

Conservation Committee Report

Volume 21 Issue 6

Jack Walters—Conservation Chairman

October—November 2019



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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Pennsylvania Announces Funding Availability to Boost Economic Development Projects at Abandoned Mine Land Sites

The Pennsylvania Department of Environmental Protection (DEP) is now accepting applications for funding for environmental cleanup projects focused on economic development or community revitalization project proposals at abandoned mine land (AML) locations across Pennsylvania.

“The funding provides opportunities to transform abandoned mine lands, creating economic opportunity, and transitioning our coal communities to a new and brighter future,” said DEP Secretary Patrick McDonnell. “I strongly encourage anyone planning a project that includes developing or revitalizing

abandoned mine land to consider applying for this program.”

Federally funded through DEP's Abandoned Mine Land Reclamation Economic Development Pilot Program, \$25 million in grant funding is available for

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Wolf Administration Announces New Food Recovery Infrastructure Grant Program

Grant applications are now being accepted for the Pennsylvania Department of Environmental Protection's (DEP) new Food Recovery Infrastructure Grant Program, which will provide assistance to eligible nonprofit organizations such

as shelters and food banks for proper food management.

“Access to fresh food in underserved communities is a public health and quality of life issue, but it's also an environmental justice issue. While travel-

ing across the state, my staff and I often hear from underserved communities that access to fresh food is a significant concern, so we wanted to do our part to address this issue in a meaningful, environmentally

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Pennsylvania Announces Funding Availability to Boost Economic Development Projects at Abandoned Mine Land Sites (continued)

the reclamation of abandoned mine lands in conjunction with economic and community development reuse goals.

Since 2016, 42 projects have received a total of \$80 million in funding through this program. Last year, DEP [approved](#) \$25 million in funding for seven projects.

The cleanup of abandoned mines is a priority of the Wolf Administration and has been included in the [Restore Pennsylvania](#) initiative, a statewide plan to aggressively address the commonwealth's vital infrastructure needs. Funded through a commonsense severance tax, Restore Pennsylvania is the only plan that would help make Pennsylvania a leader in the 21st century.

DEP's Bureau of Abandoned Mine Reclamation can assist in determining eligible sites. To discuss a particular project involving land reclamation or to get assistance determining a project's eligibility, contact either Patrick Webb for projects located in western Pennsylvania (Bituminous Region) at pawebb@pa.gov, 814-472-1830, or Bernie Walko for projects located in eastern Pennsylvania (Anthracite Region) at bwalko@pa.gov, 570-830-3178. To discuss a particular project involving abandoned mine drainage (AMD) treatment or abatement, contact either Dave Leiford for AMD-related projects located in western Pennsylvania (Bituminous Region) at dleiford@pa.gov, 814-472-1886, or Todd Wood for AMD-related projects located in eastern Pennsylvania (Anthracite Region) at twood@pa.gov, 570-830-3171.

Applications will be accepted until 4:00 PM on Friday, January 31, 2020. View the project proposal form and the guidelines on [DEP's Abandoned Mine Land Pilot Program site](#).

Source: The Pennsylvania Department of Environmental Protection (DEP)

focused way,” said DEP Secretary Patrick McDonnell. “Nonprofit organizations such as food banks, soup kitchens, and shelters provide critical sustenance to those in need, so it’s critical that the food they provide is properly transported and stored.”

“Our agriculture community and charitable food network work together every day to keep Pennsylvanians from going hungry,” Agriculture Secretary Russell Redding said. “These grants will supplement their generosity and help ensure that food donations get safely to those who need them.”

Funded through the state’s Recycling Fund, grants of up to \$200,000 [are available](#) to eligible nonprofit organizations to purchase equipment like refrigerators, freezers, refrigerant vehicles, and more to use food before it becomes waste for disposal.

“Protecting food and preventing food waste is also an important way to reduce landfill waste and address climate change, as rotting food produces methane, a strong greenhouse gas,” McDonnell said. “This funding will help nonprofits afford the necessary equipment to transport and maintain food items so that they can not only continue their efforts to help those in need but also reduce and prevent food waste.”

