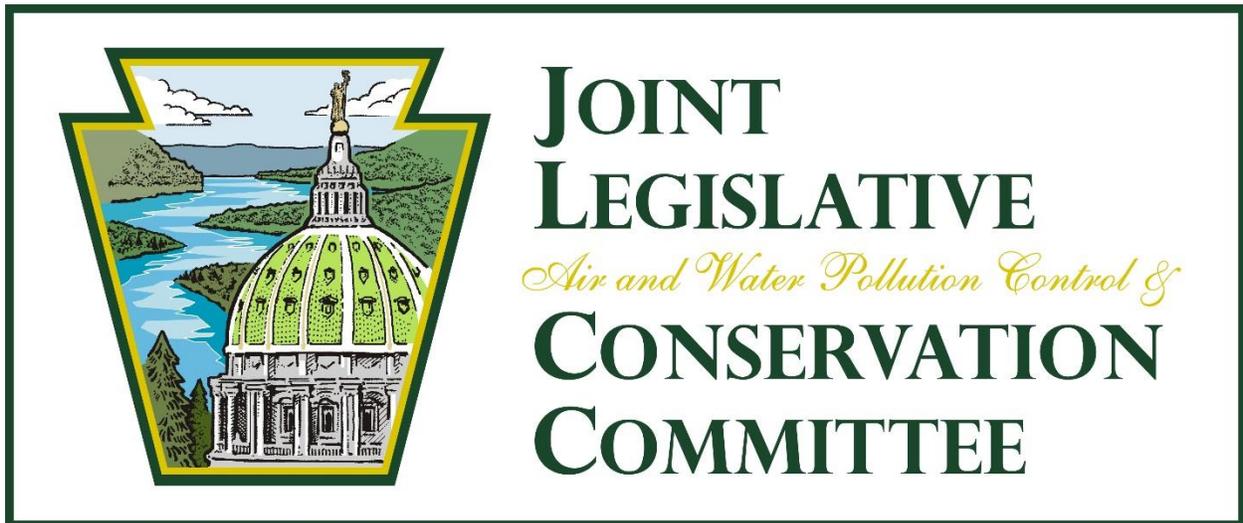
**Tony M. Guerrieri, Executive Director**  
**Michael J. Nerozzi, Communications Specialist**  
**Coleen P. Engvall, Research Analyst**  
**Denise M. Plummer, Administrative Assistant**

## A MESSAGE FROM THE EXECUTIVE DIRECTOR

Brand. New. Vision. Three words that can be read separately or as a definitive statement: Brand new vision. Either way, it is an accurate reflection of the positive changes occurring with the Joint Legislative Air and Water Pollution Control and Conservation Committee. Vision and innovation are the cornerstones of our strategic plan for the future.

One very visible emblem of that change came late in 2015 when we introduced a new Committee logo. Our staff came to realize that when your logo looks and feels stale, that sense of being dated can start to affect how you are perceived. The new, vibrant logo is a dramatic departure from the previous logo that was part of our history for many years.

The new logo's artwork depicts rolling hills with a forested river valley under a bright blue sky to connect you to the Commonwealth's verdant landscape. In the forefront is the Capitol Dome, representing the symbiotic relationship between state government, the Commonwealth's natural resources and the Committee's important role within the General Assembly.



Pennsylvania is known as the Keystone state and the familiar symbol frames the new logo. Surrounding the keystone are borders of green and gold. The green border represents the environmental aspect of our mission while gold is used to signify our legislative accomplishments. The words “Joint Legislative Conservation Committee” appear in simple, yet bold typeface, highlighting the abbreviated, and more commonly-used, variation of our name.

We plan to use the new logo on our website, social media platforms, and work products. The updated logo follows other recent changes to our Committee's deliverables. We've redesigned our monthly **Environmental Synopsis** newsletter and, also, the Committee's issue briefs, known as “Green Papers.” The new logo and redesigned research products mark a season of positive change in our agency. We are thrilled to hear the positive feedback we've received regarding our new visual identity. These changes highlight a new brand that the Committee will proudly display for years to come.

# **BENEFICIAL USES OF NATURAL GAS**

## **PROMOTING NATURAL GAS VEHICLES IN PENNSYLVANIA**

According to the U.S. Energy Information Administration, gasoline is the dominant transportation fuel used in the United States. Gasoline (including fuel ethanol) consumption for transportation averaged about 8.8 million barrels per day. Gasoline is used mainly in cars, motorcycles and light trucks. Natural gas is used in all types of vehicles, but they are used predominantly in heavy duty vehicles such as buses and other large transportation vehicles.

The most significant development that makes natural gas attractive as a transportation fuel today is the development of technology that has made it economically viable to extract the natural gas from the Marcellus Shale and other shale formations across the country, vastly increasing the domestic supply of natural gas.

The increased reserves contained in U.S. shale formations have served to push the price of natural gas well below that of gasoline and diesel fuel. Even with the substantial differences in fuel costs, significant hurdles remain for the adoption of natural gas vehicles. Most pressing, there is not a sufficient network of fueling stations to support widespread usage.

