

PENNSYLVANIA GENERAL ASSEMBLY

**JOINT LEGISLATIVE AIR AND WATER POLLUTION
CONTROL AND CONSERVATION COMMITTEE**

ANNUAL REPORT

2009

February, 2010

COMMONWEALTH OF PENNSYLVANIA

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

CRAIG D. BROOKS
EXECUTIVE DIRECTOR

Joint Legislative Air and Water Pollution Control
and Conservation Committee

TO: All Members of the General Assembly
FROM: Representative Scott E. Hutchinson, Chairman
Senator Raphael J. Musto, Vice Chairman
SUBJECT: 2009 Annual Report
DATE: February, 2010

**“When we try to pick anything out by itself, we find
it hitched to everything else in the universe.”**

John Muir (1838-1914) My First Summer in Sierra, 1911

Beginning in the mid 1960's and early 1970's, concerns regarding the health of Pennsylvania's environment and how well it was being protected heightened amid numerous reports of contaminated rivers and streams resulting from polluting industries. These and other environmental concerns ultimately led to the passage of a series of state environmental regulations (clean streams, surface mining, air pollution and solid waste) that were designed to identify and reverse the often long-standing contamination practices that led to the environmental degradation.

However, beginning in the 1990's, Pennsylvania began to move away from the strict regulatory approach to pollution control and began to explore new and innovative, non-regulatory programs, such as recycling and brownfield redevelopment. Pennsylvania is now faced with new and more complex environmental issues. Unfortunately, many of the environmental concerns of today are not as obvious as were those of the past and are frequently now of a more diffuse nature. Consequently, the extent of the problem is often more difficult to define and the corrective actions and other types of solutions more complex and elusive.

The Pennsylvania General Assembly has increasingly sought nonpartisan research and expertise to heighten their capacity for informed decision-making. For more than four decades, the Joint Legislative Air and Water Pollution Control and Conservation Committee (Committee) has been accurately identifying and tracking changes in the environment and developing meaningful ways to measure the change and the degree of success or failure of the regulatory and non-regulatory programs designed to protect the environment.

The Committee members and staff are pleased to present to you their 2009 Annual Report. The report details key activities and achievements of the Committee in its efforts to serve the General Assembly during the past year. The range and depth of our activities are reflected in the pages that follow, both in summaries of what we have published in recent months and in the highlights of our ongoing activities. Please take a moment to peruse the report and feel free to call with any questions, concerns or observations you have about the Committee.

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THE JOINT LEGISLATIVE AIR AND WATER POLLUTION CONTROL AND CONSERVATION COMMITTEE

In 1967, legislation (Act 448, P.L. 1022) was enacted creating the Joint Legislative Air and Water Pollution Control and Conservation Committee. The Committee consists of 18 members of the General Assembly. Nine members are appointed by the President Pro Tempore of the Senate, five from the majority party and four from the minority party. The Speaker of the House of Representatives also appoints nine members, five from the majority party and four from the minority party.

The Committee's powers and duties according to Act 448 include:

- **Conducting continuing studies of air and water pollution laws and recommending needed changes to the General Assembly.**
- **Conducting continuing studies of the enforcement of air and water pollution laws, and in conjunction with such studies making necessary trips to various sections of the Commonwealth to hold public hearings.**
- **Conducting continuing studies of mining practices, mining laws, and reclamation of mined lands.**
- **Holding public hearings and receiving comments regarding any or all of the above subjects of study.**

Since its creation, the Committee has been instrumental in the development of Pennsylvania's environmental laws and policies. The Committee staff is available at all times to assist members of the General Assembly with environmental and conservation issues. The Committee's files and library are extensive. Also, the staff has access to information from the Department of Environmental Protection and the Department of Conservation and Natural Resources, other state and federal agencies, private industry, and trade associations.

FOREST RESOURCE MANAGEMENT

Legislative Forestry Task Force

Pennsylvania forest resources have shaped our state and nation from the Colonial period through the Industrial Revolution to modern times. Today they continue to play a vital role in our economy, environment, sense-of-place and quality of life. If our rich forests have played a lead role in defining the state, they play an even greater, more important role in shaping its future.

Pennsylvania forests are being sustainably managed to meet the numerous needs of our state today. To ensure our forests will continue to meet the ever increasing demands of future generations, many challenges must be met. Success will depend on proactive decisions by our state leaders and the entire forest community addressing a myriad of forest-related issues.

Pennsylvania's forest areas have remained stable over the past 50 years at about 16 million acres. Approximately 30 percent are publicly owned, including four million acres of public forestland composed of 2.1 million acres of state forestland, 1.4 million acres of Pennsylvania Game Commission land, and 513,000 acres in northwest Pennsylvania in the Allegheny National Forest. Seventy percent of Pennsylvania's forested land, roughly 12 million acres, is privately owned by over a half-million landowners.