Reducing food waste is a priority in DEP’s [Climate Action Plan](#). In addition to releasing greenhouse gases, food waste represents a significant portion of landfill waste. The Environmental Protection Agency (EPA) [estimates](#) that in 2015, of the 39.7 million tons of food waste that was generated nationwide, three quarters – or 30.3 million tons – of food waste went to landfills, representing nearly a quarter of all solid waste landfilled.

Interested organizations are first required to meet with their [DEP Regional Planning and Recycling Coordinator](#) to apply. The grant application deadline is April 24, 2020.

For more information about the grant program, visit [DEP’s Recycling Financial Assistance webpage](#), download our [Food Infrastructure Grant Application Information Sheet](#), or contact Mark Vottero, grant coordinator for DEP’s Division of Waste Minimization and Planning, at 717-787-7382 or mvottero@pa.gov.

Source: Pennsylvania Department of Environmental Protection’s (DEP)

EPA settlement with Chambersburg chemical manufacturer enforces pesticide safeguards

AFCO C&S, LLC, a chemical manufacturer in Chambersburg, Pennsylvania, will pay a \$1,489,000 penalty to settle alleged violations of federal pesticide regulations involving 12 products used in the cleaning and sanitizing of food and beverage processing facilities, the U.S. Environmental Protection Agency announced.

EPA cited AFCO for violating the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), a federal law requiring the registration of pesticide products and pesticide production facilities, and the proper labeling of pesticides. FIFRA's requirements protect public health and the environment by ensuring the safe production, handling and application of pesticides; and by preventing false, misleading, or unverifiable product claims.

"The goal of this regulation is to promote the appropriate use of pesticides and to minimize the risks from their use to the public, pesticide applicators, and the environment," **said EPA Mid-Atlantic Regional Administrator Cosmo Servidio**. "This settlement protects public health and the environment by ensuring that products are properly reviewed and labeled with accurate information about human health and environmental risks."

The alleged violations involved the sale and/or distribution of 10 unregistered pesticide products as well as a misbranded product and a product with claims beyond its FIFRA registration. AFCO distributed these cleaning and sanitizing products to facilities such as dairy and meat processing plants, food production factories, commercial bakeries, and breweries, where they were used without EPA reviewing product claims and health and environmental risks.

This settlement, which follows a Stop Sale, Use or Removal Order issued on July 13, 2018, resolves all violations including sales and distributions that violated the removal order. AFCO has since discontinued sales and U.S. Environmental Protection Agency distributions of all of these products with the exception of one registered product.

As part of the settlement, the company did not admit liability for the alleged violations, but has certified that it is now in compliance with relevant requirements.

For more information about EPA's pesticide program, visit <http://www.epa.gov/pesticides/>

Source: U.S. Environmental Protection Agency

DEP Postpones Public Hearing Regarding Proposed Windmill Project in Carbon County

The Pennsylvania Department of Environmental Protection (DEP) has postponed the public hearing regarding the Broad Mountain Wind Project in Carbon County due to ongoing construction at Weatherly Area Elementary/Middle School, the original location. DEP is working to secure another date and location for the hearing.

The hearing was to take testimony regarding Broad Mountain Power, LLC's application for a National Pollutant Discharge and Elimination System (NPDES) permit to construct 21 windmills on Broad Mountain in Nesquehoning Borough and Packer Township. The NPDES permit is required for stormwater discharges associated with the proposed construction activities.

DEP will announce a new public hearing at a later date. Public comments will continue to be accepted and a new deadline for written comment will be determined when the date of the public hearing is set. To submit written comment, contact Colleen Connolly, Community Relations Coordinator, at coconnolly@pa.gov or call the DEP Northeast Regional Office at 570-826-2035.

