

# Conservation Committee Report

Volume 10 Issue 1

By Jack Walters, ACSL Conservation Chair

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## The Conservation Pledge

I give my pledge as an  
American to save  
and faithfully defend from  
waste,  
the natural resources of my  
country;  
the soil, the water, the air,  
the minerals, the plant life and  
the wildlife.

This is my Pledge!

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## Senate Passes Alternative Energy Investment, Biodiesel Mandate Bills

In the final hours of the 2007 session, the Senate overwhelmingly passed a \$650 million initiative to promote the development of alternative sources of energy and add funding for low-income heating assistance and energy conservation programs.

*Senators also passed two bills expanding the state's Alternative Fuels Incentive Grant Program and creating a mandate for biodiesel, after adding a per-gallon production incentive program.*

"The challenge was to establish a framework that allows Pennsylvania be aggressive in the development and use of alternative energy, while being responsible with taxpayer dollars. This measure achieves that," said Sen. Mary Jo

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## PENNSYLVANIA'S ENVIRONMENT, COMMUNITIES BENEFIT FROM \$20 MILLION MERCK SETTLEMENT

The Department of Environmental Protection agreed to the terms of a more than \$20 million settlement with drug-maker Merck and Co. Inc. that will support restoration work in the Wissahickon Creek watershed, upgrade the company's West Point facility responsible for an illegal June 2006 chemical release into a Montgomery County sewer system, and fund other water improvement projects in the region.

Under the agreement, Merck will pay \$4.5 million to DEP, \$4.5 million to the U.S. Environmental Protection Agency, and invest \$10 million for the plant upgrades.

The company will also pay fines of \$750,000 to DEP for violating Pennsylvania's Clean Streams Law, Solid Waste Management Act and Safe Drinking Water Act; \$750,000 to the EPA; and \$75,000 to the Pennsylvania Fish and Boat Commission.

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**Senate Passes Alternative Energy Investment, Biodiesel Mandate Bills****(continued)**

White (R-Venango), Chair of the Senate Environmental Resources and Energy Committee. “This is an historic investment in alternative energy in Pennsylvania that will boost use of alternative and renewable energy, and eventually reduce traditional energy consumption.”

Gov. Rendell said the Senate initiative, passed by an overwhelming bipartisan vote of 44 to 5, was “at best, modest progress.”

“The action in the Senate this week was helpful in that it was action,” Gov. Rendell said. “The bill approved by the Senate creates an investment fund of \$250 million. Not only is this far short of the \$850 million I proposed, it would make Pennsylvania’s clean energy fund smaller than the \$300 million fund created by Rhode Island, a State with nine percent of our population.”

The Governor also said he would veto any renewable fuels proposal that did not include an ethanol mandate.

Special Session Senate Bill 1, the Alternative Energy Investment Act includes:

- \$250 million to provide:
  - o Loans to businesses and loans or grants to counties, municipalities and school districts for clean energy projects, as well as loans and grants to businesses that support alternative energy production through the Commonwealth Financing Authority. (\$210 million)
  - o Pollution control technology grants for small coal-fired power plants to comply with new state and federal regulations. (\$25 million)
  - o Support for research and development of alternative energy technologies, and venture capital for Pennsylvania start-up businesses to develop or expand alternative and renewable energy technologies through the Ben Franklin Technology Development Authority. (\$15 million)
- \$130 million for tax credits to increase alternative energy production;
- \$100 million for consumer grants, loans, rebates and reimbursements of up to 25 percent of the purchase and installation price for energy conservation projects;
- \$100 million to boost funding of the Low-Income Home Energy Assistance Program (LIHEAP);
- \$50 million to provide loans, grants and rebates of up to 35 percent of the purchase and installation costs of solar and solar photovoltaic panels;
- \$15 million for rebates for the purchase of hybrid vehicles; and
- \$5 million in loans for energy efficiency projects in low-income households.

The programs would be funded by earmarking revenue from the Utilities Gross Receipts Tax.