The forest industry contributes billions of dollars to Pennsylvania's economy and tree inventory volumes are at an all-time high. However, ownership patterns have been changing and average parcel sizes are shrinking. This is due to a number of factors, including the effects of urbanization and the tremendous divestiture of forest industry-owned lands. Several issues, such as state and local tax structures and the strength of forest product markets, affect the economic viability of owning and managing forest land. These and other trends threaten forest sustainability and the numerous economic, environmental, and social benefits that our thriving forests provide.

Because of the importance of the forest industry to the economy and its rural communities, the Legislative Forestry Task Force and Advisory Committee was 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 Task Force and Advisory Committee was a direct recommendation of the Committee.

For more than a decade, 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, the 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), education, forestry, the forest products industry, the Pennsylvania Game Commission and others. They share the common goal of helping the Forestry Task Force advance as a center for forestry excellence.

Since its inception in 1994, the Forestry Task Force has continued its work under the leadership of the Committee. Thus, the Committee, after careful consideration and consultation with the Task Force and Advisory Committee, has the flexibility and discretion in choosing future topics for discussion.

On February 12, 2009 the Task Force met at State College to discuss the impacts of forest buffer zones in Pennsylvania. Dr. Jim Finley, Professor of Forest Resources at Penn State's School of Forest Resources, spoke about the impact of forest buffer zones on non-industrial private forest landowners in Pennsylvania. Mr. Ken Roberts, a forester with the New Page Corporation, provided a look at buffer zones' impact on water quality and associated voluntary conservation and best management practices. Mr. Dave Trimpey, Resource Manager with Kane Hardwood, spoke about the relationship of buffer zones and timber production on industrial private forests in Pennsylvania.

On October 29, 2009 the Task Force met in State College to review the Pennsylvania Department of Environmental Protection's (DEP) proposed revisions of its Chapter 102 regulations, and the future of carbon capture and sequestration in Pennsylvania. Mr. Robert Piper, District Manager for the Cambria County Conservation District, reviewed the proposed changes to Pennsylvania's erosion and sedimentation regulations. Mr. Paul Roth, Inventory and Analysis Chief with DCNR's Bureau of Forests, provided an overview of the Pennsylvania Climate Change Advisory Committee and DEP's Climate Change Action Report. Mr. Matthew Smith, Director of FORECON and its carbon offset management and trade arm, EcoMarket Solutions, addressed potential economic values in future forestry markets, specifically how a credit-based market approach could benefit Pennsylvania forest landowners. The meeting concluded with a presentation by Mr. Dylan Jenkins, Pennsylvania Director of Forest Conservation with The Nature Conservancy, who spoke on the Conservancy's Working Woodlands program.

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.

Green Building Certification Standards

The U.S. Environmental Protection Agency (EPA) has defined green buildings as “the practice of creating structures and using practices that are environmentally responsible and resource-efficient throughout a building’s life cycle from siting to design, construction, operation, maintenance, renovation and deconstruction.” Simply put, green building is an effort to apply principles of environmental sustainability to every aspect of the construction of buildings. It can mean anything from locating a new construction project in a high-density area with access to public transportation to using building materials made from reused or renewable sources.

On June 4, 2009 the Committee, in collaboration with the Legislative Forestry Task Force, held a public hearing on green building certification standards in Harrisburg, Pennsylvania. The purpose of the hearing was to determine how certification systems affect Pennsylvania’s timber industry. Specifically, the Committee wanted to examine the Leadership in Energy and Environment Design (LEED) standards and alternatives to them to determine what they mean to the forest products industry. There were a number of questions about whether the LEED rating system discriminates against U.S. produced wood products, and if the green building ratings system needs to be opened up to alternatives.

Copies of the public hearing transcript and additional information concerning the LEED rating system may be obtained from the Committee office.

Prescribed Fire

Prescribed fire is the skilled application of fire to existing vegetative fuels under planned and controlled conditions. It has been successfully used as a habitat and land management tool in many states. In Pennsylvania it has been used on a limited basis because of liability issues. A 2006 presentation to the Forestry Task Force on prescribed burning and the Committee’s December 2007 report recommending that legislation be developed to regulate prescribed burning practices provided a starting point for a series of informal roundtable discussions. The discussions were intended to address some of the concerns regarding prescribed burning, and provide input into possible legislation.

The absence of frequent fires changes the species composition and structure of forests. Oak, hickory and chestnut, once dominant species in Pennsylvania, are adapted to thrive in an ecosystem where fire happens frequently. Without regular fires to control the growth of other species entering the ecosystem, oaks get out-competed by species such as red maple.