Source: The Pennsylvania Department of Environmental Protection (DEP)

DEP Reaches \$650,000 Settlement with Greene County Gas Storage Field Operator for Violations of the Oil and Gas Act

The Pennsylvania Department of Environmental Protection (DEP) has executed a [Consent Order and Agreement](#) (COA) with [Equitrans Midstream Corporation](#) (Equitrans) for violations regarding the operator's Swarts gas storage reservoir ("Swarts Field") located in Greene County.

Gas storage fields are comprised of subsurface geological formations into which natural gas is pumped and stored under pressure.

"Throughout modern history, Greene County has been an epicenter of all manner of energy development, and that activity means that operators' adherence to Pennsylvania's laws and regulations is imperative from both an environmental and safety perspective," said DEP Secretary Patrick McDonnell.

The COA provides a schedule for Equitrans to complete the location and identification of oil and gas wells, and to submit a verified statement for the entire Swarts Field and protective area that is overlain by the Harvey Mine's B District. [The mine is operated by Consol Coal Resources, L.P. (CONSOL).] Equitrans must also perform necessary well plugging or reconditioning. Importantly, the COA details specific information that should be provided in a verified statement. This critical provision in Pennsylvania's laws ensures that gas storage operators have used every reasonable mechanism to identify wells and address them in advance of underground coal mining, thus ensuring miner and public safety. DEP intends to use this template in a forthcoming technical guidance document for all storage reservoir operators with assets in areas of underground coal mining. Equitrans has also agreed to pay a \$650,000 civil penalty to DEP.

The Oil and Gas Act of 2012 outlines [obligations pertaining to storage field operators](#) and contains specific provisions that apply to operators whose storage fields are proximal to an operating underground coal mine. Under the Oil and Gas Act, storage field operators are required to locate and, in certain instances, plug or recondition wells, that have been or may have been drilled into or through the storage stratum to prevent the escape of gas from the storage field. These wells may include storage (withdrawal/injection), observation, production, plugged, orphan, and/or abandoned wells, many of which may predate permitting and/or registration with DEP and may be unknown to the department. These requirements protect the public in general, and specifically protect coal mine workers. A release of storage field gas into a mine would pose a risk of asphyxiation or explosion in the mine

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DEP Reaches \$650,000 Settlement with Greene County Gas Storage Field Operator for Violations of the Oil and Gas Act

(continued)

A portion of the Harvey Mine overlies Equitrans' Swarts Field and Hunter's Cave storage reservoir and the 2,000-foot protective boundary around each field.

As early as June 2013, Equitrans was made aware by CONSOL that the mine operator planned or had conducted coal extraction activities in the Pittsburgh Coal Seam within 2,000 feet of the Swarts Field.

Equitrans was obligated to submit a verified statement that includes maps, an explanation of the operator's due diligence in complying with state law, any additional efforts the operator is making and intends to make to locate wells, and any wells it intends to plug or recondition. While Equitrans provided information to DEP at various times since passage of the Oil and Gas Act, it did not provide a verified statement pursuant to the Oil & Gas Act.

On December 26, 2018, DEP issued an administrative order to Equitrans demanding the required information regarding wells that have or may have been drilled into the Swarts Field's storage horizon and other information. The order would have required Equitrans to depressurize the field if the requested information was not provided. Equitrans appealed the order to the Environmental Hearing Board on January 25, 2019. Equitrans has agreed to withdraw its appeal following the execution of this COA.

DEP took steps, some directly under provisions in the Oil & Gas Act, to ensure that Equitrans and CONSOL would gather and to submit to DEP information necessary to protect the safety of miners. In March 2019, DEP approved a mining plan to protect miners if pressures in the storage field increased above 250 pounds per square inch (psi). CONSOL agreed to notify and train its personnel and implement additional safety precautions for the miners. CONSOL began active development mining of the Harvey Mine's 5B panel that overlies the Swarts Field on March 2019.

Since issuance of the order, Equitrans and CONSOL submitted information, jointly and separately, at various times to DEP. However, that information did not fully comply with the order or the Oil & Gas Act. Equitrans has not completed the final identification and location of wells that may have been drilled into the area overlying the Swarts Field outside the panel currently being mined (5B).

