

ENVIRONMENTAL SYNOPSIS

The Chairman's Corner

Rep. Scott E. Hutchinson, Chairman



An issue that the Joint Conservation Committee (JCC) addressed some three years ago has resurfaced on both the state and national stages – the use of coal combustion wastes or coal combustion residues (CCRs) in mine reclamation. Coal combustion wastes and CCRs are more commonly known as fly ash or coal ash. The reason the issue is once again a topic of discussion is the March 2006 release of a report by the National Research Council's Committee on Mine Placement of Coal Combustion Wastes (hereafter referred to simply as the committee).

It was on July 9, 2003 that the JCC held a public hearing in Tamaqua, Schuylkill County, PA on whether there should be a statewide moratorium on the use of fly ash in mine reclamation. The JCC heard testimony from government agencies, scientists and environmental organizations, and after review of the testimony, follow-up study and research, and an examination of pertinent laws and the Department of Environmental Protection's (DEP) oversight and management program, issued its report on that question in February 2004.

The JCC report offered a number of recommendations to the Pennsylvania General Assembly. The recommendations:

- Advised against a statewide moratorium, finding that "...coal ash can be effectively and safely used when properly managed."
- Advocated continued research into the environmental impacts of fly ash, including "...an independent study to be conducted to further investigate...use of the ash material in mine reclamation..."
- Suggested that a "statewide, third party oversight subcommittee be established...with a specific charge to oversee the state regulatory program."
- Favored implementing a study into the undocumented

threats coal refuse piles and abandoned mines pose to human health and the environment.

- Called for improved public education programs on the beneficial uses of fly ash by the electric utility industry.
- Counseled the industry to be vigilant regarding testing and monitoring methods and interpretation of data, and to communicate with state and federal agencies on further development of regulatory guidelines.

In brief, as JCC Executive Director Craig Brooks argues in "Notes From the Director" on page 2, the JCC report and the national committee report shared many similarities in both findings and recommendations.

In comparing state regulatory programs and the national committee's call for a federal standard regarding disposal of fly ash in minefills, it is interesting to note that the committee made it a point to declare that regulatory standards vary widely from state to state, and that a major reason for the recommendation for a federal standard is to give states "adequate, explicit authority" to impose performance standards specific to fly ash. While espousing a federal standard, the report clearly called for site specific determinations of risks and benefits, and did not take regulatory authority away from the states.

(continued on page 8)

In This Issue...

- The Chairman's Corner p. 1
- Notes From the Director p. 2
- Research Briefs..... p. 3-6

- ✓ Ranking the U.S. in Environmental Performance
- ✓ Mayors Weigh In on Water Needs
- ✓ The Greening of Garbage Trucks
- ✓ Getting the Lead Out

- On the Horizon p. 7
- Committee Chronicles p. 7

NOTES FROM THE DIRECTOR

CRAIG D. BROOKS, EXECUTIVE DIRECTOR

Approximately 5 million tons of fly ash are produced in Pennsylvania each year and the majority of it is beneficially used for mine reclamation projects. It's been the opinion of the Joint Legislative Air and Water Pollution Control and Conservation Committee (JCC) that Pennsylvania has created a carefully crafted regulatory program that draws upon 30 years of experience of using fly ash for mine reclamation projects. The JCC stated such in a 2004 report that called on the JCC to review a proposed moratorium on the use of fly ash in reclamation projects.

After reviewing the Department of Environmental Protection's (DEP) reclamation program and testimony from a July 2003 public hearing on the matter, the JCC's report, *"A Proposed Moratorium on the Use of Fly Ash in Mine Reclamation Projects"*, offered several recommendations for the General Assembly to consider. One of the recommendations recognized citizen concerns about the presence of toxic chemicals contained in fly ash and therefore recommended an independent study be conducted to further investigate the biology, chemistry and placement of fly ash in mine reclamation projects.

