EPA REGION III

Office of Public Affairs

PM Headlines

Monday, April 30, 2012

*** PM HOT LIST ***

Environmental group cites five power plants

PARKERSBURG NEWS & SENTINEL PARKERSBURG - Five coal-fired power plants in West Virginia have acknowledged groundwater contamination from disposal sites at levels exceeding federal or state standards, an environmental group reported on Friday. According to data submitted to the U.S. Environmental Protection Agency Office of Water and obtained through a Freedom of Information Act by the Environmental Integrity Project, 116 disposal sites at 49 plants across the nation reported the groundwater contamination and at least 28 of those have come to light only recently, including the five in West Virginia, three in Iowa, North Carolina and Texas and two each in Colorado and South Carolina, the organization said.The plants in West Virginia are the Albright Power Station in Preston County, the Kanawha River Plant in Glasgow, the Mount Storm Power Station in Mount Storm, the Mountaineer Plant in New Haven and the the Philip Sporn plant in New Haven. Plants reported exceeding federal or state groundwater standards for pollutants subject to Safe Drinking Water Act or federal health advisory standards, including arsenic, manganese, boron selenium and cadmium.

Sierra Club calls on Rockefeller to stop coal ash amendment

WEST VIRGINIA STATE JOURNAL Sen. Jay Rockefeller is being called on by the West Virginia chapter of the Sierra Club in its fight to kill another West Virginia representative's coal ash provision of the transportation bill. Rep. David McKinley, R-W.Va., had an amendment added to the Republican-led House transportation bill that would prevent the Environmental Protection Agency from regulating coal ash as hazardous waste. The amendment was instead give individual states the charge to regulate coal ash. Rockefeller, a Democratic member of the conference committee appointed to reconcile the House and Senate versions of the transportation bill, said he would not support the amendment.

Proposal would require best septic technology

BALTIMORE-SUN Most new homes in Md. would need more costly systems. The proposal would accomplish by regulation a goal that environmental advocates tried to achieve in 2009 through legislation: to require use of the new technology virtually statewide.The rule, proposed Friday, is another step in the administration's effort to curb nitrogen pollution from septic systems in the watersheds of the Chesapeake and Atlantic coastal bays. It follows the General Assembly's passage this month of the governor's bill setting limits on where large developments using septic systems are permitted. That measure, scaled back by the legislature to reduce the state's direct role in determining the placement of septic systems, did not address the issue of differing septic system technologies. The legislation was nevertheless hailed by environmentalists as a significant victory.

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Jay Sakai, director of the Water Management Administration at the Maryland Department of the Environment, said the proposed regulation expands on a 2009 law requiring the use of "best available technology" septic systems. That law requires such technology to be used in all new and replacement systems installed in critical areas — locations close to the bays or the streams that run into them.

State wants new homes with septic tanks to use pollution-busting system

CAPITAL GAZETTE Nearly all new homes in Maryland built with septic systems must have expensive, pollution-busting technology under a rule proposed by the state on Friday. The goal is to reduce the amount of nitrogen pollution that harms the Chesapeake Bay that comes from new homes built with septic systems instead of using the public sewer system. “Every new septic system adds new nitrogen to the bay,” said Jay Sakai, director of the Water Management Administration at the Maryland Department of the Environment. Conventional septic systems only treat waste for bacteria and pathogens. They don’t reduce nitrogen, which seeps out into the water system and contributes to the growth of oxygen-sucking algae blooms in the water. If current growth rates continue, there could be 120,000 more septic systems installed in Maryland over the next 25 years.

Rising tide in Norfolk Va.

PBS NEWSHOUR When the presidential candidates talk about the long-term economic security of the US, they often talk about the national debt, the viability of Medicare and Social Security, and the rise of China. But there’s another issue that could have major implications for the nation’s economy, and it’s barely mentioned at all: the soaring costs America might face in generations to come from climate change. More specifically, the very damaging and very costly effects of sea level rise. According to recent research put out by Climate Central, close to four million Americans now live in coastal communities that could see increased flooding caused by sea-level rise. The kind of flooding that was once considered extremely rare could happen more and more often, with devastating economic consequences. The city of Norfolk, Va., is getting an early look at what sea-level rise means for a big coastal community. The city is experiencing sea-level rise earlier than most because not only are the seas around the city going up, but much of the land beneath Norfolk is going down. This one-two punch means the city is seeing today the kind of flooding that many cities could experience down the road if the scientific projections of sea-level rise play out.