## Senate Passes Alternative Energy Investment, Biodiesel Mandate Bills

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Special Session Senate Bill 22 (Tomlinson-R-Bucks) would make changes to the state's Alternative Fuels Incentive Fund, which is aimed at reducing air pollution and reducing the state's dependency on foreign oil. It would increase the reimbursement to producers of alternative fuels from 5 cents to 10 cents per gallon up to 12.5 million gallons annually.

The bill also includes a specific biodiesel production incentive of 75 cents per gallon, up to \$7 million annually.

The legislation establishes a three-year matching grant program-- up to 50 percent of costs and a \$5,000 maximum-- to install nitrogen tire inflation systems.

The bill would also reduce the amount of money in the fund that can be used for administrative expenses from 2 percent to 1 percent and expand the fund's rebate program to authorize rebates for consumers who purchase biodiesel or other alternative fuels vehicles.

The Senate passed the bill 40-9.

Special Session Senate Bill 36 (MJ.White-R-Venango) Biodiesel Study and Production Incentive Act, which will trigger mandates for the use of biodiesel based on biodiesel fuel production capacity for production sold to distributors in Pennsylvania

The Senate passed the bill 42-7.

The Senate Environmental Resources and Energy, Special Session Energy Policies and Consumer Protection and Professional Licensure Committees held six hearings on different aspects of the Governor's Energy Independence Proposal during 2007.

In June, the House passed and sent to the Senate House Bill 1200 (DePasquale-D-York) establishing an \$850 million alternative fuels investment grant and loan program under the PA Energy Development Authority as proposed by Gov. Rendell, but without a funding source. House Bill 1201 (George-D-Clearfield) that would provide funding for the program through a special fee on the bills of electric customers has been in the House Rules Committee since September 26..

The House also passed House Bill 1202 (Gerber-D-Montgomery) in June requiring transportation fuels to have renewable content as proposed by the Governor.

Source: PA Environment Digest

**\$20 MILLION MERCK SETTLEMENT****(continued)**

DEP Secretary Kathleen A. McGinty said this settlement resolves an unfortunate incident and paves the way for work that will prevent future releases from the West Point facility.

“The spill of dangerous chemicals last year left its mark on communities and waterways from Upper Gwynedd Township all the way to Philadelphia,” said the secretary. “We’re pleased that Merck has agreed to measures that will improve operational oversight at its facility.”

The secretary said Merck’s willingness to address the environmental health of the region in which it does business was appreciated.

“In addition to addressing a serious environmental impact, this agreement recognizes the need for corporate accountability,” said McGinty. “Merck recognizes that with its responsibility for this disposal comes a responsibility to restore the environment, the neighborhood in which it operates, and to protect the community’s well-being. This settlement will help return the Wissahickon watershed to environmental health, provide the public with access to new areas of open space, and help restore the quality of life to the community.”

The settlement was negotiated by the U.S. Department of Justice, EPA and DEP on behalf of the federal and state agencies.

“The Commonwealth of Pennsylvania is grateful for the partnership we enjoyed with our federal counterparts at the Department of Justice and EPA in reaching this important settlement,” said McGinty.

In June 2006, Merck released potassium thiocyanate into the local sewer system. The compound passed through the disinfection process at Upper Gwynedd Township’s sewage treatment facility where it combined with chlorine and formed a cyanide compound.

The discharge made its way into the Wissahickon Creek, where it killed more than 1,000 fish, then into the Schuylkill River where it impacted drinking water operations and water recreation in Philadelphia for several days.

Under the settlement, the company will undertake three major remedial measures at its West Point facility. The upgrades will help Merck evaluate the effects of discharges to the sewer system, improve its wastewater management program by increasing storage capacity and enabling it to intercept spills, and institute a chemical inventory tracking system.

The \$4.5 million Merck has agreed to pay for state environmental projects will be directed to the White-marsh Foundation to purchase and preserve approximately 100 acres of undeveloped land within the highly urbanized Wissahickon watershed.

