

PENNSYLVANIA GENERAL ASSEMBLY

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

ANNUAL REPORT

2008

March, 2009

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: 2008 Annual Report

DATE: March, 2009

**“It is not the strongest of the species that survive, nor the most intelligent,
but the ones most responsive to change”
- Charles Darwin (English Naturalist)**

This report bears special significance in that it marks the Joint Legislative Air and Water Pollution Control and Conservation Committee’s (Committee) first 40 years of operation in service to the Pennsylvania General Assembly. To appreciate the Committee in 2008, we need to examine the environmental scene of 1968. For much of the 20th century, people accepted pollution as the inevitable price of progress. But on May 16, 1967, Pennsylvania voters approved a \$500 million bond (known as Project 500) by a two to one margin. The measure was designed to attack environmental devastation on many fronts, including reclaiming abandoned strip mines and treating acid mine pollution.

In 1968, the Pennsylvania General Assembly created the Committee by way of Act 448. Its mission was to conduct studies on the effectiveness of Project 500. As a forum for research on that issue, it was readily apparent that the information exchange and coordination opportunities afforded by the Committee were valuable far beyond that original issue, and the Committee’s scope expanded as needed.

Over its 40-year history, the Committee has changed and adapted as environmental issues have steadily moved up the public policy agenda. To that end, the Committee’s influence has extended to programs in six cabinet level departments, numerous independent agencies and public and private organizations. The Committee’s responsibilities also include the Legislative Forestry Task Force.

This brings us to today. In the pages following, you will find a summary of all of our 2008 activities and how we made a difference, as well as insights into the work ahead. Please take a moment to peruse the report and feel free to call with any questions, concerns or observations you may 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 (DEP) and the Department of Conservation and Natural Resources (DCNR), other state and federal agencies, private industry, and trade associations.

WASTEWATER INFRASTRUCTURE MANAGEMENT

Legislative Sewage Management and Treatment Task Force

The majority of water infrastructure in Pennsylvania was installed over the course of three major timeframes: the early 1900's, the 1930's, and from 1950 into the 1970's. Yet, because of the lifespan of materials used during each of these timeframes, the state's water infrastructure – from pipes to plants – is old and in dire need of repair and/or replacement.

Much of the infrastructure was designed and built when urban areas were much smaller and more compact. In many locations, local systems cannot meet current requirements, let alone be expected to meet an increasing need. And, oftentimes waters are shared across local and state boundaries, further complicating the entire process.

There are currently 7,700 drinking water and wastewater treatment systems across Pennsylvania, many of which are in poor physical condition. Problems now include leaking and/or broken pipes, and associated stormwater runoff that can overwhelm treatment capacity. The combination of an aging infrastructure, new population distribution, and growing demands creates complex challenges that must be overcome.

A 2004 federal Clean Water Needs Survey found that Pennsylvania needs to spend nearly \$11 billion for local drinking water system improvements, approximately \$7.2 billion for additional sewer projects and \$5 billion for stormwater management systems. In an effort to get up-to-date information on wastewater needs, the Committee held a number of public hearings to review municipal wastewater infrastructure financing options and processes. The Committee recommended the creation of a wastewater infrastructure task force to further investigate wastewater management issues. House Resolution 88, Printer's Number 560 was introduced in February, 2005.

With the passage of the resolution, the Committee formed a partnership with government, business, and industry to examine the role that wastewater infrastructure plays in Pennsylvania. The resolution created a Sewage Management and Treatment Task Force (Sewage Task Force) consisting of four members of the General Assembly and a 22-member advisory committee consisting of wastewater service providers, state and federal environmental administrators, consulting engineers specializing in sewage treatment system design and operation, and experienced practitioners of public accounting, finance or economics related to the design, construction, operation or maintenance of public sewer systems. With staff support by the Committee, the Sewage Task Force held its first meeting on September 12, 2006. Between 2006 and 2007, the Sewage Task Force met four times to discuss operating, maintaining and updating the state's wastewater systems.

More recently, however, in February 2008, in response to the federal government reducing financial support for water quality improvements by nearly half-a-billion dollars over the past three years, a new Pennsylvania Sustainable Water Infrastructure Task Force (SWITF) was created by Executive Order 2008-02. Members of the high-profile SWITF include business leaders, legislators, government officials and industry experts. The 30-member SWITF was charged with calculating an estimate of total water infrastructure needs facing the Commonwealth and developing a report identifying innovative, operational and financing strategies to meet the state's needs.