On October 18, 2019, Equitrans submitted a verified statement covering the portion of the Swarts Field overlying the Harvey Mine's 5B panel and surrounding area, the initial area of mining in the Harvey Mine's B District.

Source: The Pennsylvania Department of Environmental Protection (DEP)

EPA Backs Pennsylvania's Water Infrastructure Plans

The U.S. Environmental Protection Agency announced it has approved and helped fund Pennsylvania's plans for nearly \$200 million in water infrastructure projects that includes \$40.7 million for drinking water infrastructure and \$159 million for wastewater treatment infrastructure.

Pennsylvania's intended use plan for drinking water includes a \$33.9 million grant from EPA's Drinking Water State Revolving Fund (DWSRF), and Pennsylvania's intended use plan for wastewater treatment projects includes a \$62.9 million grant from EPA's Clean Water State Revolving Fund (CWSRF).

"The revolving fund program is essential to providing all Americans the clean and safe water they deserve," said EPA Mid-Atlantic Regional Administrator Cosmo Servidio. "EPA is proud to support Pennsylvania's plans and remains committed to helping communities with infrastructure improvements that protect their water resources."

The DWSRF program provides low interest loans for the construction of drinking water treatment facilities and other projects vital to help ensure clean drinking water and to achieve the health objectives of the Safe Drinking Water Act.

The CWSRF program provides low interest loans for the construction of stormwater and wastewater treatment facilities and other projects vital to protecting and improving water quality in rivers, lakes and streams for drinking water, recreation and natural habitat.

The loans help communities keep water and sewer rates more affordable while addressing local water quality problems.

Along with the EPA grants, Pennsylvania's plans are supported by \$19.4 million in matching grants from the state, repayments from prior revolving fund loans, and interest earnings on revolving fund investments.

Some of the projects targeted for funding include:

\$24.8 million to the Pittsburgh Water and Sewer Authority to help replace about seven miles of lead service lines.

\$5.5 million to Springdale Borough, Allegheny County to upgrade its water treatment plant and replace about two miles of aged water distribution lines.

\$5.7 million to the City of Chester for green infrastructure projects to help to reduce stormwater runoff.

\$10 million to Shenango Township, Lawrence County to extend the sewage collection system to areas where septic systems have failed, which caused untreated wastewater to enter local waterways.

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EPA Backs Pennsylvania's Water Infrastructure Plans (continued)

\$5.2 million to the City of Johnstown to rehabilitate its sewer system to reduce the flow of untreated sewage to local waterways during wet weather events.

\$35.7 million to the Borough of Rochester, Beaver County to upgrade its sewage treatment plant and pump stations to reduce the flow of untreated sewage to local waterways during wet weather events.

\$3.6 million to the Cambria County to construct new sewer infrastructure for 148 residences in Middle Taylor Township where septic systems have malfunctioned.

\$8.8 million to Elizabeth Borough, Allegheny County to replace a pump station that will increase capacity during storms and reduce untreated sewage from entering waterways.

\$2 million to the Greenfield Township Sewer Authority in Lackawanna County for upgrades to its 30-year-old wastewater treatment plant.

\$4.6 million to Montgomery County for the construction of a sewer collection system to serve the Village of Morwood and other nearby neighborhoods that have been plagued with failing septic systems.

\$12.6 million to North East Borough, Erie County to install a new outfall and thus, improve water quality within the Sixteen Mile Creek.

For more information on the DWSRF, visit: <https://www.epa.gov/drinkingwatersrf> . For more information on CWSRF, visit: <https://www.epa.gov/cwsrf>. To learn about projects that will be receiving funding, visit:

<https://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/State-Revolving-Fund.aspx>

More information can also be found at: <https://www.pennvest.pa.gov/Pages/default.aspx>

Source: The U.S. Environmental Protection Agency

EPA offers compliance assistance to community water treatment facilities

The U.S. Environmental Protection Agency Mid-Atlantic Region is offering free compliance assistance to smaller water and wastewater treatment facilities in five states and the District of Columbia to help improve water quality protection throughout the mid-Atlantic.