Such a study has been completed by the National Research Council's (NRC) Committee on Mine Placement of Coal Combustion Wastes, which recently released its findings on managing coal combustion residues (CCR) in mines. The JCC agrees with the conclusions of the NRC report, and although it's been suggested that the NRC report contests the recommendations offered by JCC, the report in fact, supports our conclusions. Let me take the opportunity to compare findings.

Both the JCC and the NRC reports rejected a moratorium on the use of coal combustion residues for mine reclamation. The NRC report concluded that "putting CCR's in coal mines as part of the reclamation process is a viable management option as long as CCR placement is properly planned and is carried out in a manner that avoids significant adverse environmental and health impacts and the regulatory process

for issuing permits includes clear provisions for public involvement". The JCC report concluded "regulation is prudent and further study sensible, but a moratorium would be misguided, albeit well intentioned, given the facts".

Both the JCC and the NRC reports noted that placing CCR as minefill has beneficial effects including the neutralization of acid mine drainage, thereby lessening the potential for contaminants from mines entering the environment; assisting with reclamation and land restoration efforts; and reducing the need for new landfills.

Both reports also concluded that improper use of CCR posed risks. The JCC report states "improper use of fly ash can pose a threat to public health and the environment, proper fly ash use is being adequately

enforced by state and federal regulatory agencies".

Even though the science proves and the latest research has suggested that the background concentrations of certain toxics found in typical soils are found to be several

times higher than the limits allowed for fly ash, both reports called for additional research into the effects of the use of CCR. It is our opinion that the recommendation is both sensible and cautionary.

The NRC report recommended that "enforceable federal standards be established for the disposal of CCR in minefills" and the JCC report recommended "a statewide, third-party oversight committee be established to oversee regulation in Pennsylvania".

The NRC report states (p. 138) "Ohio and Pennsylvania have monitoring requirements for CCR's that are substantially greater than the Surface Mining Control and Reclamation Act requirements". The JCC report reflects the belief that Pennsylvania already employs the type of regulation and oversight that is called for in a federal standard.

The NRC report can be found by visiting <http://nap.edu/catalog/11592>. For the JCC report, see our website at <http://jcc.legis.state.pa.us>.

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RESEARCH BRIEFS

Each month, the committee's staff researches and prepares a number of "briefs" on several topics relevant to the Joint Conservation Committee's mission. Very often, these briefs include references to reports and further research on the topics so that readers may pursue issues on their own.

United States Ranked 28th in Environmental Performance

– Tony M. Guerrieri, Research Analyst

The quality of the environment depends a lot on what policies a nation adopts. How well does the United States measure up, environmentally? How well is the United States preserving its natural resources at a global level? A joint study conducted by Yale University and Columbia University has ranked the United States 28th in achieving certain environmental goals and found that policy is one of the most critical aspects of good environmental performance.

The study, "2006 Environmental Performance Index" (EPI), ranked 133 countries based on calculations of 16 key indicators in six categories: environmental health, air quality, water resources, biodiversity and habitat, productive natural resources, and sustainable energy. Among the 16 indicators that comprise the EPI are factors such as drinking water, eco-region protection and energy efficiency.

The EPI distills a country's capacity for sustained environmental strength into a single number ranging from 0 to 100. The higher a country's EPI score, the better situated it is to achieve environmental sustainability. For example, the global leader of environmental performance, New Zealand, registered 88 percent and the lowest ranked country, Niger, is at 25.7 percent overall, with the United States at 78.5 percent.

Besides New Zealand, only five other nations achieved scores of 85 percent or above: Sweden (87.8 percent); Finland (87 percent); Czech Republic (86 percent); the United Kingdom (85.6 percent); and Austria (85.2 percent). All the top ranked nations commit significant resources and effort to environmental protection, resulting in strong performance across most of the policy categories.

The United States' 28th place ranking is significantly below other highly developed nations like the United Kingdom (5th) and Canada (8th), but ahead of Russia (77.5 percent) and South Korea (75.2 percent).