Controlled burns also help to manage natural fuel loads of dried leaves and twigs that accumulate on the forest floor, which can increase the risk of uncontrollable wildfires, especially in drier areas. Decades of fire prevention and suppression can result in much higher fuel loads than natural. Prescribed burning can enable forest managers to decrease risks before these fuel loads spark emergency situations.

In 2007 and 2008, Committee staff met with various stakeholders to assess current challenges and discuss future directions for prescribed fire in Pennsylvania. The fire laws of the Commonwealth were enacted over 80 years ago. While these laws are strong, several sections needed to be updated to address the issue of using prescribed fire as a management tool. Under current Pennsylvania law, people can be held criminally liable for burning activities, even when it is with good intention.

With the guidance of the Committee, the Pennsylvania Prescribed Fire Council drafted legislation (House Bill 262, Printer's Number 1776) that would regulate prescribed burning practices. The legislation would encourage the proper use of burning as a habitat and land management tool by setting stricter standards to regulate burning practices and ensuring that involved parties who obey the law are not held liable.

On July 14, 2009 the Governor signed into law the Prescribed Burning Practices Act, Act 17 of 2009 (Appendix A) which defines practices for prescribed burning as a habitat and land management tool in Pennsylvania. DCNR, in consultation with DEP, the Pennsylvania Game Commission, and other groups, will develop standards for the planning and conduct of prescribed burning.

The Act is the product of collaborative research, discussion and hands-on experience involving a number of well respected and knowledgeable parties, and represents a consensus of diverse opinions. Much of the research into the use of prescribed burning can be traced to the study done by the Committee's Forestry Task Force, and its December 2007 report which recommended development of legislation like the Prescribed Burning Practices Act.

The Committee will continue its discussions and work on prescribed fire issues in 2010. Copies of Act 17 of 2009 are available from the Committee office.

Utilization of Low-Use Wood

A 2008 report by the Pennsylvania Hardwoods Development Council says the state's forests are home to a plentiful resource that could be used to fuel small-scale projects, bringing promising new alternative energy options to the Commonwealth. Nearly 500 million tons of low-use wood, poor quality or damaged wood are estimated to exist in Pennsylvania's forests. The portion of this resource that is available economical-

ly could be utilized more extensively in an environmentally friendly use as an alternative energy resource. Using wood pellets as a source of alternative energy has been gaining a lot of interest over the past few years.

At the Committee's March 30, 2009 Environmental Issues Forum, Mr. John E. Burrows, Jr., President/CEO of Energex Corporation, gave a presentation on the environmental and economic benefits of using wood pellets as an alternative energy source. Energex Corporation is located in Mifflintown, Pennsylvania.

For more information concerning Energex Corporation and alternative utilization for low-use wood, please contact the Committee office.

RECYCLING AND SOLID WASTE MANAGEMENT

Act 101's 20th Anniversary

It has been two decades since Pennsylvania's "Municipal Waste Planning, Recycling and Waste Reduction Act" (Act 101 of 1988) was enacted. Since that time, it has been amended 15 times, the most recent being December 9, 2002.

Recycling in Pennsylvania has made remarkable progress. The success can be attributed to the partnerships formed between state and local governments, the waste industry, and the people of Pennsylvania. In many areas of the state the recycling rate has reached well beyond the 35 percent recycling goal set in 2002.

The recycling and reuse industry in the Commonwealth leads the Northeast in employment, payroll and sales numbers. The industry employs more than 81,000 people with an annual payroll of \$2.9 billion. Pennsylvania is home to more than 3,200 recycling and reuse businesses with more than \$18.4 billion in gross annual sales, and generates approximately \$305 million in tax revenue.

But like many other industries in these tough economic times, the recycling industry has not been immune to a downturn. Prices for recycled goods have decreased, in some cases dramatically, putting pressure on employers to meet payroll and retain employees. Because the recycling industry includes many municipal customers, economic conditions have a corresponding impact on municipalities. And, economic related budgetary issues at the state level impact recycling operations and programs.

Because Pennsylvania's recycling program continues to be a work in progress, the Committee held a public hearing in Harrisburg on April 23, 2009. The purpose of the hearing was to review the state's recycling efforts, assess the recycling infrastructure and markets, and obtain suggestions for program improvement. The Committee heard testi-

mony from DEP, waste industry representatives, recycling officials, and environmental organizations. According to testimony, a major concern is the reauthorization of the recycling fees. The \$2 per ton fee on municipal waste disposal has been an integral part of Act 101 because it supports grants for local recycling programs.

The testimony also suggested that Act 101 needs to support more waste reduction and minimization strategies, such as composting, and the act should address special wastes such as electronics. Efforts are continuing to improve Pennsylvania's approach to municipal waste management and recycling. Ultimately, some changes and adjustments to Act 101 will be needed to maintain recycling successes.

Transcripts of the public hearing are available from the Committee office.