While SWITF was organizing, the Sewage Task Force met again on April 17, 2008 in State College, Pennsylvania, in what was its fifth meeting. The task force heard presentations on infrastructure financing from the Pennsylvania Infrastructure Investment Authority (PENNVEST), innovative treatment technologies, and on the U.S. Environmental Protection Agency's (EPA) Total Maximum Daily Load program. A discussion was also held on SWITF. The Committee's executive director explained to the Sewage Task Force that a letter had been sent to the secretary of the Pennsylvania Department of Environmental Protection (DEP) outlining the work the Sewage Task Force had done and offering to share its knowledge on the issues with the newly formed SWITF.

As a result, in order to eliminate redundancy and duplication of effort, SWITF and the Sewage Task Force voluntarily coordinated their respective task forces and activities for the public input portion of the SWITF study. The resulting collaborative Sewage Task Force/SWITF was co-chaired by the secretary of DEP and members of the legislature, with staff support by the Committee.

In May 2008 SWITF and the Sewage Task Force sponsored a series of public input meetings to hear ideas about the best way to fix and fund aging and deteriorating public water systems. The meetings were held:

May 8, 2008 - Harrisburg, Pennsylvania
May 15, 2008 - Pottstown, Pennsylvania
May 19, 2008 - Pittsburgh, Pennsylvania
May 21, 2008 - Oil City, Pennsylvania
May 22, 2008 - Dubois, Pennsylvania
May 27, 2008 - Pittston, Pennsylvania
May 28, 2008 - Bethlehem, Pennsylvania
May 29, 2008 - Red Lion, Pennsylvania

While collaborating on common issues, both the Sewage Task Force and SWITF also pursued independent investigations into other infrastructure issues.

During the public input meetings, the Sewage Task Force and SWITF members heard what existing statutory, regulatory or public policy barriers prevent the long-term

sustainability of Pennsylvania's water infrastructure; and possible new revenue streams that could help meet the state's infrastructure needs.

On July 9, 2008, Senate Bill 1341, Printer's Number 2292, was signed into law as Act 64 of 2008. The legislation called for a voter referendum on a \$400 million bond issue for construction, rehabilitation, and improvement of Pennsylvania's drinking water supplies and sewage treatment systems. Over 2.8 million voters, or 62 percent, voted in favor of borrowing the money compared to 1.7 million, or 38 percent against, according to the election results on the state's website. The grants and loans would help sewage plants along the Susquehanna River meet federal standards for discharge into the Chesapeake Bay. The money would also be used to curb stormwater runoff, reduce pollution and address the environmental effects of farm chemicals.

The Sewage Task Force met for the sixth time at State College, Pennsylvania on October 16, 2008. Mr. D. Tyler Gourley, project manager for the Regional Water Management Task Force, discussed the Task Force's 11-county effort to improve regional cooperation in addressing southwestern Pennsylvania's water and sewer challenges. In addition, DEP's Bureau of Water Standards and Facility Regulation staff provided an update on SWITF and its report.

On November 3, 2008 SWITF issued its report that measures the unmet financial needs of Pennsylvania's deteriorating water and sewer infrastructure needs. The report found the Commonwealth's drinking water and wastewater systems face \$36.5 billion in capital repairs and upgrades over the next 20 years.

In addition to the \$36.5 billion for capital repairs and upgrades, SWITF estimates the Commonwealth will need to spend another \$77.1 billion for operation, maintenance and debt service, for a total of \$113.6 billion over the next 20 years. The report outlines options to increase funding and reduce operating costs through more effective management of facilities, regionalization of systems, and maximizing nonstructural solutions and conservation measures. SWITF also stressed the need to educate the public on the true value and cost of drinking water and wastewater service.

Additional information concerning the Sewage Management and Treatment Task Force may be obtained by calling the Committee. Information regarding the Sustainable Water Infrastructure Task Force may be obtained by calling DEP at 717-787-5017.

FOREST RESOURCE MANAGEMENT

Legislative Forestry Task Force

Pennsylvania hardwoods are known throughout the world for their quality, beauty, and sustainability. With nearly 17 million acres of forestland, Pennsylvania also has the most abundant hardwood reserve in the nation. The future health of this resource and its

sustainable, long-term management hinge on how well the forest resource sector, which includes private landowners, pulp and paper companies, sawmills, wood product manufacturers, loggers, university programs, financial institutions, government agencies and conservation organizations, can reconcile economic development and environmental protection.