In individual issues, the United States ranked 13th in environmental health (98.3 percent), 124th in productive natural resources (38.9 percent), 33rd in biodiversity and habitat (66.8 percent), 97th in air quality (44.7 percent) and 80th in sustainable energy (69.7 percent).

The United States reaps perfect scores in drinking

water quality, sanitary conditions, indoor climate and the use of its lumber resource, and nearly perfect in infant mortality and eco-region protection. The United States' relatively low ranking was largely due to its sub-par scores for urban air quality and water resources. The United States also lost points for over-fishing and for dependence on non-sustainable sources of energy.

The report ranks countries within their geographic peer groups, so that nations in arid regions or tropical ones can be measured against one another. So, for example, Belgium's overall ranking of 39, with a 75.9 percent score, can be viewed by region and by issue. Belgium ranks last, for instance, among European countries in protection of its water resources.

Who scored high in the EPI???

The bottom half of the rankings is largely filled with the countries of Africa, and Central and South Asia. India and Pakistan both ranked among the twenty lowest countries, with overall success ratios of 41.1 percent and 47.7 percent, respectively. According to the study, the five lowest ranked nations in eco-performance – Ethiopia (36.7 percent), Mali (33.9 percent), Mauritania (32 percent), Chad (30.5 percent) and Niger (25.7 percent) – are undeveloped nations with little capacity to invest in environmental infrastructure (such as drinking water and sanitation systems) and weak regulatory systems.

The study concluded that a nation's wealth and economic development have a direct effect on environmental performance; however, they are not the only factors affecting EPI. When countries were measured against their peers - countries of similar developmental status - some countries were able to outperform others by demonstrating good environmental policy choices. For example, the Dominican Republic (54th) significantly outperforms Haiti (114th) even though the countries share an island. Similarly, Sweden (2nd) produces much better environmental results than Belgium (39th).

The report acknowledges data gaps in areas such as sulfur dioxide emissions, exposure to toxic chemicals, and soil erosion and quality. Sixty countries could not be included because of inadequate data.

The 367-page report, "2006 Environmental Performance Index", can be downloaded free of charge from: http://www.yale.edu/epi/2006EPI_Report_Full.pdf.

Aging Infrastructure, Supply and Security Among Top Water Priorities

– Craig D. Brooks, Executive Director

Aging drinking water and wastewater facilities are a top water resources concern among cities in the United States, followed by growing concerns about security at these facilities and about water supply availability, the U.S. Conference of Mayors' National City Water Survey 2005 (survey) concludes. The findings indicate that cities are not only concerned about a mixture of everyday problems, but also catastrophic events.

In a survey of 1,200 cities with populations of 30,000 or more residents, the U.S. Conference of Mayors' Urban Water Council asked mayors to identify what they would consider the five most pressing priorities. They were also asked to provide information about recent and planned projects to upgrade water and wastewater infrastructure, water supplies and water conservation measures.

Nearly 35 percent of the mayoral pool, representing 414 cities, responded to the survey. Survey results showed that:

- About 60 percent of the respondents identified aging drinking water and wastewater facilities as the top priority, and almost 55 percent of the respondents ranked protection of those facilities as the second most important priority;

- About 46 percent of the respondents said adequate water supply, including drought management and regional water conflict was the third most important priority; and

- An increase in unfunded federal mandates in the form of permits and regulatory actions was listed as the fourth most important concern, followed by growing concern about the quality of water that is being supplied to city residents from aging drinking water systems.

According to the survey, from 2000 to 2004, at least 380 cities made major investments to upgrade water supplies, water treatment plants, water distribution systems, and wastewater treatment and collection facilities. Respondents emphasized that aging infrastructure remains a chronic every-day concern and remains paramount because roughly the same number of cities (380), intend to make major capitol investments in at least one of the five water infrastructure areas between 2005 and 2009. The survey also found that cities that upgraded facilities prior to 2006 implemented water conservation programs and cities that plan upgrades also intend to adopt similar conservation measures. However, in spite of the conservation measures, the survey found that nearly one-third of the surveyed cities will not have

adequate water supplies.

