

Conservation Committee Report

Volume 12 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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Radon is the second leading cause of lung cancer in the U.S.

Act now to reduce risk

Although testing for radon is easy and inexpensive, 80 percent of the homes in the U.S. have not been tested. Radon is a colorless, odorless, tasteless gas that EPA has reported as causing 20,000 lung cancer deaths nationwide every year.

Radon is the second leading cause of lung cancer, after cigarette smoking. January is the best time to test for radon now that doors and windows are all tightly closed.

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Quigley: DCNR Does Not Have Resources To Police State Forest Drilling

Quigley: DCNR Does Not Have Resources To Police State Forest Drilling



Department of Conservation and Natural Resources Acting Secretary John Quigley told the Senate Environmental Resources and Energy Committee this

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Radon is the second leading cause of lung cancer in the U.S.
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Now is the time to test and if needed, reduce your exposure to radon. That's why EPA designated January 'radon action month.'

High radon levels have been reported in Virginia. The only way to know if you and your family are at risk from radon is to test your home for radon or have it tested by a certified professional radon tester. For do-it-yourselfers, radon kits can be purchased for \$25 at building supply, hardware and general merchandise stores. A basic test takes 10 minutes to set up and when complete is mailed to a lab for analysis.

If test results are above the EPA recommended action level you need to have the radon level reduced by a certified radon 'mitigator.' Reducing radon is not technically difficult and costs approximately \$800 - \$2,500.

To locate professional radon testers and certified radon 'mitigators' near you by look on the web at either the "National Environmental Health Association" or "National Radon Safety Board" sites. Be sure to ask to see their credentials.

Radon is a radioactive gas produced from the uranium which is in the geological formation under the soil. The amount of radon gas varies depending on the amount of uranium in the formation. The type of soil under the house, the design of the house and the life style or the family living in the house all affect the amount of radon gas that enters a home.

For more info on radon:

EPA's National Radon Hotline, 1-800-438-2474

EPA's radon website <http://www.epa.gov/radon/radontest.html>.

For lists of certified testers and mitigators search the web for the "National Environmental Health Association" and/or "National Radon Safety Board".

EPA's mid-Atlantic region, 1-800-438-2474

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Radon is the second leading cause of lung cancer in the U.S.
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The National Environmental Publications Center, 1-800-490-9198 or <http://www.epa.gov/cinc>. They have “Citizens Guide to Radon” and “Home Buyers and Sellers Guide.”

Editor’s Note: See EPA’s website for free, publically-available graphics about radon and public Service announcements for print, television, and radio at <http://www.epa.gov/radon>.

Source: U.S. EPA

**DCNR Does Not Have Resources To Police State Forest Drilling
(continued)**

week his agency does not have the resources to police State Forest Marcellus Shale natural gas drilling as it ramps up over the next few years.

He said drilling would cover one-third of the State Forest system and involve thousands of new wells and thousands of new miles of collection pipelines and roads that will fragment forestland. He noted Bureau of Forestry staff has effectively been cut in half with the 2009-10 budget cuts.

Acting Secretary Quigley also said budget cuts for 2009-10 have forced his agency to fundamentally change the State Park system from a year-round operation to a seasonal one because of the loss of 700 wage positions. As a result, parks have eliminated maintenance work, environmental education and teacher training programs and reduced hours significantly.

Currently there are 250 wells on State Forest land of which three are active Marcellus Shale natural gas wells. Acting Secretary Quigley said 100 more Marcellus Shale wells are in advanced stages of development so far.

He said DCNR currently leases about 660,000 acres of State Forest land for well drilling, which will increase to over 700,000 when the current year leases are finalized. Quigley said he anticipates going out for a third round of Marcellus Shale leases in the middle of next year once the current second round is completed.