Regulatory controls and economic downturns have impacted the forest sector, particularly the forest products industry. The direct result of this downturn has been the loss of thousands of jobs, millions in wages, and hundreds of businesses. The forest products industry's stability is vitally important across the state, but especially critical in maintaining healthy economies in the rural communities that rely on the forest products industry.

Because of the importance of the forest products industry to the economy and its rural communities, the first Legislative Forestry Task Force 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. The Advisory Committee is a broad-based coalition of individuals from many disciplines including the Pennsylvania Department of Conservation and Natural Resources (DCNR), education, forestry, the lumber and timber products industry, the Pennsylvania Game Commission and others. The goal of the Task Force is to offer advice and guidance to the General Assembly on the management of Pennsylvania's forests.

Since its inception in 1994, the Task Force has continued its work through a series of legislative resolutions enacted in succeeding legislative sessions, with staff assistance from the Committee. However, during the 2007-2008 legislative session, the resolution re-establishing the task force and its advisory committee, House Resolution 712, Printer's Number 3593, was not considered by the General Assembly. As a result, the Forestry Task Force and its Advisory Committee are under the leadership of the Committee until such time as the new resolution is enacted. Thus, the Committee has flexibility and discretion in choosing future topics for discussion. After careful consideration and consultation with the Task Force and Advisory Committee, five issues were chosen due to their relevance to the forest industry. These issues are:

- 1. The federal Highlands Project and its implications for commercial forest management;**
- 2. The "Buffers 100" proposal and its impact on Pennsylvania forest landowners;**
- 3. The role of State forests in carbon sequestration;**

- 4. The role of woody biomass utilization in alternative energy production; and,**
- 5. The implication of possible commercial scale wind power generation sites on State forest lands.**

On October 23, 2008 the Task Force met at State College to discuss the federal Highlands Project, a multi-level project aimed at assisting Pennsylvania, New York, New Jersey and Connecticut in conserving land and natural resources in the Highlands region. The region is a nationally significant and ecologically diverse area of forested mountains and hills stretching over portions of the four states. Pennsylvania and Connecticut have been the subjects of a two-phase inventory and evaluation by the USDA Forest Service. Providing perspectives on the Highlands Project were representatives of the Natural Lands Trust, the Highlands Coalition and the U.S. Forest Service.

Prescribed Fire

A 2006 presentation to the Task Force on prescribed burning (which is the skilled application of fire to existing vegetative fuels under planned and controlled conditions) 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 which were intended to address some of the concerns regarding prescribed burning, and provide input into possible legislation. Prescribed burning is a land management tool that has been used successfully in other states and on a limited – but increasing – basis in Pennsylvania.

Committee staff met three times in 2007 and in January and August 2008 with various forest 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 need to be updated to address the issue of using prescribed fire as a management tool.

In February 2007, Committee staff attended a conference by a state-wide group called the Pennsylvania Prescribed Fire Council (PPFC) in State College, Pennsylvania. The goal of the conference was to promote the exchange of information, techniques and experiences of the prescribed fire community, and to promote public understanding of the importance and benefits of prescribed fire.

With the guidance of the Committee, PPFC drafted legislation (House Bill 2735, Printer's Number 4239) that would regulate prescribed burning practices. House Bill 2735 was referred to the House of Representative's Environmental Resources and Energy Committee but no action was taken before the end of the 2007-2008 legislative session.

The Committee's efforts, in cooperation with interested parties, including PPFC, DEP, DCNR, natural resource conservancies and other organizations, have helped raise awareness and visibility of the use of prescribed fire as a forest management tool. The

Committee will continue its discussions and work on prescribed fire issues in 2009. Legislation is currently being developed that regulates prescribed burning practices and provides certain civil and criminal immunity.

For more information concerning the Legislative Forestry Task Force or the prescribed fire legislation, please contact the Committee office.

RECYCLING

Disposing of Electronics Safely and Responsibly

Pennsylvania could face a sudden increase of used or unwanted electronics (known as e-waste). Up to one million television sets could be headed for Pennsylvania landfills as consumers ramp up television purchases before the nation's television stations are scheduled to convert to digital transmission in June 2009.

While many television owners will keep their analog sets and use a converter box to receive the digital signal, others are using the switchover as an excuse to discard their old sets and upgrade to plasma screen or high definition sets with a digital converter inside. With the average household having two, three or more sets there is tremendous potential for an avalanche of e-waste.