Disposing of Electronics Safely and Responsibly

A growing number of states are trying to reduce the rising tide of junked televisions, computers and other electronics that have become one of the nation's fastest growing waste streams. Nineteen states have passed laws requiring the recycling of old electronics, which contain both precious metals and toxic pollutants. These electronics are piling up in garages and closets, or worse, being dumped overseas. Thirteen other states are considering laws.

The amount of electronic waste (e-waste) continues to grow. In 2007, Americans disposed of 2.25 million tons of televisions, computers, cell phones, fax machines, printers and scanners. That's more than twice the amount generated in 1999, according to the Environmental Protection Agency (EPA).

Currently, nearly one-fifth of e-waste is recycled, which allows for the copper, silver, gold and other precious metals inside to be salvaged and resold. Landfills get most of the discarded devices, which contain toxic hazards, from lead in televisions and computer monitors with cathode ray tubes to cadmium in rechargeable batteries.

What becomes of discarded electronics? According to EPA, only 13.6 percent of e-waste was recycled in 2007. The rest was incinerated, buried in landfills or shipped overseas. But e-waste is no ordinary garbage. The production of electronics uses plenty of heavy metals and dangerous chemicals. So much so that computers are actually classified as hazardous waste.

Cell phones, computers, hand-held devices, TV's and VCR's all become toxic trash. Depending on the disposal method lead, mercury, arsenic, cadmium, beryllium and brominated fire retardants leach either into the air or into landfills.

The Committee has been an active participant in discussions concerning e-waste in Pennsylvania. In 2008, the Committee released a report making recommendations on how Pennsylvania should handle e-waste recycling. The report, "E-Waste Recycling Programs and Policy Options", recommends that the Commonwealth employ a manufacturer-responsible system that would combine the best features of existing systems.

House Bill 409, Printer's Number 453 (Appendix B) has been referred to the Committee on Environmental Resources and Energy and will regulate and improve Pennsylvania's system of e-waste recycling.

In 2010, the Committee will continue to address the serious environmental and economic challenges facing electronic waste. The Committee's report, "E-Waste Recycling Programs and Policy Options" is available by calling the Committee office, or on the Committee's website at <http://jcc.legis.state.pa.us>.

Pennsylvania Recycling Markets

In order to build a successful recycling program in Pennsylvania, it is critical that there are stable end-use markets for recycled materials. These end-use markets can be encouraged through programs and efforts that promote the use of recycled content products by consumers, manufacturers, government, construction companies and others.

The Pennsylvania Recycling Markets Center's (RMC) mission is to expand and develop stronger and more robust markets for recovered materials by helping to overcome market barriers and inefficiencies. RMC is the lead organization in developing recycling markets in Pennsylvania, working with environmental, technical assistance, and economic organizations to support generators, haulers, processors, manufacturers and end-users of recycled materials and products.

On March 3, 2009 the Committee and RMC co-sponsored a legislative breakfast meeting in Harrisburg, Pennsylvania. The meeting allowed legislators to meet with the Center's principals and learn more about RMC's successes in pairing Pennsylvania business and industry with the use of recycled commodities.

On April 27 and 28, 2009 the Committee cosponsored, and its Chairman spoke at the RMC's PA ReMaDe (Pennsylvania Recycling Markets Development) Expo 2009 in Harrisburg, Pennsylvania. The Expo featured a number of displays by Pennsylvania recycling businesses and industries and provided a one-stop marketplace for recycled commodities and recycled content products.

RMC opened on July 1, 2005 and is part of DEP's initiative to encourage growth of the state's recycling industry. For more information on RMC, visit its website at www.parmc.org.

Utilization of Slate Waste

Pennsylvania is home to an active slate mining industry, producing quality products for a variety of building uses. However, the slate industry is endangered not only by a poor economy, but also because of a lack of uses for the waste by-products produced by mining. The piles of slate waste are environmental and safety threats, as well as eyesores in the local communities. The growing quantity of the waste is cause for concern and an impetus to seek alternative uses for the by-product.

On September 21, 2009 the Committee met with representatives of Pennsylvania's slate mining industry and with the Pennsylvania Department of Transportation (PennDOT) in Slatington, Pennsylvania to discuss the challenges of recycling slate spoil as an aggregate in highway construction. Of primary concern were the properties of the processed slate spoil and the standards needed for construction materials. The Committee visited Slatington at the invitation of Committee member, Representative Julie Harhart, in whose district Slatington is located.

Representative Harhart introduced a resolution requesting PennDOT to conduct a study of the slate industry to devise the best means of utilizing slate waste by-product as a component in highway construction and civil engineering projects. House Resolution 510, Printer's Number 2822 (Appendix C) is currently in the House Transportation Committee awaiting consideration.

The Committee plans to continue its discussion and work on the utilization of slate spoil as an aggregate in highway construction in 2010. For more information, please contact the Committee office.