Asked by Sen. Ted Erickson (R-Delaware) about the adequacy of staff to oversee the leases, Acting Secretary Quigley said the agency is now doing an evaluation of staffing needs because it is clear, faced with thousands of new wells and thousands of miles of new collector wells and supporting structures, current staffing will not be adequate to deal with this increased activity.

DCNR is planning a summit next year with the oil and gas industry, Quigley said, to explore ways in which the agency can partner with the industry to develop best management practices and other tools that could reduce the staff needed to police the leases.

Quigley said the scale of Marcellus Shale gas leasing means it would be the "dominate activity for the agency for the next generation." At the same time, he said DCNR is determined to maintain the "gold standard" in regulating the natural gas leases in ways that go beyond what other landowners would do because of concerns about forestland impacts.

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**DCNR Does Not Have Resources To Police State Forest Drilling
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Sen. Lisa Baker (R-Luzerne) asked if county conservation districts or staff from the Department of Environmental Protection could help with overseeing gas well leases. Acting Secretary Quigley said DEP and DCNR have very different missions. DCNR is a land manager and has to deal with the impact on the State Forest system and its wildlife and other resources, he said, while DEP is concerned with water quality and other impacts.

Quigley expressed concern about the extent of forestland fragmentation that will result from introducing thousands of new miles of natural gas collection lines and roads into State Forests saying they will have to find new and creative ways to manage these impacts.

Sen. Andrew Dinniman (D-Chester) said DCNR should look for other innovative ways to fund its lease oversight activities because he felt support was not coming through the state General Fund. He said he was disappointed Gov. Rendell gave up on the idea of a severance tax on natural gas production for this year because he thought that might be part of the solution.

In response to a question by Sen. Elder Vogel (R-Beaver), Acting Secretary Quigley said he has enough funding from the Oil and Gas Fund to keep State Parks open, with reduced services, for this fiscal year. Left unsaid was whether that same commitment can be made for next year.

Quigley also noted his agency is much more dependent on funding day to day operations from the Oil and Gas Fund than ever before, and not only to help keep State Parks open. He said with the collapse of the timber markets last year, the Bureau of Forestry ran out of money this past March and all of its operational costs had to be taken from the Oil and Gas Fund to finish the fiscal year. He said things do not look much better for next year.

Sen. Mary Jo White (R-Venango) asked Quigley if he was aware the four Caucuses and Gov. Rendell have agreed to take another \$180 million from the Oil and Gas Fund to help balance the 2010-11 state budget. He replied he was not.

Over the last two budgets, \$60 million will be taken from the Oil and Gas Fund to balance the 2009-10 budget and the \$143 million was taken from the Fund to balance the 2008-09 budget. (*11/23/09 Pa Environment Digest*)

A copy of Quigley's prepared remarks is available online. Video of the full December 15 hearing is also available at the Senate Environmental Resources and Energy Committee webpage.

Sen. Mary Jo White (R-Venango) serves as Majority Chair of the Committee and Sen. Ray Musto (D-Luzerne) serves as Minority Chair.

Source: Pa Environment Digest

Milestone Project Demonstrates Innovative Mercury Emissions Reduction Technology

TOXECON Process Developed by NETL Could Help Coal Plants Comply with Stringent Requirements

An innovative technology that could potentially help some coal-based power generation facilities comply with anticipated new mercury emissions standards was successfully demonstrated in a recently concluded milestone project at a Michigan power plant.

Under a cooperative agreement with the U.S. Department of Energy's (DOE's) National Energy Technology Laboratory (NETL), WE Energies demonstrated the TOXECON(TM) process in a \$52.9million project at the Presque Isle Power Plant in Marquette, Mich. TOXECON is a relatively cost-effective option for achieving significant reductions in mercury emissions and increasing the collection efficiency of particulate matter while maximizing the use of coal combustion by-products.

The technology, which resulted from NETL research and was patented by the Electric Power Research Institute (EPRI), involves the injection of sorbents between an existing particulate control device, such as an electrostatic precipitator, and a pulsed-jet baghouse, capturing pollutants before they are emitted into the atmosphere.