Computers, cell phones, televisions and other devices contain heavy metals and chemical residue such as mercury, arsenic, cadmium and lead that can leach into the soil and contaminate water sources. One computer monitor alone contains 4 to 8 pounds of lead.

The question of what to do with e-waste is one that is facing Pennsylvania and the entire nation. The issue itself is not new, but the volume of e-waste headed for the scrap heap, unless recycled or reused, is growing ever larger. According to EPA, e-waste – including televisions, home computers, keyboards and other peripherals, cell phones, fax machines, photocopiers, stereo equipment, older phones, VCR and DVD players and other high-tech trash - is the fastest growing category of the residential waste stream.

According to the Consumer Electronics Association, each American household contains about 24 electronic devices. In 2007, 304 million discarded televisions, cell phones, computer products and computer peripherals such as printers, scanners and fax machines found their way to landfills across the nation, according to the EPA.

The Committee has taken up the issue of what to do with e-waste because of numbers like those above. In October 2007, the Committee held a public hearing concerning e-waste and heard about several different approaches to recycling discarded electronics. Thus far there is no national standard, and different states are trying different methods to recycle items like computers, televisions, cell phones and monitors. In December 2007,

the Committee co-sponsored an Electronics Economic Development Forum with the Pennsylvania Recycling Markets Center (RMC) to promote the development of recycled electronic markets in Pennsylvania.

To learn more about existing models that are in place around the nation and to see how they might, or might not work in Pennsylvania, the Committee sponsored an e-waste simulation exercise in State College, Pennsylvania on February 21, 2008. It was a hands-on exercise in which the more than 20 individuals in attendance assumed the roles of various players in the recycling chain and had to carry out their duties as prescribed by the recycling system in which they were operating. Attendees included Committee and other legislative staff, staff from DEP and EPA, representatives of electronics firms and groups that work with them, and members of several interested associations such as the Professional Recyclers of PA (PROP), the PA Small Business Development Center, the state Chamber of Business and Industry and the Consumer Electronics Association, as well as RMC, and the Lycoming County Resource Management Services.

The focus of the workshop was on the two states that have e-waste recycling statutes in place – California and Maine. California has what is known as a “visible fee” system, which might also be called a point-of-sale system. Maine, on the other hand, has what is known as a “producer responsibility” system. In Maine, the manufacturer is responsible for paying the collection, transportation and recycling costs for discarded covered electronics.

On June 26, 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.

The Committee proposal would require manufacturers to establish a recycling and recovery program in order to sell their products in Pennsylvania. Manufacturers would be encouraged to be flexible and innovative in setting up their systems, and to partner with other manufacturers, retailers, collectors, non-profits and recyclers. Manufacturers would also be encouraged to establish an “orphan waste” program. Orphan waste can be defined as covered electronics, where no manufacturer can be identified, or the manufacturer is no longer in business.

There would be no new taxes for consumers to pay to finance collection programs. Programs to provide for free mail-in disposal and/or manufacturer collection programs, staffed collection and drop-off sites, periodic collection events and other convenient recycling methods would be included.

State government, through DEP, would play a role of initial approval, and then enforcement and education, but the system should not require massive new government programs or bureaucracies. DEP would review and approve e-waste recycling programs,

provide a list of “approved manufacturers”, and issue an annual report on the e-waste recycling program to the General Assembly.

The Committee proposal would also focus first on computer-related electronics, leaving the more problematic area of television set recycling until the computer segment is up and running.

The Committee’s report is divided into several sections. It provides:

- **An overview of the general issue;**
- **The Committee’s recommendations;**
- **A look at current legislative proposals regarding e-waste in Pennsylvania;**
- **A summary of the testimony received at the Committee’s public hearing;**
- **A review of e-waste programs established or proposed in other states; and**
- **The draft legislation the Committee is proposing for Pennsylvania.**

The debate over e-waste recycling and disposal issues is ongoing.

The Committee’s report, “E-Waste Recycling Programs and Policy Options” is available on the Committee website at <http://jcc.legis.state.pa.us> or by calling the Committee office.

Recycled Plastics, Disposal Bans and Agricultural Plastics

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 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, manufacture’s and end-users of recycled materials and products.