“EPA is providing valuable technical assistance and training to operators of smaller public and private treatment facilities to help bring them into compliance with water quality standards set forth in the Clean Water Act,” said EPA Mid-Atlantic Regional Administrator Cosmo Servidio. “This will ultimately lead to improved operating facilities and cleaner waterways throughout the mid-Atlantic region.”

States included in the project are Pennsylvania, Delaware, Maryland, Virginia, West Virginia and the District of Columbia.

Plants that optimize their treatment performance often experience costs savings through reduced energy and chemical treatment usage. EPA is also working with state partners and other technical assistance providers to increase the number of facilities reached through this effort.

EPA has already had success in assisting smaller communities including Adamstown Borough, in Lancaster County, Pennsylvania where technical assistance and training from EPA and the Pennsylvania Department of Environmental Protection led to a 40 % reduction in electrical costs. EPA continues to work with Adamstown on new technologies to remove total nitrogen from water.

The Region will be offering two training sessions in November, including a Wastewater Exam Preparation Course on November 7 in Wilkes Barre, Pennsylvania and a Process Control Course on December 12 in Cumberland, Maryland.

Facilities and system operators that are seeking compliance assistance and training opportunities can contact Walter Higgins of the Water Division’s Infrastructure and Assistance Section at 215-814-5476 or higgins.walter@epa.gov.

Source: The U.S. Environmental Protection Agency

EPA selects Auberle for \$200,000 grant to support more environmental job training in Southwestern Pa.

Designates total of \$5.1 million for job training nationwide

The U.S. Environmental Protection Agency awarded a \$200,000 Brownfields grant to the non-profit organization Auberle based in McKeesport, Pennsylvania.

It is one of 26 organizations nationwide to receive a total of \$5.1 million in grants for environmental job training programs. Funded through the agency's successful Environmental Workforce Development and Job Training Program, these grants help to create a skilled workforce in communities where EPA brownfields assessment and cleanup activities are taking place.

"EPA is proud to support Auberle's environmental job training program in Southwestern Pennsylvania." **said EPA Mid-Atlantic Regional Administrator Cosmo Servidio.** "Auberle operates a highly respected and award-winning workforce development program with a strong network of partners to help graduates attain important jobs in the environmental field."

In 2016, Auberle completed its first EPA job training grant and placed 34 graduates in environmental jobs and leveraging more than \$35,000 to support the program. Auberle, has 102 employing partners and 89 referral agencies throughout the region. With this new grant, Auberle plans to place an additional 35 graduates in environmental jobs.

Since EPA's Job Training Program began in 1998, more than 288 grants have been awarded. More than 18,000 individuals have completed training, and of those, more than 13,679 individuals have been placed in full-time employment earning an average starting wage of more than \$14 an hour. Rather than filling local jobs with contractors from distant cities, EPA created its environmental job training program to offer residents of communities historically affected by environmental pollution, economic disinvestment, and brownfields an opportunity to gain the skills and certifications needed to secure local environmental work in their communities.

All 26 selected programs plan to serve communities with census tracts designated as federal Opportunity Zones – an economically-distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment.

For more information on all 26 job training grantees awarded today, please visit:

https://cfpub.epa.gov/bf_factsheets/index.cfm?grant_type_id=1003&grant_announcement_year=2018

Background

EPA's Job Training Program awards competitive grants to nonprofit organizations and other eligible entities to recruit, train, and place unemployed and underemployed individuals. Individuals completing these training programs have often overcome a variety of barriers to employment. Many are from low-income neighborhoods. The training programs also serve minorities, tribal members, transitioning veterans, dislocated workers who have lost their jobs as a result of manufacturing plant closures, and other individuals who may face barriers to employment.

For more information on this, and other types of Brownfields grants, please visit: <https://www.epa.gov/brownfields/types-brownfields-grant-funding>

Source: The U.S. Environmental Protection Agency

EPA selects Earth Conservancy for \$200,000 grant to support more environmental job training in Ashley, Pa.