According to the survey, the U.S. Environmental Protection Agency (EPA) estimates that the cost of upgrades would escalate to \$534 billion in new investment by 2019 and are ready to work with communities and Congress in pursuing sustainable water infrastructure and supply and save water, money and aquatic ecosystems. The survey found that roughly half of the respondents were willing to engage in some sort of public-private financing partnerships.

Because of this, the National Association of Clean Water Agencies (NACWA), which represents publicly owned wastewater treatment plants, suggests the survey findings reaffirm the need to address funding for aging infrastructure. NACWA supports the creation of a Clean Water Trust Fund that would provide grants and loans to critical infrastructure projects and would be funded through a system of user fees designed to raise nearly \$8 billion each year.

EPA is planning to propose a rule that would establish criteria for community water supply systems to seek waivers from costly burdens of complying with rules established under the Safe Drinking Water Act. The proposed rule is a result of a provision in the 1996 amendments to the Safe Drinking Water Act that allows communities to seek waivers from complying with new rules, if the rules are too costly to implement, provided that health standards are met.

To help protect drinking water supplies, EPA launched a new security database in November 2005 that contains information about contaminants that could endanger water supplies, with the plan to link this Water Contaminant Information Tool database with information from intelligence agencies on threats to water utilities. Likewise, NACWA has developed software that allows utilities to assess potential vulnerabilities to both terrorist attacks and natural disasters such as flooding, hurricanes and earthquakes.

A copy of the National City Water Survey 2005 may be obtained at <http://www.usmayors.org/74thWinterMeeting/NationalCityWaterSurvey2005.pdf>.

INFORM Report Makes Strong Case for Natural Gas Refuse Trucks

– Tony M. Guerrieri, Research Analyst

According to a report by the New York-based national environmental research organization INFORM, there are nearly three times as many refuse trucks as there are transit buses in the United States. Yet relatively little attention has been given to these vehicles, which according to INFORM, are among the most polluting and least fuel efficient traveling the

roads.

The INFORM report, "Greening Garbage Trucks: Trends in Alternative Fuel Use 2002-2005", indicates that refuse trucks are the most rapidly growing natural gas vehicle sector in the United States. Use of natural gas-powered refuse trucks increased by 89 percent, more than four times the overall 20 percent increase (between 2002 and 2004) in natural gas vehicle use nationwide. Additionally, the INFORM report says it found robust growth in the use of alternative fuel refuse trucks internationally.

The new report documents that since 2002:

○ *The use of alternative fuel refuse trucks – nearly all powered by natural gas – has doubled from 692 to as many as 1,496. The number of cities in which these trucks operate has also doubled, from 26 to 57.*

○ *Internationally, new natural gas fleets have come into operation in Paris, Madrid and Mechlen, Belgium.*

The largest population of natural gas refuse trucks is operating in California. As to why, the report cites California's ambitious air quality programs, especially the South Coast Air Quality Management District mandates requiring the use of natural gas in heavy-duty municipal fleets, coupled with economic incentives that encourage fleets to purchase alternative fuel vehicles.

The INFORM report points out that California is home to the five largest refuse hauler fleets in the United States. For example, Los Angeles runs 252 trucks, El Cajon (San Diego) 126, Sacramento 105, San Diego 77 and Fresno 69. Overall, California has 1,268 natural gas trucks.

These California fleets hold their lead by a wide margin. New York has only 26 trucks; Texas seven; Washington, D.C. three and Boston two.