Experts disagree on ‘D’ air quality in Lycoming County

WILLIAMSPORT SUN-GAZETTE Lycoming County residents can breathe a little easier, as experts agree that local air quality is slowly improving thanks to measures taken in accordance with the Clean Air Act. What they don't agree on is by how much the air actually has improved. According to a State of the Air 2012 study recently released by the American Lung Association, the state's air quality is the best it has been in the last 12 years. However, Pennsylvania still has some of the most polluted metropolitan areas in the nation. Lycoming County received a "D" grade for high ozone days, meaning the county experienced eight to nine days of high ozone concentration in the three-year period reviewed. Ozone is present in our atmosphere all the time. In the summer months hot, long days and low wind will cause ozone to form at the ground level, where it can cause lung irritation and damage, especially for those who already suffer with breathing difficulties.Dan Spadoni, state Department of Environmental Protection spokesman, disagrees with the findings of the study. "The department is reviewing this report and the methodology that was used by the lung association in assigning grades to each individual county," Spadoni said.S

Navy, EPA Settle Tank Allegations At Va. Facility

ASSOCIATED PRESS (Va.) NORFOLK, Va. (AP) - The U.S. Navy has settled allegations that it violated underground storage tank requirements at a Norfolk facility. The U.S. Environmental Protection Agency says the Navy agreed to pay a $5,855 penalty. An EPA inspection in March 2011 found that three 25,000-gallon underground storage tanks containing diesel fuel at Building NH94 hadn't been tested for corrosion since 2004.

Such testing is required every three years to prevent leaks. The tanks were tested on April 4, 2011 and the Navy certified its compliance with the requirements. The EPA announced the settlement Thursday in a news release.

AEP disputes study linking plants to 32S00 deaths

ASSOCIATED PRESS (AP) TULSA, Okla. — Energy giant American Electric Power is disputing an environmental group's study that finds air pollution from the company's **26 coal-fired plants** caused as many as 3,200 deaths and more than 20,000 asthma attacks last year. The analysis done for the New York-based Natural Resources Defense Council also estimates that the pollution emitted by AEP plants, two of which are in Oklahoma, led to more than 1 million lost work days and lists the economic toll as high as $24 billion in 2011. It accuses the Columbus, Ohio-based electric company of using its wealth to promote laws designed to stop or delay the U.S. Environmental Protection Agency from cleaning up the air. A spokesman for the company expressed skepticism about the accuracy of the study.

*** MORNING HOT LIST ***

State investigating methane in water near Dimock Twp.

SCRANTON TIMES-TRIBUNE (Saturday) State environmental regulators are investigating a possible case of methane migrating into water supplies just north of the 9-square-mile box in Dimock Township where the state halted a gas driller's operations because of methane contamination in 2010. Regulators with the state Department of Environmental Protection emphasized that they have not determined the source of elevated methane discovered in two Susquehanna County water wells and whether it is caused by Marcellus Shale drilling or a natural occurrence of gas in the aquifer. One focus of the investigation is Cabot Oil and Gas Corp.'s Greenwood 1 well, where the company recently squeezed additional cement between steel barriers that are meant to seal off gas and fluids from the aquifer. The work in late March was an effort to stop the problem, DEP spokesman Kevin Sunday said, even though inspectors have not pinpointed the well as the cause. "The next step is to determine the effectiveness of the remediation work and to continue water well sampling," he said. Regulators began investigating the elevated methane levels in August 2010 after a resident complained about water quality. The gas wells being evaluated are less than 400 feet from the northern boundary of a section of Dimock where Cabot's drilling and hydraulic fracturing operations have been on hold since April 2010, when state regulators blamed faulty Cabot wells for allowing shallow methane to channel into 18 private water wells. Cabot disputes the state's findings in that case. The current investigation is separate from the ongoing review of Cabot's wells in the off-limits area. Cabot spokesman George Stark said Friday that the company "always investigates landowners' concerns as they are brought to our attention. Cabot has been working closely with the Department of Environmental Protection on this matter and will continue to do so with the best interest of our landowners in mind." Neither of the two water wells involved in the current investigation has been vented because one well is buried and has not been located and inspections of the other have not found gas trapped in the open space above the water in the well, Sunday said.