Mandatory Solid Waste Collection

Across Pennsylvania, communities and rural areas have chronic illegal dump sites, where everything from trash bags to refrigerators to tires is discarded. Most commonly, these items are dumped along roadsides, in wooded areas and even on public lands such as state parks and forests. Illegal dumps cost Pennsylvania taxpayers millions of dollars each year.

PA CleanWays is a nonprofit statewide organization that works to survey and clean up dump sites. Since 2005, PA CleanWays has surveyed 37 counties, locating 4,159 dump sites with a total estimated tonnage of 14,493 tons.

In 2009, PA CleanWays sponsored the “Great American Cleanup of Pennsylvania.” Overall, there were 4,837 events with 171,940 volunteers. Every county in the state had events. Volunteers collected 344,021 bags of trash or 6,880,420 pounds. They cleaned 16,498 miles of roads, railroad tracks, trails, waterways, shorelines, and 6,986 acres of park and/or wetlands. However, the problem is in ensuring that the dumping problem does not reoccur at that site or occur at a new site.

The Committee is aware of the economic and environmental challenges of illegal dumping and littering and has met several times over the past few years with representatives of Keep Pennsylvania Beautiful (KPB), PA CleanWays, the Professional Recyclers of Pennsylvania (PROP), DEP and other interested stakeholders concerning development of practical solutions. Since the initial meeting hosted by the Committee in 2005, there have been various meetings, summits and workshops including several informational meetings in 2009. At each of the meetings the focus was on mandatory waste collection systems. Participants shared the view that mandatory waste collection would reduce roadside and private property littering, assist waste reduction (recycling) goals mandated by the state and preserve the overall quality of life.

The Committee will continue to work to improve realization and understanding of the complexities of illegal dumping, mandatory waste collection and roadside aesthetic issues and looks forward to working with organizations like PROP and PA CleanWays and their partners in 2010.

MANSFIELD UNIVERSITY STATEWIDE SURVEY – 2009

Pennsylvanians’ Opinions on State Parks

Since 1997, the Committee has commissioned a series of questions included in the annual Mansfield University Statewide Survey to inform state, local and federal policy-makers, encourage discussion, and raise public awareness about a variety of environmental issues facing Pennsylvania. The Mansfield University Statewide Survey provides the legislature, policymakers, and the general public with objective, advocacy-free information on the perceptions, opinions, and general public policy preferences of Pennsylvania residents.

The issue of public use of state parks is increasingly being discussed in the media and within political circles. Around the country actions to increase public awareness of parks are being taken at all levels of government. Pennsylvania is constantly identified as having one of the nation’s premier state park systems.

The 2009 survey focused on two basic areas: the public's usage of state parks, and the extent to which the public would mind paying a fee to support the parks. According to the survey, visiting state parks is still a popular pastime. More than 81 percent of those responding have visited a state park over the years. A majority of respondents had visited at least one park in the past year and a majority of those folks had visited more than one state park.

Tradition is important to state park visitors. There was little interest in new features, and there was no strong consensus about what any new features should be. Traditional activities such as hiking, picnicking and camping remained the most popular.

Most visits to state parks are of short duration, a day or less. Those who do visit overnight or longer are mostly campers. There were very few respondents (7.8 percent of the total) who had tried to rent a state park cabin in the past year, although 65.3 percent of those who did had success. Only 49 of 629 respondents had attempted to rent a cabin.

In addition, the survey asked whether respondents would make use of an on-site lodge that provided a restaurant and overnight accommodations, an idea that has generated some controversy over recent years. A majority said they would make use of such a facility, and would use both dining and lodging features.

There was also strong support for paying an admission fee if it would help reduce Pennsylvania's \$100 million backlog in maintenance projects at state parks. There was less interest (less than 50 percent) in an annual "PA State Park Pass" that would allow access to all 117 state parks as often as one wished. This may once again reflect the pattern of short stays and the fact that most park-goers make two to four visits to four parks or less, as opposed to larger numbers of visits to multiple parks that might make an annual pass more attractive.

The 2009 survey was conducted under the direction of Mansfield University Professor of Sociology Dr. Timothy Madigan, PhD. A total of 708 Pennsylvanians were contacted for the 2009 survey. Respondents are proportionately represented in terms of geographical regions, sex, and political party preference within the state to ensure an accurate sample. The margin of error in the 2009 survey is plus or minus 3.6 percent.

Survey results and additional information concerning Pennsylvania state parks may be obtained by contacting the Committee office.

HERITAGE TOURISM

Pennsylvania Greenways

Pennsylvania's Greenway Program was established in 2001. Greenways throughout the Commonwealth are currently serving the communities in which they are located by protecting natural resources and rural legacy, and providing communities with economic opportunities and prosperity. As an interconnected network of open space corridors, the statewide greenways system enhances and supports meaningful and lasting benefits.