In 2008, the Committee co-sponsored three Economic Development Forums with RMC. The forums were held on:

April 8, 2008 – Harrisburg, Pennsylvania
August 7, 2008 – Harrisburg, Pennsylvania
November 6, 2008 – Harrisburg, Pennsylvania

The agendas included issues such as recycled plastic, the market impact of disposal bans proposed by DEP, and recycled agricultural plastics. The forums brought together industry leaders to identify market barriers and implement initiatives to expand the end-use of recycled materials in Pennsylvania.

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.

MANDATORY SOLID WASTE COLLECTION

Illegal Dumping in Rural Pennsylvania

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.

There are thousands of illegal dumps in the state, but more and more of them are being cleaned up. However, the problem is in making sure the dumping problem does not reoccur at that site or occur at a new site.

In 2007, the Committee partnered with Keep Pennsylvania Beautiful (KPB), the Professional Recyclers of Pennsylvania (PROP), Pennsylvania Cleanways, DEP and other interested stakeholders to facilitate communication and cooperation concerning the issue of roadside management, specifically illegal dumping and littering, in small communities and rural areas of Pennsylvania. The purpose of the meetings was to identify various roles of agencies, organizations and communities.

There has been and continues to be extensive communication between the Committee and the stakeholders, seeking to gather as much knowledge and expertise as possible on the subject of illegal dumping and littering. On January 30, 2008, the Committee sponsored a roundtable meeting with stakeholders. One goal of the meeting was to identify potential solutions and partnerships to address illegal dumping and littering in rural areas. Discussion centered on education, enforcement, current laws and the public's knowledge and perception of illegal dumps and waste collection.

On April 14, 2008, Committee staff toured the Beaver Springs Township drop-off convenience center in Snyder County to learn more about waste collection practices in rural areas. Drop-off programs are typical in rural counties and small municipalities. The county owned and township operated center serves as the main collection and processing facility in western Snyder County. It provides local residents the opportunity to drop-off garbage and recycled materials, such as aluminum and steel cans, glass, plastic bottles and newspapers, at one large convenience center. The Township has a contract with a hauler to haul and dispose of garbage. Committee staff was joined by representatives from DEP, KPB and Pennsylvania Cleanways.

On April 23, 2008 the Committee sponsored a second meeting with stakeholders to review mandatory waste collection systems. Virtually all of the roundtables included discussions on mandatory door-to-door collection programs and their potential to reduce illegal dumping in Pennsylvania. Participants shared the view that mandatory waste collection in rural areas involves a number of challenges, such as homeowner costs, transportation costs and resistance to cultural change, which need to be resolved in regard to any future recommendations.

The Committee will work to improve realization and understanding of the complexities of mandatory waste collection and illegal dumping issues and looks forward to working with organizations like KPB, PROP and Pennsylvania Cleanways and their partners in 2009.

MANSFIELD UNIVERSITY STATEWIDE SURVEY – 2008

Pennsylvanian's Opinions on Trash Collection and Illegal Dumping

Since 1997, the Committee has commissioned a series of questions included in the annual Mansfield University Statewide Survey to inform state, local and federal policymakers, 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 2008 survey focused on two basic areas; the public's awareness and interest in proper waste handling, and the perceived extent of illegal dumping problems in Pennsylvania. The illegal dumping questions were ones in which the Committee has had a particular interest. In addition to the more recent roadside management roundtables; over the years, the Committee has conducted a number of public hearings on waste tires, the recycling of white goods (both of which often end up in illegal dump sites) and the enforcement of litter laws.

In order to better understand public opinion behind these issues, the Mansfield University Statewide Survey asked adult Pennsylvanians about their knowledge of their trash collection service and their opinions on illegal dumping.

While there are households out there without trash collection services, the survey showed that 92.5 percent of those responding report that they have trash collection services. Of those households, 64.9 percent report that participation in trash collection is mandatory, and an identical percentage says that service includes removal of bulky household items (like appliances and furniture). Meanwhile, 77.1 percent report that service includes curbside collection of recyclables and 64.1 percent have curbside collection of yard waste.

There are several methods of trash disposal that individuals in Pennsylvania use if they do not have trash collection services. Over 32 percent of those without collection services burn their trash. Another 23.9 percent take their waste to a dumpster. According to the survey, 4.4 percent dump their waste in the woods or on vacant lots.

Most respondents do not believe their communities have an illegal trash dumping problem. Seventy-seven percent say there is no problem, while 23 percent feel there is. Of that 23 percent, 65.1 percent say they have actually seen the illegal dumping of trash in their communities.