On October 1, 2015, the Committee traveled to Finleyville, Washington County, to hold a public hearing examining the market for natural gas vehicles, with a focus on passenger cars, light duty trucks and vans. The hearing featured testimony from a diverse group of witnesses including Mr. David Althoff, environmental group manager, Pennsylvania Department of Environmental Protection; Ms. Sherrie Merrow, LNG/CNG development advisor; Mr. George Stark, director, Cabot Oil & Gas Corporation; Dr. Lutitia Clipper, CEO, Clipper Enterprises LLC; and Ms. Susan Oliver-Stough, community and government relations manager, WPX Energy. Also testifying at the hearing was Mr. Chuck Half, projects and productivity manager for Veterans Transportation Management LLC.

Witnesses described the issue of natural gas vehicles for consumers as a classic chicken-and-egg problem. There are very few personal vehicles that run on natural gas, and few refueling stations at which to gas up, although this number is trending in a positive direction. Auto manufacturers do not want to build natural gas vehicles if people do not have a place to refuel, and no company is going to build a natural gas fueling station without any customers.

Despite these concerns, however, witnesses also discussed four interconnected reasons why they believe natural gas fuel will become more commonplace for passenger vehicles by the middle of the 21<sup>st</sup> century:

- **Supply:** Pennsylvania sits atop the Marcellus Shale basin. The Marcellus is the largest shale “play” in the U.S. and second largest in the world.
- **Environmental considerations:** Pollution from vehicles is creating an atmosphere that is increasingly damaging to public health and to the environment.
- **Economics:** The costs of producing oil and regulating the by-products of oil consumption continue to increase.

- **Energy security:** The political consequences of maintaining energy security in international markets are becoming untenable.

Transcripts of the public hearing are available on the Committee website. Additional information concerning natural gas vehicles may be obtained from the Committee office.

The Committee anticipates that the discussion over natural gas and its use as an alternative fuel for passenger vehicles will be an ongoing one. In 2016, the Committee will continue to address the environmental and economic concerns regarding cleaner fuels such as natural gas.

## **FOREST RESOURCE MANAGEMENT**

### **LEGISLATIVE FORESTRY TASK FORCE**

Pennsylvania's distinctive landscape is a testament to the resiliency of the land and the conservation ethic of its people. The remarkable return of the Commonwealth's forests, following an early history of forest clearing and extensive logging, offers an unprecedented opportunity to secure a more sustainable future.

Today there is more forest cover between the New Jersey and Ohio borders than at any time in the previous two centuries. The 17 million acres of trees, waters and wetlands that blanket the state provide areas for recreation, hunting and other traditional uses; wood and other forest products; clean and abundant water; a continental-scale habitat corridor; and a globally important source of renewable energy and carbon storage

Because of the importance of the forest industry to the economy and its rural communities, the Legislative Forestry Task Force and Advisory Committee were first established in 1994, pursuant to House Resolution 263, Printer's Number 4110. The resolution itself was introduced after three statewide public hearings held by the Committee in 1993. The formation of a forestry task force was one of the Committee's recommendations to the General Assembly, following these high-profile hearings.

For over two decades, the Forestry Task Force has been composed of four members of the Pennsylvania General Assembly; two members of the Senate and two members of the House of Representatives. A special collection of advocates, industry representatives, and subject matter experts, the 14-member Advisory Committee plays a pivotal role in guiding the Task Force into the future. Advisory Committee members hail from a range of backgrounds, including the Pennsylvania Department of Conservation and Natural Resources (DCNR), academia, the forest product industry, the Pennsylvania Game Commission and others. They share the common goal of helping the task force advance as a center for forestry excellence.

Since its inception in 1994, the task force has continued to work through a series of legislative resolutions enacted in succeeding legislative sessions, with staff assistance from the Committee. Each resolution set a timely and ambitious agenda of topics for examination.

The most recent resolution was introduced by the Committee's chairman, Senator Scott Hutchinson. Senate Resolution 55, Printer's Number 653, reestablishes a Legislative Forestry Task Force and Advisory Committee, and sets forth the issues that the Task Force will consider during the current legislative session. The issues reflect ongoing conditions and developments related to forests in the Keystone State. The issues for this session are as follows:

- **The implications of the Department of Conservation and Natural Resources' revised State Forest Resource Management Plan;**
- **The impact of pests and invasive species on Pennsylvania's forestry industry as well as the impact to overall forest health;**
- **The regulatory relationship between the State's forestry industry, local governments and county conservation districts; and**
- **The decline in qualified timber harvesters and other related occupations.**

On June 11, 2015, the Task Force met at State College to review DCNR's Bureau of Forestry draft plan for state forest management. Since 1955, state forest management has been guided by written management plans. The first resource management plans focused on timber management, however, recent plans have taken an ecosystem approach, with goals of regeneration, sustainability and biodiversity, while balancing the need for its recreation use and economic development. This updates the strategic plan for multi-use state forests done in 2008.

Mr. Ryan Szuch, forest planner with the bureau, gave a presentation on the 198-page strategic management plan. The plan provides a broad framework from which the bureau can develop future district-level plans focusing on local resources and values, and incorporating increased public input. According to Mr. Szuch, key issues included: climate change, insect pests, and water resources in state forests.

The plan details which tree species will fare better or worse with higher greenhouse emissions. For example, birch and aspen which thrive in a northern ecosystem may die off and other species such as black cherry, American beech, red maple, sugar maple, eastern Hemlock and eastern white pine will increasingly have less-suitable habitat within the state. At the same time, Pennsylvania's changing habitat will become more favorable for southern species such as hickories and see the introduction of loblolly pine, common persimmon and red mulberry. The plan calls for monitoring the forests to learn how they change with the climate and to protect trees and other species when possible.