Nearly half of Pennsylvania's 67 counties are currently developing plans for greenways and open spaces within their respective counties. A greenway is a linear corridor of open space. Some greenways are land trails for hiking, biking and other forms of recreation. Others are water trails.

On February 9, 2009 the Committee held an Environmental Issues Forum on the Susquehanna Greenway and the Susquehanna Greenway Partnership. The speakers were Mr. Gary Bloss, Executive Director of the Susquehanna Greenway Partnership and Ms. Brenda Barret, Director of DCNR's Bureau of Recreation and Conservation. The speakers described the progress and plans for the Greenway, a planned corridor of green infrastructure composed of revitalized river towns, interconnected trails, parks, river access points, riparian buffers and pathways that will link the Susquehanna River and its West Branch with cities, towns, rural areas, conserved natural lands, and forests in Pennsylvania. Running through 22 counties and nearly 500 miles in length, it is Pennsylvania's largest greenway.

On June 19, 2009, the Committee held a public hearing in Philadelphia, Pennsylvania on the Schuylkill River Trail Initiative. The purpose of the hearing was to gather information on the Schuylkill River Trail, located in the greater Philadelphia region and surrounding counties, and garner support for state funding for the Schuylkill River Trail Development Initiative.

The Schuylkill River Trail is a multi-purpose trail that will, when completed, extend from Philadelphia to Schuylkill County, running the entire length of the river. Several sections of the trail are already complete, including a 22-mile segment that links Valley Forge to Philadelphia. Many other areas are either in the construction or design phase. Eventually it will be possible to hike or bike from the headwaters of the river to Philadelphia. Several sections of the trail are still in the design phase, so the actual length is not yet determined. However, it will likely run about 140 miles.

The public hearing featured testimony from several individuals including representatives from the Schuylkill River Heritage Area, the Schuylkill River Park Alliance, and others.

Copies of the public hearing transcript may be obtained from the Committee office.

Pennsylvania Heritage Areas

Pennsylvania has been a national leader in heritage tourism development for the past two decades, launching a number of state, regional and local programs that have been replicated around the country. It was in 1989 that the Pennsylvania Heritage Parks Program began.

In contrast to national or state parks, heritage areas, where most property remains in private hands, are an approach to resource conservation and management that emphasizes partnerships among all levels of government, environmentalists, business people, and citizen groups.

Pennsylvania has 12 heritage areas which are part of the Pennsylvania Heritage Area Program. The program is part of DCNR's Bureau of Recreation and Conservation. Heritage areas are different from traditional public parks where government owns the land. They consist of regions or highway corridors united by a shared historical past or cultural experience among the residents. The Pennsylvania Heritage Area Program focuses on the state's industrial history in establishing areas and then moves forward to preserve and enhance that industrial heritage.

Since 1996 the Committee has been examining and promoting the Pennsylvania Heritage Parks Program and heritage development as an excellent tool for economic development, education, community preservation and tourism. In 1998, the Committee issued a report making recommendations on how to strengthen the heritage park program. In 2000, the Committee followed up on the report, touring the heritage parks, with particular interest in the role the parks and program were playing in economic development, community building, historical preservation and tourism, recreation and education, and in the potential role they could be playing.

As part of its ongoing commitment to Pennsylvania's Heritage Areas Program, the Committee held an Environmental Issues Forum on May 4, 2009. The Heritage areas are the organizations that develop, build, revitalize, and restore Pennsylvania's heritage tourism infrastructure. Ms. Jane Sheffield, Executive Director of the Allegheny Ridge Heritage Area, gave an overview of the Heritage Program. Mr. Allen Sachse, Executive Director of the Delaware and Lehigh National Heritage Corridor, spoke about how the program developed in the Department of Community Affairs, Bureau of Recreation and Conservation in the 1980's. Mr. Kurt Zwikl, Executive Director of the Schuylkill River National and State Heritage Area, explained the important role the areas play in community revitalization.

Legislation has been introduced that would formally establish the heritage area program by statute. It would also establish an inter-agency advisory group to oversee the activities of the heritage areas.

Additional information concerning Pennsylvania's Heritage Areas Program may be obtained from the Committee office.

FUTURE COMMITTEE PROJECTS

Marcellus Shale Drilling Among Key Issues

Pennsylvania lawmakers are paying more attention to the environment than at any time in the past decade. Pollution bans, river protections, hunting and fishing initiatives, and measures to fight climate change are getting strong consideration, even as the state grapples with budget constraints.

The environmental priorities in line with the Committee's focus include the environmental impacts associated with Marcellus Shale gas drilling in state forest lands. It has the potential to turn the Commonwealth into a major source of clean energy and create thousands of jobs.