The 2008 survey was conducted under the direction of Mansfield University Professor of Sociology Dr. Timothy Madigan, PhD. A total of 794 Pennsylvanians were contacted for the 2008 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 2008 survey is plus or minus 3.2 percent.

Survey results and additional information concerning solid waste collection and illegal dump sites may be obtained by contacting the Committee office.

HERITAGE PARKS

150th Anniversary of Pennsylvania Oil

Pennsylvania has 12 heritage areas or corridors. 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. Heritage areas encourage visitors to take driving tours, take advantage of recreational opportunities and attend cultural events.

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.

As part of its ongoing commitment to Pennsylvania's Heritage Parks Program, the Committee and OIL 150 (an educational non-partisan celebration administered by the Oil Regional Alliance of Business, Industry & Tourism) co-sponsored a public reception and panel discussion entitled "The Relevance of Petroleum History in the Modern World" in Titusville, Pennsylvania on August 12, 2008. The event was held in conjunction with the beginning of the 17-month celebration of OIL 150 – Progress through Petroleum and Oil, an observance of the drilling of the first successful oil well in Pennsylvania 150 years ago.

On September 16, 2008 Committee staff attended a public announcement by the Leadership and Partners of the Pennsylvania Heritage Areas in Harrisburg. Members of Pennsylvania's 12 state and nationally-designated Heritage Areas and Corridors announced that they have formed the Heritage PA Association to serve as a statewide resource network for their organizations.

LAND USE PLANNING

Regional Approach to Growth Management

On September 19, 2006 nearly 500,000 cubic yards of rock, dirt and debris slid off of a shopping plaza construction site in Kilbuck Township, Allegheny County. The rocks and debris spilled onto Route 65, covering all four lanes of the major commuter route for almost two weeks. On November 2, 2006 the Committee held a public hearing to review the actions and conditions leading to the Kilbuck Township landslide. One of the recommendations to come out of the Committee's public hearing was for the Joint State Government Commission (Commission) to conduct a study to consider the possibility of county oversight and approval of projects where appropriate in areas affecting multiple jurisdictions.

On June 10, 2008 the Commission released its 140-page report. The report recommended that proposed commercial developments on geologically hazardous land should be subject to state oversight and review by DEP. The report also recommended that Department of Conservation and Natural Resources geologists would identify and delineate landslide prone and geologically hazardous areas, create a publicly available inventory of such sites and notify municipalities where such geologic conditions exist.

FUTURE COMMITTEE PROJECTS

Act 101, E-Waste and Prescribed Fire Among Key Issues

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.

The environmental priorities in line with the Committee's focus include Pennsylvania's "Municipal Waste Planning, Recycling and Waste Reduction Act" (Act 101 of 1988). Recycling in Pennsylvania celebrated its 20th anniversary in 2008. The recycling industry continues to have a tremendous impact on the economy and environment of Pennsylvania. However, there are still some challenges to overcome in the future. The state of the economy, including rising fuel costs, can hinder profitability and increase operational costs. Also, lack of funding and public participation can hinder a program's growth. Another challenge is the market value for recycled goods.

Because Pennsylvania's recycling program continues to be a work in progress, the Committee will hold public hearings in 2009 to assess its effectiveness and seek ways to improve the recycling program's performance. The Committee will continue to monitor various state e-waste programs and will continue to advocate for a legislative solution to Pennsylvania's e-waste challenge.

The Committee will also continue to review potential prescribed fire issues and work closely with stakeholders on possible legislative action in the 2009-2010 session.

On a monthly basis, the Committee will continue to invite experts to Harrisburg to speak at its Environmental Issues Forums (described later in this report).

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 the Pennsylvania Hardwoods Development Council, the Chesapeake Bay Foundation, Keep Pennsylvania Beautiful, the Pennsylvania Association of Conservation Districts, and other environmental events.

The Committee looks forward to working closely with the General Assembly on these and other important environmental issues during 2009.

COMMITTEE ACTIVITIES

January 14, 2008 – The first Environmental Issues Forum of 2008 featured Ms. Kathleen Cowles Paul, Director of the Pennsylvania Center for Environmental Education (PCEE). Ms. Paul provided an update on services provided by the PCEE, and discussed its recent shift in focus and projects currently under development.

January 28, 2008 – In its continuing effort to promote the use of prescribed fire as a forest management tool, the Committee sponsored a roundtable discussion and input ses-

sion. The purpose of the meeting was to continue discussion among various stakeholders to assess current challenges and discuss future directions for prescribed burning in Pennsylvania.