Upon completion of the research, the finding and recommendations of the Task Force will be issued in a report to the General Assembly. By improving the General Assembly's ability to understand the forest environment, the Forestry Task Force plays a role in shaping effective management and policy decisions. For more information concerning the Legislative Forestry Task Force, please contact the Committee office.

In addition to the Legislative Task Force, the Committee's November Environmental Issues Forum featured a presentation on Pennsylvania's Sustainable Forestry Initiative (SFI). The guest speaker was Mr. Chuck Coup, PA SFI program manager. Mr. Coup discussed current

trends in sustainable forestry practices and what his organization is doing to ensure Pennsylvania's forest lands are productive and healthy. One of the organizations most acclaimed initiatives is their Professional Timber Harvester Training Program, which to date, has trained over 7,000 loggers in sustainable tree harvesting techniques.

## **RECREATION AND TOURISM**

### **ABANDONED PENNSYLVANIA TURNPIKE**

Pennsylvania has always been a popular tourism destination, particularly in our natural areas. The Commonwealth has a competitive advantage over many states because of its historical, natural and cultural attractions. A recent example is the Pennsylvania "Abandoned Turnpike." This popular roadside oddity is the subject of renewed interest as local organizations are looking to turn this forgotten stretch of highway into an outdoor recreation hotspot.

The Abandoned Turnpike is a retired section of highway in Bedford and Fulton counties that was a part of the original Pennsylvania Turnpike built during the 1940s. The original turnpike followed much of the same route as the old South Pennsylvania Railroad, including several of the existing railroad tunnels through the Southern Allegheny Mountains. As use of the new superhighway gradually increased, traffic congestion through the tunnels became problematic, as they only allowed for one lane of traffic in each direction, creating a bottleneck of traveling motorists.

Finally, in 1968, the Pennsylvania Turnpike Commission (PTC) decided to bypass a portion of the existing roadway and two of the original tunnels in favor of larger, less restrictive structures. The bypass left closed to through traffic a 13-mile stretch of highway, the two tunnels and even a roadside service plaza without a clear purpose. For the 47 years since, the road has seen an abundance of uses: state police pistol range, rumble strip and reflective tape test sites, horror movie set, and countless others.

Recognizing its recreational potential, the PTC sold a large portion of the property to a local land preservation agency back in the early 2000s. A coalition was formed shortly thereafter to turn the roadway and tunnels into a recreational hiking and biking trail.

Our September 2014 Environmental Issues Forum featured Mr. Donald Schwartz, director of the Bedford County Planning Commission, who described the plans for the Abandoned Turnpike and the potential economic benefit it could provide for the region. The Pike2Bike coalition, a group of local officials and volunteers who are interested in converting the forgotten roadway into a recreational bike trail, has been working to promote, revitalize and restore the highway as a trail corridor.

On April 23, 2015, Committee members and staff conducted an on-site tour of the Abandoned Turnpike accompanied by local officials from Bedford and Fulton counties. The tour was hosted by the Pike2Bike coalition. The tour offered a firsthand look at the Abandoned Turnpike including the site of the old Cove Valley service plaza, two unlighted highway tunnels (the Ray's

Hill Tunnel and the Sidling Hill Tunnel), and areas that are off-limits to the general public, such as the original tunnel upper control centers.

According to local officials, a restored multi-use trail corridor would be an excellent tool for economic development, education, community preservation and tourism. A fully-developed trail is projected to generate up to \$9 million for the local economy, according to a 2014 economic study. However, estimated costs to improve the roadway to working order vary between \$3 million and \$6 million.

Additional information concerning Pennsylvania's Abandoned Turnpike may be obtained from the Committee office or on our website.

## **INFORMATION, EDUCATION AND OUTREACH**

### **PUBLIC HEARINGS AND FACT-FINDING TOURS**

#### **Committee Public Hearings**

The Committee typically conducts several public hearings on environmental or conservation issues each year. The details for these hearings are posted on the Committee's website, in our newsletters and are also sent to stakeholders who have expressed interest in the topic. All hearings include an opportunity for the public to address comments and provide information to the Committee members.

The hearing agenda, testimony and transcript are on file and available to the public. Electronic transcripts from recent public hearings, such as October 1, 2015, hearing on natural gas vehicles, are also available on the Committee's website.

#### **Committee Fact-Finding Tours**

The Committee conducts numerous fact-finding tours each year to assess issues, review programs and activities, interview and meet various stakeholders and to identify agenda items for future public hearings. These fact-finding tours generally occupy one- or- two intensive days of research and investigation. The Committee's fact-finding tours constitute a vital and important aspect of the Committee's legislative oversight function.

### **WRITTEN WORK-PRODUCT**

#### **Committee Information Resources**

Communication of information is a primary issue in increasing participation in decision making. Publications allow the Committee to explore the intersection of environmental legislation, policy research and practice. These key resources focus directly on Committee work product and include newsletters, "Green Papers," research reports, testimony from public hearings and other literature.

#### **Committee Newsletter**

A lot has changed with the Committee's **Environmental Synopsis**, since we began publishing nearly 40 years ago. The first issue of the newsletter was published in December 1977.