The report points out that there are many advantages to natural gas. Two prominent benefits are a clean, quieter environment and reduced oil consumption. Beyond the immediate benefits, the report also looks ahead to the role of natural gas vehicles establishing a hydrogen economy:

○ *Because of total vehicle emissions, millions of Americans breathe air that does not meet public health standards set by the U.S. Environmental Protection Agency. The 136,000 refuse trucks operating in towns and cities across the country are major contributors to that air quality problem.*

○ *Refuse trucks burn almost a gallon of diesel every 2.8 miles, which makes them one of the most fuel inefficient vehicles on U.S. roads. A refuse truck travels on average 25,000 miles a year, burning about 8,900 gallons of diesel fuel. Replacing 50 percent of the 136,000 diesel refuse trucks in the U.S. with natural gas trucks would displace the equivalent of about 14.3 million barrels of oil.*

Though the use of natural gas refuse haulers has

grown significantly, the 1,496 natural gas refuse trucks make up only one percent of the overall refuse truck population. According to the report, fleet operators identified three obstacles to purchasing natural gas trucks: costs and rising fuel prices, possible performance problems, and the need for sustained government support.

In its report, INFORM outlines recommendations for overcoming the obstacles cited by fleet operators:

○ *Encourage states to adopt fleet mandates and targeted economic incentives, such as those instituted by California and Texas, that promote the use of alternative fuel refuse trucks, and set up educational workshops to help refuse fleet operators take advantage of new federal economic incentives that can assist in purchasing and using alternative fuel refuse trucks.*

○ *Establish a national entity – whether government, trade association, or independent – to track trends in the natural gas refuse truck sector, set strategies for promoting the use of natural gas fuel and bio-methane from landfills, and help refuse fleet operators plan successful programs.*

○ *Form an integrated energy and technology export program that supports the export of heavy-duty natural gas truck and transit bus technologies to growing markets in industrializing Asia.*

The INFORM report, "Greening Garbage Trucks: Trends in Alternative Fuel Use 2002-2005", can be found at: <http://www.eere.energy.gov/cleancities/toolbox/pdfs/ggt.pdf>.

Greater Efforts Needed to Control Lead in Drinking Water

– Craig D. Brooks, Executive Director

A report by the Government Accountability Office (GAO) suggests that the U.S. Environmental Protection Agency (EPA) does not know the extent of lead contamination in drinking water supplies across the country, and greater efforts need to be focused on collecting sufficient data and ensuring public protection and safety. Specifically, EPA needs to collect better data on lead violations by drinking water utilities, strengthen certain regulatory requirements and assess the problem of lead in drinking water supplies in schools and day-care facilities.

The report, "Drinking Water: EPA Should Strengthen Ongoing Efforts to Ensure That Consumers Are Protected from Lead Contamination", prompted by tests conducted in 2003 in the District of Columbia, revealed that more than 4,000 households had elevated levels of lead in their drinking water. This raised questions about the protection of local water supplies and also consumer pro-

tection from lead contamination nationwide. The District of Columbia was found to have lead levels far above the national level of 15 parts per billion. However after two years of efforts, the city has reached compliance.

Responsibility for ensuring safe drinking water is shared by EPA, the states, and most importantly, local water systems. In general, EPA sets standards to protect drinking water quality and ensure proper operation and maintenance of public water systems. EPA also oversees state implementation of the Safe Drinking Water Act. The states must make sure that local water systems meet EPA and state requirements, provide technical assistance and take enforcement actions where necessary. States also collect and report monitoring data to EPA. At the local level, public water systems must guarantee water quality standards are met, install needed treatments and report required information to the states.

Compared to most drinking water contaminants, lead is not usually found in the source water used for public water supplies. As a matter of fact, the water flowing out of kitchen and bathroom taps around the nation is, for the most part, free of high levels of lead. The EPA's data suggests that the number of drinking water systems with elevated lead levels had dropped by nearly 75 percent since testing began in the early 1990s.