Designates total of \$5.1 million for job training nationwide

The U.S Environmental Protection Agency awarded a \$200,000 Brownfields grant on Oct. 24, to the non-profit organization Earth Conservancy in Ashley, Pennsylvania.

The Earth Conservancy is one of 26 organizations nationwide to receive a total of \$5.1 million in grants for environmental job training programs. Funded through the agency's successful Environmental Workforce Development and Job Training Program, these grants will help to create a skilled workforce in communities where EPA brownfields assessment and cleanup activities are taking place.

In coordination with Penn State University Wilkes-Barre, Earth Conservancy plans to train and place at least 33 of 50 participants in environmental jobs. This training will build on the successful program they developed under its first EPA jobs training grant that was recognized with Pennsylvania Governor's 2019 Award for Environmental Excellence.

"EPA is proud to support Earth Conservancy's environmental job training program where formerly unemployed, or underemployed residents can gain new and valuable skills to work on brownfields projects," **said Cosmo Servidio, EPA Mid-Atlantic Regional Administrator.** "Earth Conservancy has already reclaimed thousands of acres of mine-scarred lands. Additional environmental cleanup is underway and program graduates will have the skills that local companies need."

The job training program has provided economic and environmental benefits in Luzerne County. It has also raised awareness of the challenges related to abandoned mine lands.

EPA has also previously awarded the Earth Conservancy eight EPA Brownfields cleanup grants totaling \$3.9 million to cleanup more than 15,000 acres of mine scarred land. This summer in Scranton, Regional Administrator Servidio announced an EPA Brownfields Cleanup grant for \$500,000. Earth Conservancy's job training grantees learn skills to perform Brownfields cleanup work for the site.

Since the program began in 1998, EPA has awarded 288 Environmental Workforce and Job Training grants to disadvantaged communities. More than 18,000 individuals have completed training, and of those, more than 13,679 individuals have been placed in full-time employment earning an average starting wage of more than \$14 an hour. Rather than filling local jobs with contractors from distant cities, EPA created its environmental job training program to offer residents of communities historically affected by environmental pollution, economic disinvestment, and brownfields an opportunity to gain the skills and certifications needed to secure local environmental work in their communities.

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For more information on this, and other types of Brownfields grants, please visit: <https://www.epa.gov/brownfields/types-brownfields-grant-funding>

Source: The U.S Environmental Protection Agency

EPA settles Clean Air Act violations at ARG refinery in Bradford, Pa.

The U.S. Environmental Protection Agency announced it has settled alleged Clean Air Act violations by American Refining Group, Inc. (ARG) at ARG's petroleum refinery in Bradford, Pennsylvania.

In an administrative consent agreement, ARG has agreed to pay a \$350,000 penalty along with \$4.5 million in equipment improvements that were completed prior to the final settlement. These improvements will dramatically reduce air emissions from the facility.

EPA cited ARG for several violations, including noncompliance with several terms of the refinery's operating permit that was issued by the Pennsylvania Department of Environmental Protection. The alleged violations include:

- Failure to install a fuel gas recovery unit within the required compliance period;
- Exceedances of nitrogen oxide and particulate matter (NOx) emission limits;
- Failure to properly operate an emission-reducing flare;
- Failure to comply with equipment leak detection and repair (LDAR) safeguards;
- Failure to comply with performance requirements for petroleum storage vessels;
- Failure to comply with national emission standards for hazardous air pollutants for industrial boilers.

This settlement takes into account ARG's prior compliance efforts -- including the replacement of a coal-fired boiler and an associated fuel gas recovery system. The new boiler -- costing an estimated \$4.5 million -- may reduce sulfur dioxide emissions by 567 tons per year and emissions of particulate matter by 9 tons per year.

As part of the settlement, ARG has certified that it is now in compliance with Clean Air Act requirements.

Source: The U.S. Environmental Protection Agency