The issue was set up in a memo format, consisted of two pages and featured several short blurbs on environmental legislation and policies. It was distributed only to Members of the General Assembly.

Over the years, the **Environmental Synopsis** expanded its scope to provide more in-depth features, analysis and commentary. The newsletter is now distributed to all 253 members of the General Assembly and to more than 400 other recipients including business and industry, environmental organizations, government agencies, universities and citizens. It covers state, federal and global environmental issues.

In 2015, the **Environmental Synopsis** underwent a significant update. The June edition was the first issue to feature a high-resolution, eight-page magazine format. The new format represents a major step forward in terms of professionalism and readability.

### **Committee Reports**

One of the Committee's primary work products are legislative reports. The reports detail findings and recommendations, along with any proposed legislation, to the General Assembly. Once the research by the Committee is finalized in a report (complete with background material, policy recommendations and proposed legislation), it is presented to the General Assembly, and made publicly available.

Since its inception, the Committee has published a number of reports on a wide range of topics, including water pollution enforcement; municipal solid waste management; low-level radioactive waste disposal; land application of sewage sludge; water and sewerage infrastructure needs; state parks; the Pennsylvania Infrastructure Investment Authority Program; forest resources management; Pennsylvania's Heritage Parks Program; water quality credits and trading; and the use of fly ash in mine reclamation projects (Appendix B). Most recently, it has released reports concerning oil and gas leasing activities on Commonwealth-owned lands; and electronic waste recycling and policy options.

Following the completion of a report, subsequent action on the part of the Committee may be required, and, as necessary, the Committee will assist in drafting legislation, updating research, tracking legislation through the legislative process, attending hearings, and answering questions from legislators, legislative staff, interest groups and constituents.

### **Committee Green Papers**

Another product is the Committee's issue briefs, known as "Green Papers." The Green Papers are narrower in scope than our full reports, of more limited interest, and often do not contain specific recommendations. Each Green Paper will be on a specific environmental issue that has come to the attention of or is being dealt with by the Committee. Many of these Green Papers are conducted at the request of the legislature or Committee members. Others, however, are the result of the Committee's own initiative, bringing light to issues which may not yet be on the legislature's radar, but which may have potential significance in the future.

Each Green Paper is intended to provide a more in-depth look at specific issues than normally permitted by other Committee publications. For example, previous topics included: A review of Pennsylvania's Wild Resource Conservation Act; urban storm water management; the recycling and regulation of used oil; using employer trip reduction programs to improve air quality; recycling residential grey water for other uses; an assessment of unit pricing for municipal solid waste; entrance fees: a supplemental resource for state parks; arsenic in pressure-treated wood; fuel cell technology; and cross-connection control and backflow prevention.

Last year, the Committee issued two Green Papers examining concerns with water quality and water impoundment infrastructure. Recently, a number of Pennsylvania municipalities have removed fluoride from their water supply, often reversing previous decisions to add it. These decisions have left lingering questions about the reasons behind the decisions. In August, the Committee released a Green Paper examining the issues surrounding fluoridation of public drinking water in Pennsylvania.

The second Green Paper, released in December, examined dams that are considered high-hazard and unsafe. The paper focused on the 19 of the 54 dams managed by the Pennsylvania Fish and Boat Commission that are classified as high-hazard and unsafe. Dams designated as high-hazard and unsafe have deficiencies that if not corrected could lead the dams to fail causing substantial property damage and loss of life. The Green Paper also highlighted a proposed plan by the Governor's administration to fund dam construction projects in the future.

The Committee's Green Papers are available on the Committee's website at <http://jcc.legis.state.pa.us> or by calling the Committee office.

## **ENVIRONMENTAL ISSUES FORUMS**

Over the past year, the Committee has strived to better connect its environmental research with public audiences. This is reflected in a number of efforts. One way in which it accomplishes this is through its Environmental Issues Forums. The forums are an ongoing lecture series hosted by the Committee and comprised of presentations scheduled throughout the legislative session.

The Committee formally launched the Environmental Issues Forums in 2000, as a venue for prominent guest speakers to present information on topics of interest related to the Committee's mission. Each individual forum highlights a specific topic or issue, such that over the course of a year, the forums speak to a diversity of topics and provide a vehicle for updating the General Assembly on relevant environmental issues.

The forums are held on legislative session days and are normally conducted once a month in those months in which the General Assembly is in voting session. The exchanges that occur in these forums play an important role in maintaining the Committee's reputation as a crucible in which innovative ideas are tested.

Forum programs are also open to the public and are intended to reach a wide audience. Participants in the forums include policy makers, scholars, business and community leaders. The

forum's audience is as diverse as the speakers themselves. During the year, over 150 individuals attended the Issue Forums.

The following is a list of forum topics offered in 2015:

- the Diamond Sock erosion control system;
- the Chesapeake Bay Foundation;
- the Pennsylvania Growing Greener Coalition;
- and the Pennsylvania Sustainable Forestry Initiative.

### **Committee Social Media**

#### **Website, Facebook and Twitter**

The Joint Legislative Conservation Committee website (Link: <http://jcc.legis.state.pa.us>) provides a variety of information about the Committee and its activities. This website also includes a list of members, meeting dates and previous hearings and events. The Committee's reports, newsletters as well as other Committee publications are also posted on the website. An opportunity is also provided for citizen comment.