January 30, 2008 – As a follow-up to the 2007 meetings on roadside management issues, the Committee sponsored a meeting with representatives from Keep Pennsylvania Beautiful (KPB), Professional Recyclers of Pennsylvania (PROP), PA Cleanways and the Pennsylvania Department of Environmental Protection (DEP). The focus of the meeting was to continue to promote the exchange of information, techniques, and experiences of the organizations involved with illegal dumping and littering in Pennsylvania.

February 19 and 20, 2008 – Committee staff attended a Pennsylvania Prescribed Fire Conference in State College, Pennsylvania. The symposium was sponsored by the Pennsylvania Prescribed Fire Council.

February 21, 2008 – The Committee sponsored an Electronics Recycling System Simulation Workshop at Penn State University. The workshop was a simulation of administrative operations in the two states which have enacted electronic mandates (California and Maine).

March 7, 2008 – Committee staff attended a meeting held by the Recycling Markets Center (RMC) in Harrisburg, Pennsylvania that provided information on a technology to turn recycled PET plastic into insulation for residential construction.

March 12, 2008 – The Committee sponsored a meeting with KPB, PROP, PA Cleanways and representatives from DEP. One important consideration that was discussed was the potential of mandatory waste collection as a means to reduce and prevent illegal dumping in Pennsylvania.

March 17, 2008 – The March Environmental Issues Forum featured a presentation by Mr. Dan Traynor, Environmental Manager with Northampton Generating Company (NGC), located in Northampton, Pennsylvania. NGC is providing renewable energy from scrap tires by utilizing Tire Derived Fuel in its Circulating Fluidized Bed boiler. NGC has reclaimed over 200 acres of abandoned mine land and received a Department of Interior National Award for Excellence in Reclamation, and a Pennsylvania Governor's Award for Environmental Excellence.

March 18, 2008 – Committee staff met with representatives of the forest products industry to discuss potential funding for non-native species programs. Pennsylvania's valuable forests are at risk from the introduction of damaging insects and diseases not native to the Commonwealth. Funding is necessary to ensure adequate support for eradication and control efforts targeting foreign and invasive species.

April 8, 2008 – The Committee, in collaboration with RMC, co-sponsored a Pennsylvania Recycled Plastics Economic Development Forum in Harrisburg, Pennsylvania. The

forum brought together industry leaders to identify market barriers and implement initiatives to expand end-use of recycled plastics in Pennsylvania. End-users, processors, suppliers, business consultants, and agency representatives were in attendance.

April 14, 2008 – Committee staff, along with representatives from KPB and DEP, toured the Spring Township, Snyder County waste transfer station in north central Pennsylvania to see how the station functioned and learn more about waste collection practices in rural areas. DEP staff conducted the tour and provided much valuable information.

April 17, 2008 – Pursuant to House Resolution 88, the Legislative Sewage Management and Treatment Task Force and Advisory Committee met in State College, Pennsylvania. The meeting focused on new wastewater treatment technologies, infrastructure financing and the Sustainable Water Infrastructure Task Force (SWITF).

April 23, 2008 – The Committee sponsored a meeting with KPB, PROP, PA Cleanways, DEP and the Department of Community and Economic Development to continue the discussion of mandatory waste collection practices. The meeting covered the latest trends, topics and issues of mandatory waste collection services.

May 8, 2008 – The Committee and SWITF held the first of a series of eight public input meetings. The Task Force was charged with examining the systems that treat, collect and distribute drinking water and wastewater.

May 9, 2008 – Committee staff attended a meeting sponsored by RMC that included a presentation by Dr. Rex D'Agostino, CEO of Greenfutures. Greenfutures is a startup company focusing on reuse and recycling through composting and renewable solutions.

May 12, 2008 – The May Environmental Issues Forum focused on the Pennsylvania Small Business Development Center Environmental Management Assistance Program (EMAP). EMAP Director Christopher Lynch and Associate Director Nancy Crickman discussed the program's services, tools and results, and examined environmental trends and issues that small businesses in Pennsylvania are facing.

May 15, 2008 - The Committee and SWITF held its second public input meeting in Pottstown, Pennsylvania.

May 19, 2008 - The Committee and SWITF held its third public input meeting in Pittsburgh, Pennsylvania.

May 21, 2008 – The Committee and SWITF held its fourth public input meeting in Oil City, Pennsylvania. Task Force members Committee chairman Representative Scott Hutchinson and Committee member Senator Mary Jo White co-chaired the hearing.