The sorbents collect in the baghouse along with the small amount of fly ash that escapes the primary particulate control. The baghouse provides excellent contact between gas and sorbent which results in high mercury-removal efficiency since the flue gas must pass through the dust cake of ash and sorbent on the bags in the baghouse. This configuration segregates the ash collected in the primary particulate control device (the precipitator) from the baghouse ash/sorbent mixture, enabling the ash collected in the primary particulate control device to continue to be sold for use in making concrete. Aside from the environmental benefits of recycling, fly ash is a vital ingredient in improving the performance of a wide range of concrete products; more than 12million tons of coal fly ash are used annually in concrete products in the United States.

During the 3-year demonstration period, the TOXECON technology removed more than 90 percent of the mercury contained in the flue gas from three 90-megawatt units firing subbituminous Powder River Basin coal. Annually, the process is expected to capture 97 pounds of mercury and 250 tons of particulate matter at the Presque Isle plant.

The U.S. Environmental Protection Agency has indicated its intent to regulate mercury emissions from the Nation's coal-based power plants. TOXECON technology will provide an approach for segments of the power-generating industry, especially those using western subbituminous coal, to achieve timely compliance with future mercury regulations. NETL says the process has application to an estimated 167 gigawatts of existing coal-fired capacity.

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Innovative Mercury Emissions Reduction Technology

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The technology is particularly important to the state of Michigan, which recently promulgated rules to reduce mercury emissions to protect its environment and, specifically, its inland lakes. The new rules require the state's power plants to reduce mercury emissions by 90 percent by 2015.

The successful demonstration of the process, which received an R&D 100 Award as one of the 100 most significant new technologies of 2003, puts it in the position of being a leading mercury-control choice for western coals, especially in units that use a "hot-side" electrostatic precipitator located upstream of the power plant's air preheater.

The project was part of DOE's Clean Coal Power Initiative, a cost-shared collaboration between the Federal Government and private industry to increase investment in low-emission coal technology by demonstrating advanced coal-based power generation technologies prior to commercial deployment.

The project was administered by DOE's Office of Fossil Energy and NETL. WE Energies managed the project. Among We Energies' team members, ADA-ES conducted the test program, Cummins & Barnard provided architectural and engineering services, Wheelabrator Air Pollution Control Inc. provided baghouse design and installation support, and EPRI served as technical advisor.

Source: U.S. DOE

House Committee Sets New Precedent For Opting Out Of Environmental Programs

The House Local Government Committee set a major new precedent for an environmental program this week by amending House Bill 1390 (Freeman-D-Lehigh) to, for the first time, eliminate a mandate for environmental improvements if the state does not appropriate matching funding to local governments.

The bill would require counties and municipalities to develop integrated water resources plans to help address stormwater management issues. The amendment would allow the Department of Environmental Protection to indefinitely extend the deadline for complying with the requirement if the state does not provide funding for 75 percent of the cost.

Local government groups opposed the bill saying it was an unfunded mandate on counties and local governments. They pointed to this year's state budget, which eliminated stormwater funding entirely as support for their position.

Rep. Robert Freeman (D-Lehigh), Majority Chair of the Committee, said current law does not sufficiently address the needs of storm water management in the Commonwealth. Additional provisions are needed to provide a more comprehensive approach that is watershed based, addresses long standing remedial problems, and provides local governments with more authority to implement storm water plans.

The legislation would also permit the establishment of integrated water resources plans.

"Stormwater problems have increased over the years, particularly in high growth areas where increased sprawl development creates more impervious surfaces, paves over natural absorption areas, and results in more frequent and intensive flooding," Rep. Freeman observed. "The current Storm Water Act, Act 167 of 1978, has proven to be woefully inadequate at addressing storm water management needs."