The Committee also created a Twitter account in 2014. Our Twitter page can be found at [www.twitter.com/PA\\_JLCC](http://www.twitter.com/PA_JLCC), where we share information, in 140-character snippets, about Committee news, research and upcoming activity. The news on our Facebook page includes photos of events and information about recent projects.

#### **Member Engagement and Outreach**

One of the best opportunities to make a positive impression and set the tone for future interaction is at the beginning of a legislative session, once members have been appointed. Effective member engagement can have a significant impact on understanding, utilization and participation in Committee activities.

Committee staff began meeting individually with legislative Committee members shortly after the new session began in January 2015. This allowed Committee staff to exchange information about the Committee to each Member and receive feedback on ways the Committee can provide better assistance.

Member outreach, member engagement and encouraging members to participate in Committee activities will continue to be important initiatives for the Committee in 2016.

#### **Committee Internship Opportunity**

In June of 2015, the Committee initiated an internship program that invited college students to spend an academic semester with the Committee to learn about environmental policy and the legislative process.

Our first intern was Adam Banks, a native of Douglassville, Pennsylvania (Berks County). Adam was a sophomore international politics major participating in Penn State's Harrisburg Semester Internship Program. Adam's internship with the Committee confirmed his interest in environmental issues. As part of his internship experience, Adam participated in the

Committee's Forestry Task Force meeting and gained valuable knowledge about the latest business trends, production practices, regulations and technology in the forestry sector.

He assisted staff with writing newsletter articles, research, data compilation and analysis and other projects as required. The Committee is very grateful for Adam's assistance throughout the summer and hope to continue our internship program for years to come.

## **FUTURE COMMITTEE ACTIVITIES**

Each year in our annual reports we include a section where we identify what we believe will be the most critical environmental issues facing the General Assembly. This year, we anticipate that the General Assembly will be challenged to go even further, using the Committee's expertise and insight to take a hard look at pressing environmental and conservation-related issues.

The Committee has been involved with the issue of electronic waste since 2007. The debate over e-waste recycling and disposal issues is ongoing. The tonnage of electronic waste is far outpacing the capacity to recycle it. For example, Pennsylvania has only eight recycling companies certified to accept TV sets for rebates from electronic manufacturers.

Twenty-five states have legislation prohibiting electronic waste from going into landfills. California was the first in 2003. Its consumers pay a recycling fee when they buy a product. Pennsylvania's Covered Device Recycling Act was intended to put the onus on electronics manufacturers by charging them with providing recycling opportunities at no cost to the consumer. The law also ended roadside pick-up of TVs by municipalities and established an account for which to pay for the program.

Because Pennsylvania's electronic waste program continues to be a work in progress, the Committee will continue to monitor Pennsylvania's electronic waste program and work closely with stakeholders in 2016.

The discussion surrounding carbon emissions will also remain a contentious topic, affecting a diverse set of stakeholders in 2016. For example, the federal Clean Power Plan is a recent effort to limit carbon emissions. The approach currently mandates that Pennsylvania cut carbon emissions 33.3 percent by 2030. Pennsylvania has until September 2016 to submit a draft plan on how it will comply with federal guidelines and then another two years to submit the final plan. If Pennsylvania does not submit a plan, the EPA will implement its own federal carbon reduction strategy to achieve the state-specific goals.

Pennsylvania is already making strides towards cleaner energy with the rise of natural gas, renewable energy and clean coal technology; however, the new federal plan has raised concerns with legislators and industry stakeholders. Pennsylvania is the fourth largest coal producing state and the industry supports thousands of jobs. The Committee expects the Clean Power Plan to be hotly debated as to how it will impact the energy sector, consumer electric rates, and the economy as a whole, in addition to the environmental and health-related concerns. As the

discussion continues, the Committee stands ready to seek scientific research and stakeholder input in order to provide the General Assembly with the tools they need to make informed decisions in developing the required State Plan.

Over the past few years, the Committee has repeatedly identified the energy sector and its infrastructure as hotspots for legislative attention and we see this trend continuing into 2016 and beyond. One of the issues on the forefront of the discussion is the growing interest in recent spills, explosions and “bomb train” accidents. Such coverage elevates community concerns, particularly within areas abutting energy and transportation infrastructure. Community safety and rights are the utmost concern in this case and issues surrounding risks and exposure only fuels mistrust.

With record-setting heat waves and droughts now regularly making national headlines, many state legislatures are seizing the opportunity to capitalize on growing public awareness of limited water resources. For many states, that means moving beyond basic conservation and watershed cleanup projects. Local stakeholders are now advocating for more responsible water policy, funding for aging infrastructure and discussing how society values water resources.

Another possible future issue requiring attention in Pennsylvania is food waste reduction. The U.S. Department of Agriculture (USDA) and the EPA recently announced the nation’s first-ever food waste reduction goal. It calls for reducing food waste by 50 percent by 2030. The USDA estimates that nearly 90 billion pounds of edible food get tossed each year – which is costly to society on many fronts, including to our environment. A significant amount of water is used each year for irrigation and transportation of farm products. In addition, food that ends up in landfills produces methane, a major contributor to climate change.

There are also economic costs to wasting food. The average American throws away almost \$400 a year this way, according to the USDA. The Committee has worked extensively on waste recycling and reduction in the past and could be used to help collect information and formulate a state plan to reduce food waste.