Pennsylvania's two resource agencies, DEP and DCNR, will be establishing regulations for and oversight of a natural gas drilling industry that has its sights on the Marcellus Shale formation containing 363 trillion cubic feet of natural gas underlying three-fourths of the state.

Deep wells tapping those deposits each use millions of gallons of pressurized, chemically treated water to fracture, or "frack" the shale and release trapped natural gas. The used wastewater contains high levels of chlorides, dissolved solids, and fracking chemicals. Its disposal has raised environmental concerns.

The Committee will continue to identify environmental issues for the General Assembly's attention. Activities range from information sharing and discussion to symposiums or public hearings.

On a monthly basis, the Committee will continue to invite experts to Harrisburg to speak at its Environmental Issues Forums. In addition to the activities of the Committee itself, Committee staff works on various special projects and outreach activities on an ongoing basis. In consultation with Committee members, Committee staff attends local,

state and federal policy forums, including DEP's Solid Waste Advisory Council and other environmental events.

The Committee looks forward to working closely with the General Assembly on these and other important environmental issues during 2010.

COMMITTEE ACTIVITIES

January 19 and 20, 2009 – Committee staff attended the Pennsylvania Septage Management Association's Annual Conference and Trade Show in Grantville, Pennsylvania. The conference is the oldest and longest running educational opportunity for Sewage Enforcement Officers and others interested in the field of on-lot sewage.

February 9, 2009 – The first Environmental Issues Forum of 2009 featured Mr. Gary Bloss, Executive Director of the Susquehanna Greenway Partnership (SGP), Ms. Trish Carothers, Development and Outreach Coordinator for SGP, and Ms. Brenda Barrett, Director of the DCNR's Bureau of Recreation and Conservation. The Susquehanna Greenway is a planned corridor of interconnected trails, parks, river access points, and pathways linking the Susquehanna River and its West Branch with communities, rural regions, and natural areas in Pennsylvania.

February 12, 2009 – The Legislative Forestry Task Force and Advisory Committee met in State College, Pennsylvania to examine the environmental and economic impacts of streamside buffers on forest landowners in Pennsylvania.

March 3, 2009 – The Committee and the Pennsylvania Recycling Markets Center (RMC) co-sponsored a legislative breakfast meeting in Harrisburg, Pennsylvania. The meeting allowed legislators to meet with the Center's principals and learn more about RMC's successes in pairing Pennsylvania business and industry with the use of recycled commodities.

March 3, 2009 – Committee staff attended, and its Chairman spoke at the "Pennsylvania's Early Oil Pioneers" program in Harrisburg, Pennsylvania. The educational event, sponsored by the Oil 150 program, examined the roles of various individuals in the development of the petroleum industry.

March 4, 2009 – The Committee held the first of a series of meetings to discuss the economic and environmental impacts associated with mandatory waste collection systems.

March 30, 2009 – The March Environmental Issues Forum featured a presentation by Mr. John E. Burrows, Jr., President/CEO of Energen Corporation located in Mifflintown,

Pennsylvania. Energex is involved in the production of wood fuel pellets for use as an alternative heating source with wood pellet heating systems.

April 23, 2009 – The Committee held a public hearing in Harrisburg, Pennsylvania to discuss Pennsylvania’s Municipal Waste Planning, Recycling and Waste Management Act (Act 101 of 1988). The purpose of the hearing was to collect information on the status of recycling in Pennsylvania.

April 27 and 28, 2009 – The Committee cosponsored, and its Chairman spoke at the Pennsylvania Recycling Markets Center’s PA ReMaDe (Pennsylvania Recycling Markets Development) Expo 2009 in Harrisburg, Pennsylvania. The Expo featured a number of displays by Pennsylvania recycling businesses and industries and provided a one-stop marketplace for recycled commodities and recycled content products.

April 29, 2009 – Committee staff attended a Roadside Green Infrastructure meeting in Harrisburg, Pennsylvania that provided information on the federal Stimulus Package and the funding in the bill for “green infrastructure.”

May 4, 2009 – The Committee’s May Environmental Issues Forum consisted of a presentation by representatives of the state’s heritage areas. The forum provided a review of the program’s beginnings, a look at where the program stands today, and the hopes and expectations for the future.

May 5, 2009 – Committee staff attended the National Association of Water Companies 25th Anniversary of Pennsylvania’s Safe Drinking Water Act Program in Harrisburg, Pennsylvania.

June 4, 2009 – The Committee, in collaboration with the Legislative Forestry Task Force, held a public hearing in Harrisburg, Pennsylvania to examine green building certifications. The purpose of the hearing was to determine how certification systems affect Pennsylvania’s timber industry, and where the state’s timber industry fits in the systems.