Rep. Freeman said his bill would address some of the limitations in the current law. In addition to providing more comprehensive storm water planning and management, the measure would help to restore, protect and maintain water quality and quantity in the Commonwealth.

It would also enable municipalities and counties to work together to implement integrated water resources management plans within the watershed. Additionally, it would allow for the creation of water resources management authorities to better regulate, manage, operate and maintain facilities and storm water infrastructure that can effectively deal with storm water runoff or water resources within the watershed.

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House Committee Sets New Precedent For Opting Out Of Environmental Programs (continued)

“This legislation will also seek to address current and past storm water problems” Rep. Freeman said. “It will provide for the preparation and implementation of remedial plans which will help provide some relief for current and past problems.

“Poorly managed storm water leads to severe flooding that causes millions of dollars in property damage and extensive environmental degradation. We need to develop and implement comprehensive storm water plans to reduce flooding and to ensure the protection of the Commonwealth’s water resources. In order to do this, we must take a regional and integrated approach to dealing with storm water. Storm water runoff does not follow municipal boundaries. A localized or fragmented approach will never solve this ongoing problem. It takes cooperation and a comprehensive regional perspective to best manage storm water runoff.”

The bill was then referred to the House Appropriations Committee.

Source: Pa Environment Digest

EPA Strengthens Smog Standard

Proposed standards, strictest to date, will protect the health of all Americans, especially children

The United States Environmental Protection Agency today proposed the strictest health standards to date for smog. Smog, also known as ground-level ozone, is linked to a number of serious health problems, ranging from aggravation of asthma to increased risk of premature death in people with heart or lung disease. Ozone can even harm healthy people who work and play outdoors. The agency is proposing to replace the standards set by the previous administration, which many believe were not protective enough of human health.

“EPA is stepping up to protect Americans from one of the most persistent and widespread pollutants we face. Smog in the air we breathe poses a very serious health threat, especially to children and individuals suffering from asthma and lung disease. It dirties our air, clouds our cities, and drives up our health care costs across the country,” said EPA Administrator Lisa P. Jackson. “Using the best science to strengthen these standards is a long overdue action that will help millions of Americans breathe easier and live healthier.”

The agency is proposing to set the “primary” standard, which protects public health, at a level between 0.060 and 0.070 parts per million (ppm) measured over eight hours. Children are at the greatest risk from ozone, because their lungs are still developing, they are most likely to be active outdoors, and they are more likely than adults to have asthma. Adults with asthma or other lung diseases, and older adults are also sensitive to ozone.

EPA is also proposing to set a separate “secondary” standard to protect the environment, especially plants and trees. This seasonal standard is designed to protect plants and trees from damage occurring from repeated ozone exposure, which can reduce tree growth, damage leaves, and increase susceptibility to disease.

In September 2009 Administrator Jackson announced that EPA would reconsider the existing ozone standards, set at 0.075 ppm in March 2008. As part of its reconsideration, EPA conducted a review of the science that guided the 2008 decision, including more than 1,700 scientific studies and public comments from the 2008 rulemaking process. EPA also reviewed the findings of the independent Clean Air Scientific Advisory Committee, which recommended standards in the ranges proposed today.

Depending on the level of the final standard, the proposal would yield health benefits between \$13 billion and \$100 billion. This proposal would help reduce premature deaths, aggravated asthma, bronchitis cases, hospital and emergency room visits and days when people miss work or school because of ozone-related symptoms. Estimated costs of implementing this proposal range from \$19 billion to \$90 billion.

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EPA Strengthens Smog Standard
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Ground-level ozone forms when emissions from industrial facilities, power plants, landfills and motor vehicles react in the sun.

EPA will take public comment for 60 days after the proposed rule is published in the Federal Register. The agency will hold three public hearings on the proposal: Feb. 2, 2010 in Arlington, Va. and in Houston; and Feb. 4, 2010 in Sacramento.

More information: <http://www.epa.gov/groundlevelozone>

Source: U.S. EPA