The Committee looks forward to working closely with the General Assembly on these and other important environmental issues as we head into 2016.

## **COMMITTEE EVENTS AND ACTIVITIES**

**February 2, 2015** – The first Environmental Issues Forum of 2015 featured a presentation by Mr. James Carlin, director of business development for MKB Company, the State College-based producer of an erosion control system known as the Diamond Sock. The Diamond Sock is an organic compost-filled mesh tube used to filter sediment from runoff water near industrial sites.

**February 24, 2015** – Committee staff met with representatives from the United States Geological Survey to discuss its mission of providing scientific information including: managing water, biological, energy and mineral resources in the Commonwealth.

**April 14, 2015** – Committee staff attended the Pennsylvania Forest Product Association’s 30<sup>th</sup> Annual Legislative Reception in Harrisburg. The Pennsylvania General Assembly passed a resolution recognizing April 14, 2015, as Forest and Paper Products Day in Pennsylvania.

**April 20, 2015** – The April Environmental Issues Forum featured the Chesapeake Bay Foundation and their recent report on the economic impact of cleaning up the Chesapeake Bay watershed. Dr. Spencer Phillips, a natural resource economist who developed the study, presented the findings of the report in greater detail.

**April 23, 2015** – The Committee members and staff toured the Pennsylvania “Abandoned Turnpike,” a 13-mile stretch of the original turnpike that was bypassed in the late 1960s. The tour was hosted by the Pike2Bike coalition, a group of local officials and volunteers from Bedford and Fulton counties who are interested in converting the forgotten roadway into a recreational bike trail.

**June 11, 2015** – The Legislative Forestry Task Force and Advisory Committee met in State College, Pennsylvania to discuss DCNR’s 2015 update to the State Forest Resource Management Plan. Mr. Ryan Szuch, forest planner for DCNR, provided an overview of the SFRMP draft.

**August 21, 2015** – The Committee issued one of its periodic Green Papers on the fluoridation of public drinking water. The Green Paper reviews the latest science and benefits of fluoridation, recent pending legislation and fluoridation trends in Pennsylvania.

**September 16, 2015** – Committee staff attended the PA Association of Flood Plain Managers annual meeting in Harrisburg. Topics covered at the meeting included: flood risk, insurance coverage, community vulnerability and analyses that can inform and prioritize the Commonwealth response.

**September 21, 2015** – The September Environmental Issues Forum featured Mr. Andrew Heath, executive director of the Pennsylvania Growing Greener Coalition. Mr. Heath discussed the coalition’s detailed guide to state funding opportunities for community conservation, recreation and preservation projects, titled “Finding the Green.”

**October 1, 2015** – The Committee held a public hearing in Finleyville, Pennsylvania (Washington County) that focused on the environmental impact of natural gas vehicles. Representatives from DEP, the natural gas industry and local organizations testified on how the use of natural gas vehicles can help reduce emissions and promote domestic energy security.

**October 2, 2015** – Committee staff toured Calgon Carbon’s Neville Island facility in Pittsburgh. Calgon Carbon is a leading manufacturer of activated carbon, with broad capabilities in ultraviolet light disinfection. The company provides purification solutions for drinking water, wastewater, pollution abatement and a variety of industrial and commercial manufacturing processes.

**October 13, 2015** – Committee staff attended the Pennsylvania Environmental Council Policy Conference in Harrisburg, PA. The all-day forum focused on environmental opportunities and

challenges facing Pennsylvania, including state implementation of the Federal Clean Power Plan, achieving reduction goals for the Chesapeake Bay watershed and the implementation of community stormwater management programs.

**October 19, 2015** – Committee staff met with Mr. John Arway, executive director of the Pennsylvania Fish and Boat Commission (LFBC), to discuss a number of issues concerning water quality and aquatic life including: the decline in fish populations in the Susquehanna River.

**November 12, 2015** – Committee staff attended an electronic waste summit sponsored by the RMC in Harrisburg. The summit focused on a number of issues including the lack of disposal options for residents in rural areas and how the amount of electronic waste is far outpacing the capacity to recycle it.

**November 16, 2015** – The November Environmental Issues Forum featured Mr. Chuck Coup, program manager for the PA Sustainable Forestry Initiative. Mr. Coup discussed sustainable forest management in Pennsylvania and throughout the United States.

**November 17, 2015** – Committee staff attended the PA Recycling Industries Congress in Harrisburg. The purpose of the event was to promote the importance and impact of private sector recycling-related industries to the state's economy.

**December 11, 2015** – The Committee issued a Green Paper on high-hazard, unsafe dams in Pennsylvania. The issue brief provides an overview of high-hazard, unsafe dams in Pennsylvania and how the state regulates and funds their repair.

**December 14, 2015** – Committee staff participated in a webinar sponsored by the Pennsylvania Department of Environmental Protection and Pennsylvania Fish and Boat Commission that discussed the findings of a multi-year study investigating the causes of population decline among smallmouth bass in the Susquehanna River.

## **DIRECTOR'S ACKNOWLEDGEMENTS**

As part of our continuing service to the Pennsylvania General Assembly, there were several changes to the Committee over the past several years. In June 2014, Craig Brooks retired and I succeeded him as executive director.