May 22, 2008 – The Committee and SWITF held its fifth public input meeting in Dubois, Pennsylvania. Task force member and Committee member Representative Camille “Bud” George chaired the hearing.

May 27, 2008 – The Committee and SWITF held its sixth public input meeting in Wilkes-Barre, Pennsylvania. Task Force member and Committee vice-chair Senator Raphael Musto chaired the hearing.

May 28, 2008 – The Committee and SWITF held its seventh public input meeting in Bethlehem, Pennsylvania.

May 28, 2008 – The Committee and SWITF held its final public input meeting in Red Lion, Pennsylvania.

June 16, 2008 – The June Environmental Issues Forum featured representatives from the Pennsylvania Technical Assistance Program (PennTAP). PennTAP supports technology-based economic development by helping Pennsylvania companies improve their competitiveness by providing a limited amount of free technology assistance to help resolve specific technical needs.

June 26, 2008 – The Committee released its report “E-Waste Recycling Programs and Policy Options”, as a result of a 2007 public hearing and workshop. The report contains 13 recommendations regarding e-waste recycling and disposal in Pennsylvania.

August 7, 2008 – The Committee, in collaboration with RMC, sponsored an Economic Development Forum focusing on proposed disposal bans in Pennsylvania.

August 12, 2008 – Committee staff attended, and its Chairman spoke at the “Relevance of Petroleum History in the Modern World” at the University of Pittsburgh, Titusville Campus. The public reception and panel discussion, cosponsored by the Committee, examined the role of the commercial petroleum industry in Pennsylvania.

August 12, 2008 – Committee members and staff toured the Glatfelter Pulp and Paper mill in Spring Grove, Pennsylvania. The purpose of the tour was to observe the operation of a pulp and paper mill, and initiate a discussion between members of the legislature and Glatfelter personnel concerning the use of alternative energy from bio-mass.

August 25, 2008 – The Committee sponsored a roundtable discussion with various forestry stakeholders to promote the exchange of information, techniques, and experiences of the Pennsylvania prescribed fire community.

September 16, 2008 – Committee staff attended a public announcement by the Leadership and Partners of the Pennsylvania Heritage Areas. Members of Pennsylvania’s 12 state and nationally-designated Heritage Areas and Corridors announced that they have formed the Heritage PA Association to serve as a statewide resource network for their organizations.

September 22, 2008 – The topic of the September Environmental Issues Forum was “Emerging Contaminants in Pennsylvania Streams - An Update.” The presenter was Mr. J. Kent Crawford, Water Quality Specialist for the Pennsylvania Water Science Center with the United States Geological Survey. Joining Mr. Crawford was co-presenter Arianne Proctor, Water Program Specialist with the Bureau of Water Standards and Facility Regulation in DEP.

October 16, 2008 – The Legislative Sewage Management and Treatment Task Force and Advisory Committee met in State College, Pennsylvania. The meeting focused on the work of the Regional Water Management Task Force of Southwestern Pennsylvania and on a presentation by the DEP’s Bureau of Water Standards and Facility Regulation.

October 23, 2008 – The Legislative Forestry Task Force and Advisory Committee held a meeting in State College, Pennsylvania to examine issues related to the federal Highlands Program.

November 6, 2008 – The Committee along with RMC sponsored the Pennsylvania Agricultural Plastics Economic Development Forum in Harrisburg, Pennsylvania. The forum promoted the development of recycled agricultural plastic markets in Pennsylvania and the mid-Atlantic region. End-users, processors, suppliers, business consultants, and agency representatives were in attendance.

November 14, 2008 – Committee staff attended a presentation by Mr. Eric Foley, Director of the Renewable Energy Center at St. Francis University, located in Loretto, Pennsylvania. Mr. Foley discussed renewable energy policy development in Pennsylvania – comparing it to Minnesota’s experience with community-based energy development.

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 use 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 link pages can direct you to a range of sites that identify global, national, regional, state, and local issues and perspectives.

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

The Committee seeks to provide timely and interesting information on a variety of environmental topics. 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. Forum topics are as diverse as the speakers themselves, and include everything from the use of scrap tires for fuel to emerging contaminants in our water supply.

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 2008 included a diversity of topics ranging from warning consumers about possible toxins in the familiar "new shower curtain smell" to energy efficient streetlights.

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 have 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 the 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.