Instead, lead usually enters tap water as a result of corrosion that takes place through the distribution system. Lead can leach out of service lines, pipes, fixtures, solders and other materials and contaminate drinking water. To address this, EPA established requirements for corrosion control and treatment through its Lead and Copper Rule. However, the report found that EPA's database does not contain recent test results for over 30 percent of large and medium-sized systems and lacks data on the status of water systems' efforts to implement the federal Lead and Copper Rule for over 70 percent of all systems. GAO suggests that the data is insufficient because states have not been reporting required information. According to the report, EPA has been slow to take action on these data problems and as a result, lacks the information it needs to evaluate how effectively the lead rule is being implemented and enforced nationwide.

Implementation experiences to date have revealed weaknesses in the regulatory framework for the lead rule, according to the GAO report. For example, most states do not require their water systems to notify homeowners that volunteer for periodic lead monitoring of the test results. In addition, when water systems change their water treatment regime, it can result in either more or less lead leaching from the service line, but the water is not tested to find out. Finally, because testing indicates that some "lead free" products leach high levels of lead into drinking water, existing standards for plumbing materials may not be sufficiently protective, according to the GAO report. According to the EPA officials, the agency is considering some changes to the lead rule.

On the basis of the limited data available, the report

also concluded that few schools and child-care facilities have tested their water for lead levels as a response to the Lead Contamination Control Act of 1988 or as part of current operating procedures. The scope of the targeted testing reported by 12 states varied widely, from a single school district in Pennsylvania to over 1,300 homes and child care facilities in Indiana. The pervasiveness of lead contamination in drinking water at schools and child-care facilities, and the need to take more action, is unclear, the GAO said.

Therefore, the report recommends EPA take a number of steps to improve their ability to oversee the implementation of the Lead and Copper Rule and assess compliance and enforcement activities. According to the report, EPA needs to:

- Enforce reporting requirements to ensure that data on water system test results, corrective actions and violations are up-to-date, accurate and complete.
- Analyze data on corrective actions and violations to assess federal and state enforcement actions.
- Expand ongoing efforts to improve the implementation and oversight of the lead rule.
- Guarantee that tap monitoring sites are reflective of areas of highest risk for lead contamination.
- Make sure that states review and approve major treatment changes, as defined by EPA, to assess their impact on corrosion control prior to changes being implemented.

The GAO report, "*Drinking Water: EPA Should Strengthen Ongoing Efforts to Ensure That Consumers Are Protected from Lead Contamination*", is available at <http://www.gao.gov/cgi-bin/getrpt?GAO-06-148>.

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The *Environmental Synopsis* is issued monthly.

The newsletter examines timely issues concerning environmental protection and natural resources.

If someone you know would like to receive a copy of the *Synopsis* each month, please contact the committee office at 717-787-7570.



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ON THE HORIZON . . .

A LOOK AT UPCOMING EVENTS

✓ Thursday, May 4, 10 a.m., Penn Stater Conference Center Hotel, Executive Conference Room, 215 Innovation Boulevard, State College – Legislative Forestry Task Force Meeting.

✓ Monday, June 12, 12 noon, Room 205, Matthew J. Ryan Building – Environmental Issues Forum. Jim MacKenzie, President and Operations Manager of Octoraro Native Plant Nursery, will present “Going Native – Opportunities for Using Native Plants in PA.”

Environmental Issues Forums are open to the public. Please call the committee office at (717) 787-7570 if you would like to attend.

COMMITTEE CHRONICLES . . .

REVIEW OF SOME MEMORABLE COMMITTEE EVENTS



A recent guest speaker at one of the Joint Conservation Committee’s Environmental Issues Forums detailed the development of a new composite railroad tie made primarily from recycled waste material.

At left, committee Chairman Rep. Scott Hutchinson (left) introduces Mike McNamara, principal of the firm Innovative

Rail Concepts. Innovative Rail Concepts and its partners expect to begin full scale manufacturing of the railroad ties in the next two months and the firm is planning to expand its base of manufacturing to Altoona within the next year and a half.



At right, McNamara talks about the environmental and economic benefits of his firm’s unique product.