In accepting the position of executive director, I followed a person whose impact on the Committee cannot be overstated. For 15 years, Craig Brooks provided outstanding service to the General Assembly. His leadership and strong institutional knowledge earned him the respect of the legislature and environmental stakeholders throughout the Commonwealth. In large part to Craig's thoughtful and detailed approach to managing the Committee, it has grown and evolved into the effective legislative service agency it is today. It has been a true privilege and a pleasure to work with Craig and the memories of his leadership will be my guide in the years to come.

In addition to Craig, Geoff MacLaughlin, the Committee's communications specialist, also announced his retirement in 2014. Geoff had over 15 years of service with the Committee

and the Commonwealth for more than 34 years. During his tenure, Geoff raised the Committee's profile to a new level by rebooting its monthly newsletter, the **Environmental Synopsis**; maintaining the Committee's website; and developing the highly-regarded Environmental Issues Forums that bring guest speakers to Harrisburg to discuss any number of diverse topics related to the Committee's mission.

The Committee is exceedingly fortunate to have benefited from Craig and Geoff's service over the years. They may be gone from our office, but the legacies they leave behind are a lasting cornerstone of the Committee's identity and success. Our staff wishes them well in their future endeavors.

## **APPENDIX A**

**CREATING A LEGISLATIVE POLLUTION CONTROL AND CONSERVATION COMMITTEE**  
**Act of Jan. 19, (1968) 1967, P.L. 1022, No. 448**  
AN ACT

Creating a Joint Legislative Air and Water Pollution Control and Conservation Committee, providing for the terms and appointment of members and for organization of the Committee and employment of personnel, providing for study of air and water pollution laws and their enforcement, providing for information and assistance from other agencies of government, and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. (a) A joint legislative Committee to be known as the Joint Legislative Air and Water Pollution

Control and Conservation Committee is hereby created. It shall consist of eighteen members of the General Assembly

who shall serve without compensation, nine of whom shall be appointed by the President Pro Tempore of the Senate,

five from among the majority party and four from among the minority party, and nine of whom shall be appointed by the

Speaker of the House of Representatives, five from among the majority party and four from among the minority party.

(b) The term of each member of the Committee shall run from the date of his appointment until thirty days

after the convening of the next regular session of the General Assembly in odd numbered years and until his successor

is appointed and qualified. Appointments to the Committee shall take effect thirty-one days after the convening of each

regular session of the General Assembly in odd numbered years. Any vacancy happening in the membership shall be

filled by the appointing power making the original appointment for the unexpired term.

(c) The Committee shall organize as soon as may be after the appointment of members thirty-one days after

the convening of each regular session of the General Assembly in odd numbered years, at the call of the President Pro Tempore of the Senate, by electing a chairman, vice-chairman and a secretary. The secretary need not be a member of the Committee.

(1) To conduct continuing studies of air and water pollution laws and recommend needed changes to the General Assembly; and

(2) To conduct continuing studies of the enforcement of air and water pollution laws, and in conjunction with such studies to make necessary trips to various sections of the Commonwealth to hold hearings and hear complaints.

(3) To conduct continuing studies as to the manner and effectiveness of restoration work being conducted by the various State departments with Federal and State funds including the 1967 five hundred million dollar conservation bond issue.

(4) To conduct continuing studies of mining practices, including but not limited to deep mining, strip mining, open pit mining and quarrying.

(5) To conduct continuing studies of reclamation of mined out land, removal of scars therefrom and reclamation of land devastated by mining operations.

(6) To conduct continuing studies of all mining laws and all laws pertaining to reclamation of lands which have had mining operations conducted thereon.

(7) To hold hearings and receive complaints relating to all or any of the above subjects of study.

Section 3. The Committee shall have power to employ and fix the compensation of such experts, stenographers, and assistants as may be deemed necessary to carry out the work of the Committee, but due diligence shall be exercised by the Committee to enlist such voluntary assistance as may be available from citizens, research organizations, and other agencies in Pennsylvania or elsewhere, generally recognized as qualified to aid the Committee with information as to existing conditions or advise as to possibilities in correcting existing conditions pertaining to air and water pollution. The Legislative Reference Bureau and other agencies of the Commonwealth shall give the Committee, on request, such information and assistance as may be reasonably accessible.

Section 4. The sum of twenty-five thousand dollars (\$25,000), or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Joint Legislative Air and Water

Pollution control and Conservation Committee for the fiscal year beginning July 1, 1967 for the payment of the expenses of the members of the Committee, for the compensation and expenses of the secretary and other appointees of the Committee, for postage, supplies, telephone, telegraph, rent and miscellaneous expenses, and generally for the purpose of carrying into effect the provisions of this act.