June 8, 2009 – The June Environmental Issues Forum featured a presentation by American Geo-Energy Solutions, LLC (AGES) that focused on the work it is doing to develop and utilize potential energy sources for Pennsylvania, including mine water sources, surface and groundwater sources, cogeneration, and heating and cooling districts.

June 15, 2009 – The Committee sponsored a roundtable discussion in Harrisburg, Pennsylvania with members of the General Assembly and their staff to promote the exchange of information and experiences of Pennsylvania’s Downtown Program.

June 19, 2009 – The Committee held a public hearing in Philadelphia, Pennsylvania to discuss the Schuylkill River Trail. The purpose of the hearing was to collect information

on the trail, located in the greater Philadelphia region and surrounding counties, and garner support for funding for the Schuylkill River Trail Development Initiative.

July 14, 2009 – Act 17 of 2009, known as Pennsylvania’s Prescribed Burning Practices Act, was signed into law. The signing was the culmination of a series of formal and informal negotiations during the previous two years among various individuals and organizations. The Committee’s efforts helped to raise awareness and visibility of the use of prescribed fire.

September 21, 2009 – Committee staff met with representatives of Pennsylvania’s slate industry and with the Pennsylvania Department of Transportation in Slatington, Pennsylvania to discuss the challenges of recycling slate spoil as an aggregate in highway construction. Of primary concern were the properties of the processed slate spoil and the standards needed for construction materials. The Committee visited Slatington at the invitation of Committee member, Representative Julie Harhart, in whose district Slatington is located.

October 29, 2009 – The Legislative Forestry Task Force and Advisory Committee met in State College, Pennsylvania to examine issues related to proposed revisions to DEP’s Chapter 102 – Erosion and Sediment Control and Stormwater regulations and the future of carbon capture and sequestration in Pennsylvania.

COMMITTEE LIBRARY

The Committee maintains an extensive reference library of environmental materials. A valuable resource on environmental protection, the library currently holds over 1,200 publications, many of which are unavailable elsewhere. The library holds materials that Committee staff uses for their research, as well as material useful to the public.

COMMITTEE WEBSITE

The Committee also maintains a worldwide website. On this site you can access the Committee’s newsletter, the **Environmental Synopsis**, and view archived issues as well. The website also contains information regarding current Committee activities, reports, and the Environmental Issues Forums.

The Committee will begin an extensive reorganization of its website in 2010. The reorganized site will better reflect the diversity of issues the Committee is working on, and make both our own resources, and our links to other resources more readily available to the public. After numerous brainstorming, design, and planning sessions, the Commit-

tee is developing a new system for electronically publishing our work. Look for our new website in 2010.

The Committee hopes you will use the website to not only find information, but also to contact the Committee and utilize our resources. Your comments about information posted, as well as suggestions to improve the site are welcomed.

For a closer look at the Committee's website, visit <http://jcc.legis.state.pa.us>.

ENVIRONMENTAL ISSUES FORUMS

Over the past year, the Committee has worked to connect its environmental research with public audiences. This is reflected in a number of efforts. One way in which the Committee accomplishes this is through its Environmental Issues Forums. The forums are public informational sessions at which prominent guest speakers present information on topics of interest related to the Committee's mission.

Forum programs are open to the public and are intended to reach a wide audience. Participants in the forums include policy makers, scholars, and business and community leaders. Forums are as diverse as the speakers themselves, and focus on everything from wood pellets as an alternative heating source to heritage areas.

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. Please check the Committee's website for upcoming forums, or contact the Committee office for information.

COMMITTEE NEWSLETTER

Environmental Synopsis

For more than 30 years, the Committee has published the **Environmental Synopsis**, which richly deserves its reputation as a preeminent environmental newsletter in Pennsylvania. The newsletter covers state, national, and international environmental issues. Articles covered in 2009 included a diversity of topics ranging from the resurgence of intercity bus travel to what is needed for large-scale ethanol production.

The **Environmental Synopsis** is distributed to all members of the General Assembly and to more than 400 other recipients including business and industry, environmental organizations, government agencies, colleges and universities, and citizens.

Over the years, the **Environmental Synopsis** has been expanded significantly to include photographs and research information, and readers have expressed gratification for the quality and content of each monthly issue. The **Environmental Synopsis** is part of the Committee's ongoing effort to provide its members with timely information on upcoming events, reports on events that recently concluded, and other interesting features. Information in the synopsis does not necessarily reflect the opinions or policies of the Committee or the Pennsylvania General Assembly.

The **Environmental Synopsis** is available in hard copy or in an electronic version, as well as on the Committee's website. Please contact the Committee office if you wish to be included on either the hard copy or electronic mailing list. Back issues are available upon request.

COMMITTEE REPORTS

The Committee has a library of more than 60 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. Remining 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

For a copy of the appendices please call the Committee office at 717-787-7570 or e-mail lmash@jcc.legis.state.pa.us.