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**\$20 MILLION MERCK SETTLEMENT****(continued)**

Known as the Erdenheim Farm Angus Tract, the land will be maintained as open space and the settlement terms requires that: public access be maintained in the future; that 10 acres of the property be designated as wetlands, wet meadow or open water; and that the entire tract be protected from development.

Additionally, the \$750,000 in penalties to the commonwealth will be paid as follows: \$533,000 to the Clean Water Fund; \$194,000 to the Safe Drinking Water Account, and \$23,000 to the Solid Waste Abatement Fund.

As part of its settlement with EPA, Merck will contribute another \$4.5 million to the Wissahickon watershed, providing funds to restore watershed features on both the Natural Lands Trust and Angus tracts of Erdenheim Farm; develop a drinking water early warning system for the city's Queen Lane plant in cooperation with the Philadelphia Water Department; purchase and install an automated dissolved oxygen control at the Upper Gwynedd sewage treatment plant; and implement a variety of practices to improve the Wissahickon Creek's water quality.

***After the potassium thiocyanate incident, DEP and EPA conducted a joint multi-media inspection of Merck's West Point facility during a series of visits from Nov. 28 through Dec. 8, 2006. The comprehensive inspection revealed violations associated with the facility's handling of stormwater and industrial discharges and with its storage, inspection and containment of hazardous waste. Several minor violations of the Safe Drinking Water Act regulations also were noted, but no air quality, storage tank or radiation violations were found.***

According to McGinty, from Pennsylvania's perspective, the \$10 million in upgrades planned by Merck under the civil settlement address the needed improvements that were identified in the multi-media inspections.

For more information about protecting watersheds and drinking water supplies, visit [www.depweb.state.pa.us](http://www.depweb.state.pa.us), keyword: Water Management.

Source: PA DEP

## Environmental Policing Nets Gains for Pennsylvania Worth \$25 Million

Contact Information: Donna Heron 215-814-5113

The U.S. Environmental Protection Agency concluded enforcement cases in fiscal year 2007 that will produce \$25 million in pollution controls and environmental projects protecting Pennsylvania's air, water, and land. In addition, polluters will pay another \$2 million in penalties for violating federal environmental laws.

"Pennsylvanians will benefit from substantial cuts in pollution and from improvements in the way pollution is managed by these companies and industrial facilities that are now complying with the law," said Donald S. Welsh, EPA's mid-Atlantic regional administrator. "The millions of dollars these companies will have to spend as a result of our environmental policing will also produce health benefits for the public."

EPA's calculations of environmental benefits from its cases in Pennsylvania include the reduction of nearly 27.5 million pounds of chemical releases, the cleanup of contamination in waterways equivalent to 976 Olympic-size swimming pools, and the cleanup of properties with contaminated soil amounting to enough soil to fill 122 football fields with three feet of dirt. The majority of these pollution cuts will come from cases to resolve clean water act violations.

EPA's mid-Atlantic enforcement program inspected and took action for violations associated with eight different environmental statutes. The cases ranged from environmental reporting violations to mismanagement of hazardous waste to illegal discharges of pollutants.

In addition, the agency negotiated agreements with specific violators to spend \$30,796 on environmental projects helping communities.

For more information on EPA's enforcement results in the mid-Atlantic region:

<http://www.epa.gov/region03/enforcement/accomplishments07.htm>

More information on EPA's FY 2007 enforcement and compliance program, including details of significant enforcement and compliance activities and data, is available on EPA's fiscal year 2007 enforcement and compliance results: <http://www.epa.gov/compliance/data/results/annual/fy2007.html>

Source: U.S. DEP

## WINTER WEATHER OPENS NEW WORLD FOR STATE PARK, FOREST VISITORS

With the arrival of snow and continued seasonal temperatures, the Department of Conservation and Natural Resources is reminding winter outdoors enthusiasts that Pennsylvania's extensive state forest and park systems are the perfect place for cold-weather fun.