## **APPENDIX B**

## **COMMITTEE REPORTS**

The Committee has a library of more than 70 reports its staff has researched and prepared on a variety of environmental issues. They include:

1. Comprehensive Review of the Water Pollution Enforcement Program, 1970
2. Comprehensive Review of Municipal Solid Waste Management, 1975
3. Integrated Flood Management: A Pennsylvania Perspective, 1981
4. Public Utility Commission Regulation of Water Supply Systems, 1982
5. Research Monograph: Safe Drinking Water Act, April 1983
6. Coal Reclamation Report: Part I. Remaining Previously Affected Areas, 1984
7. Coal Reclamation Report: Part II. General Reclamation Program, 1984
8. Low-Level Radioactive Waste Disposal: A Special Briefing on the Proposed Appalachian Compact, 1985
9. Research Monograph: Pennsylvania Hazardous Waste Treatment and Disposal Facility Siting Criteria, September/October 1985
10. House Resolution No. 6, Land Application of Sewage Sludge: Part I: Administrative Issues, 1986
11. House Resolution No. 6, Land Application of Sewage Sludge: Part II: Technical Criteria, 1986
12. Research Monograph: Protecting Water Quality With Well Construction And Location Standards, May/June 1986
13. Research Monograph: Resource Recovery: An Examination Of Current Technologies, Environmental Factors, And State Air Emission Standards, October 1986
14. Pennsylvania's Water and Sewerage Infrastructure Needs, 1987
15. Research Monograph: The Safe Drinking Water Amendments of 1986, February/March 1987
16. Research Monograph: The State Role in the New Federal Superfund Program, May/June 1987
17. A Review of the Pennsylvania Oil and Gas Act, Act 223 of 1984, as amended, 1988
18. Pennsylvania State Parks, 1989
19. Watershed Protection and Senate Bill 1012 of the Session of 1989, 1990
20. The Use and Regulation of Roadside Springs in Pennsylvania, 1990

21. Research Monograph: Endangered Funds For Species of Special Concern: A Review Of Pennsylvania's Wild Resource Conservation Act, May 1990
22. Research Monograph: Urban Storm Water Management, May 1991
23. Septage Management and Disposal in Pennsylvania, July 1991
24. A Review of PENNVEST - The Pennsylvania Infrastructure Investment Authority Program, 1991
25. Water Resources Management in Pennsylvania, 1992
26. 1991 Annual Report, January 1992
27. Research Monograph: The Recycling and Regulation of Used Oil, February 1992
28. The Use of Geothermal Heating and Cooling Systems in Pennsylvania 1992
29. Research Monograph: Using Employer Trip Reduction Programs to Improve Air Quality, December 1992
30. 1992 Annual Report, January 1993
31. Special Report on the 1993 Water Resources Management Conference 1993
32. Research Monograph: Recycling Residential Graywater for Other Uses, August 1993
33. Report on the hearings held on Forest Resources Management, 1994
34. 1993 Annual Report, January 1994
35. Research Monograph: An Assessment of Unit Pricing for Municipal Solid Waste, September 1994
36. 1994 Annual Report, January 1995
37. Research Monograph: Entrance Fees: A Supplemental Resource for State Parks, April 1995
38. 1995 Annual Report, February 1996
39. 1996 Annual Report, February 1997
40. Forestry Issues for Pennsylvania: Report of the Forestry Task Force Pursuant to House Resolution 263, March 1997
41. Pennsylvania's Environment and the Future of Independent Power Producers, March 1997
42. 1997 Annual Report, February 1998
43. Pennsylvania's Heritage Parks Program, March 1998
44. Report of the Forestry Task Force Pursuant to Senate Resolution 29, January 1999

45. 1998 Annual Report, February 1999
46. Report on the Infiltration of Water into Sewage Treatment Systems Pursuant to House Resolution 376 of 1998, October 1999
47. 1999 Annual Report, February 2000
48. Report on Water Quality Credits and Trading Pursuant to House Resolution 361 of 2000, 2001
49. 2000 Annual Report, March 2001
50. Report of the Forestry Task Force Pursuant to House Resolution 13 of 1999, June 2001
51. Report on Combined Sewer Overflows in Pennsylvania, November 2001
52. Infiltration and Inflow: Report of the Infiltration Task Force, February 2002
53. 2001 Annual Report, February 2002
54. Green Paper: Arsenic in Pressure-Treated Wood, April 2002
55. Green Paper: Fuel Cell Technology, July 2002
56. 2002 Annual Report, March 2003
57. Green Paper: Cross-Connection Control and Backflow Prevention, March 2003
58. Report of the Forestry Task Force Pursuant to Senate Resolution 81 of 2001, April 2003
59. Report on a Proposed Moratorium on the Use of Fly Ash in Mine Reclamation Projects, February 2004
60. 2003 Annual Report, February 2004
61. 2004 Annual Report, February, 2005
62. Report of the Forestry Task Force Pursuant to House Resolution 256 of 2003, June 2005
63. Oil and Gas Leasing Activities on Commonwealth-Owned Lands, Pursuant to House Resolution 394 of 2003, January 2006
64. 2005 Annual Report, March 2006
65. 2006 Annual Report, March 2007
66. Report of the Forestry Task Force Pursuant to Senate Resolution 137 of 2005, December 2007
67. 2007 Annual Report, April 2008
68. Report on E-waste Recycling Programs and Policy Options, June 2008
69. 2008 Annual Report, March 2009

70. 2009 Annual Report, February 2010
71. 2010 Annual Report, February 2011
72. Report of the Forestry Task Force Pursuant to House Resolution 429 of 2009, July 2011
73. 2011 Annual Report, April 2012
74. Green Paper: Managing Spent Mushroom Substrate in Pennsylvania, September 2014
75. Green Paper: Fluoridation of Public Drinking Water, Summer 2015
76. Green Paper: High-Hazard Unsafe Dams, Fall 2015
77. 2015 Annual Report, January 2016