At left, committee Vice-chairman Sen. Raphael Musto (l.), McNamara (c.) and Rep. Hutchinson view one of the composite railroad ties (foreground).

The JCC believes that Pennsylvania, unlike a number of other states, is already utilizing such authority, and utilizing it in ways recommended by the committee. Pennsylvania is not a Johnny-come-lately to the use of fly ash in reclamation. It has been safely and beneficially using fly ash in mine reclamation for years – 17 years in fact – and has been studying its properties for longer than that. Pennsylvania’s program has been crafted in cooperation with a number of regulatory bodies to include the federal Office of Surface Mining Enforcement and Reclamation, the Environmental Protection Agency (EPA), Surface Mining Control and Reclamation Act (SMCRA), the Environmental Quality Board (EQB) and the Mining and Reclamation Advisory Board (MRAB), and must comply with the guidelines for ash properties as established in the Solid Waste Management Act and 25 PA Code. In over 15 years of study of ash and ash leachates, and years of experience in regulating coal ash use in 15-17 mine reclamation projects in the anthracite field, DEP has found no groundwater contamination at any of the sites. There are similar results from 10 years of study by a citizens’ group in Carbon County. As a matter of fact, the alkaline nature of the limestone-enriched ash helps combat the damaging effects of acid mine drainage.

Contrary to popular rumor, coal ash cannot be placed in reclamation settings without first being tested at its source. Before a power generating station can send coal ash to a site, the permit process requires that the ash be sampled and analyzed. One fact that such testing has revealed is that the ash used for mine placement does not contain dangerous levels of dioxin, a common generalization leveled by critics of fly ash use. Nor does placing additional amounts of tested and approved coal ash at mine sites increase the concentration of any hazardous compounds.

Read more about the commonalities of the national fly ash report and the JCC’s report in “Notes From the Director” on page 2

The JCC observes that several of the committee’s recommendations are standard operating procedure already in Pennsylvania, such as extensive site and ash characterization, site specific management plans, public involvement in the permitting process, and designs to minimize reactions with water and the flow of water through coal ash. DEP has found no leaching of harmful components into the groundwater at reclamation sites and the department conducts a detailed review of local hydrogeologic tables to prevent pollution of aquifers and other groundwater sources before placing coal ash.

While noting a general inadequacy of post-placement monitoring wells, and recommending more robust and consistent monitoring programs, nowhere does the national report cite specific shortcomings with Pennsylvania’s program. As the JCC report pointed out, however, there is always room for improvement and the JCC embraces the committee’s recommendation for more precise and extensive monitoring.

Perhaps nearly as important as the committee’s findings is its recounting of one non-finding. While noting and supporting the concerns of the EPA regarding proper management of fly ash, the report states, “The EPA has not identified any cases in which exceedances of water quality standards could be attributed directly to CCR mine placement.”

The JCC recommended a balanced look at mine placement of coal ash, to take into account health, environmental, economic and cost factors. The national committee report seems to bear that out as well, pointing out that the placement of fly ash in coal mines is a “multidimensional issue that involves consideration of potential human health and environmental impacts, as well as a comparison to the economic, health and environmental impacts from other uses or disposal options.” The keys to determining the best options for fly ash placement, the committee report’s executive summary goes on to state, are “the chemical and physical characteristics of a particular CCR stream, coupled with consideration of issues such as the demands for alternate uses, costs and locations of disposal options, and the local regulatory environment...”

The committee’s report adds a national perspective that in many cases bolsters the JCC’s statewide view. Pennsylvania has a solid track record regarding fly ash use and certainly has a continuing need to address the health and safety issues of abandoned mines and acid mine drainage. The national study represents an opportunity to use Pennsylvania’s experience as part of a comprehensive plan-of-attack to improve beneficial uses of fly ash for mine reclamation. The JCC welcomes the national report, agrees with its bottom line on the viability of coal ash in reclamation and urges the inclusion of Pennsylvania’s experience and expertise in the formation of any national standard.

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