Snowmobiling season is open in state forests and parks; DCNR provides condition updates on its toll-free snowmobile hot line—1-877-SNOMBLE (1-877-766-6253). DCNR also provides weather and condition reports online for state parks and forests.

"Pennsylvania is recognized as a national leader in winter tourism and recreation, and our state parks and forestlands have it all—from snowmobile and ATV riding to skiing, sledding, late-season hunting and ice fishing," said DCNR Secretary Michael DiBerardinis. "Our revamped Web sites attract new visitors, direct them to fun-filled destinations, and better inform them of what to expect when they get there."

Weather permitting, snowmobile enthusiasts soon could have access to up to 2,038 miles of state forest roads and 1,049 miles of trails. Winter ATV trails stretching over 155 miles in seven state forest districts opened earlier this month.

"To the delight of cold-weather outdoors enthusiasts, the arrival of snow and freezing temperatures in Pennsylvania is opening a whole new world of recreation in our state's scenic parks and forests," DiBerardinis said.

"When the weather cooperates, our state parks and forests also are the scene of coordinated winter festivals with games, dog-sled races, sleigh rides and fun competitions for the entire family," DiBerardinis said. "Each of our parks and forests is home to a different kind of fun, and it is easy to view a list of all of our activities at [www.getoutdoorspa.state.pa.us](http://www.getoutdoorspa.state.pa.us)."

Snow conditions are reported and updated regularly on DCNR's toll-free snowmobile hot line: 1-877-SNOMBLE (1-877-766-6253). Recorded messages, providing reports on snow depths and trail conditions across the state, are updated at about noon each Tuesday and Thursday. They are also offered on a non-toll-free number: (717) 787-5651.

Snowmobile enthusiasts will find maps, conditions, and other detailed information at [www.dcnr.state.pa.us](http://www.dcnr.state.pa.us) (select "Forestry," then "Snowmobile Information").

Updated ice conditions, so important to skaters and anglers, snow depths and information on special winter activities and events at Pennsylvania's 117 state parks also can be found through the DCNR Web page (select "State Parks," then "Winter Report"). This season, snowmobile riders in Pennsylvania's state forests have access to almost 3,100 miles of marked joint-use state forest roads, closed roads, and trails in 17 of the state's 20 state forest districts. An additional 336 miles are available in 53 state parks.

All snowmobiles and ATVs in Pennsylvania must be registered with DCNR's snowmobile/ATV Unit. For more information on registration, call (717) 783-9227.

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**WINTER WEATHER OPENS NEW WORLD FOR STATE PARK, FOREST VISITORS**

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For the cross-country skiing enthusiast, more than 330 miles of marked cross-country ski trails are offered on Pennsylvania's more than 2.1 million acres of state forestland. Also available are nearly 400 miles of groomed and un-groomed cross-country ski trails in 73 state parks.

Downhill skiing is offered at Blue Knob State Park, Bedford County; Denton Hill State Park, Potter County; and Camelback (Big Pocono State Park), Monroe County. Skiing again is not being offered this season at Laurel Mountain, Westmoreland County.

Most state parks with bodies of water are open, weather permitting, for ice-skating, ice fishing and ice boating. Sledding and tobogganing also are available at many parks.

Archers, muzzle-loaders and other late-season hunters are reminded that an additional 500 miles of normally gated state forest roads were opened for the late fall and early winter seasons to provide easy access to often remote areas. As much as 3,100 miles had been open to hunters, but openings and closing are at the discretion of local forestry officials. Hunters are urged to check with forest district offices about specific roads.

Several parks still have winter cabin rentals available. Cabin reservations can be made by calling the toll-free information and reservation phone number, 1-888-PA-PARKS (1-888-727-2757). Operators staff the number Monday through Saturday from 7 a.m. to 5 p.m.

For information on ice and snow conditions, or winter festivals at state parks and forests, visitors also may call the nearest state park or state forest district office.

Source: PA DCNR