Bay cleanup plan has environmental groups at odds

WASHINGTON POST For more than a decade, the Potomac Riverkeeper organization has been that ant that tried to move a rubber tree plant, taking on large corporate polluters in high hopes of one day cleaning the Chesapeake Bay. But recently, in an unlikely twist, the scrappy Potomac Riverkeeper backed away from a fight. Although it believes a controversial part of the Environmental Protection Agency's plan to clean up the bay will actually lead to more pollution, it abandoned a small coalition of environmentalists that had threatened to sue the EPA. "We do not have the resources to get involved with this particular lawsuit," said the group's leader, Ed Merrifield. It was responding to a threat — not from a corporation, its usual foe, but a friend. The Keith Campbell Foundation for the Environment, which has donated millions of dollars to Riverkeeper groups over the years, threatened to withdraw future funding if they sued. Other Riverkeeper groups also dropped legal action. It was a

clear sign that environmental groups have not only squared off against the American Farm Bureau Federation, which has filed a federal lawsuit to stop the largest bay cleanup plan in history, but also each other, in the 16 months since the EPA approved the first state proposals to reduce pollution in the watershed. The stakes are huge. The most ardent backers of the EPA's aggressive new pollution diet — the Choose Clean Water Coalition of 230 groups, the Chesapeake Bay Foundation and the Natural Resources Defense Council — view it as the Chesapeake's last hope.

Editorial: Fact pollution: Again, the lung association clouds the region's air

PITTSBURGH POST GAZETTE The only question about the American Lung Association's dirty air report is, when will the group come clean? Once again it has issued a report on the state of the air, and once again one of the monitors in southwestern Pennsylvania has recorded some of the highest emissions readings in the country for ozone and fine particulate pollution. No surprise there. So why can't the lung association report it that way? Instead, it grossly and inaccurately lets the pollution readings from a single monitor, typically the one in Liberty Borough, not far from U.S. Steel's Clairton Coke Works, represent the air quality of a disparate region -- Allegheny, Beaver, Washington, Westmoreland, Fayette, Butler, Armstrong and Lawrence counties. From New Castle to Uniontown, Slippery Rock to "Little" Washington, Kittanning to Connellsville, Midland to Ligonier, with the city of Pittsburgh in between, the Liberty monitor speaks for you. Yet 14 different monitors in these counties measure particulate and 12 different monitors track ozone, with numbers all over the lot. People have a right to be incensed -- and the lung association obliges every year. It issues a deceptively uniform picture of the region's air that is clouded by data collected from one instrument. This is not advocacy, but fact pollution -- and it's almost criminal. Imagine a Texas business owner thinking about a move to southwestern Pennsylvania. Imagine a Vermont student considering a college in the region. Imagine an Iowa family weighing a job offer in one of these eight counties. If you believe the lung association report, they'll all be inhaling the level of emissions registered in Liberty. Now imagine the coal-fired power industry producing the same kind of report -- except it lets the monitor with the *lowest* recorded emissions speak for the air quality of the region. That report would be bogus in the opposite direction for the same reason.The health group says it applies this shoddy -- our word -- method to every metro region in its report, so all it's doing is comparing apples to apples. But these apples are bad and they're beginning to suggest the credibility of the lung association is rotten.

Coal industry wants activists muted in courts over mine permits

CHARLESTON GAZETTE (Sunday) HUNTINGTON, W.Va. -- Coal industry lawyers are hoping to combine the results of several recent court cases to significantly narrow the ability of citizen groups to block new mountaintop-removal mining permits in federal court. Lawyers for Alpha Natural Resources outlined their strategy last week during a hearing before U.S. District Judge Robert C. Chambers, who is considering citizen group challenges to at least two permits issued by the U.S. Army Corps of Engineers. Shane Harvey, a former Massey Energy Co. general counsel now representing Alpha, argued that a trio of federal court cases leaves Chambers with very little ability to overrule a permit approval from the corps. The rulings -- a district court ruling, an appeals court decision and a U.S. Supreme Court opinion -- show federal judges should "defer to the corps' review" of applications for Clean Water Act "dredge-and-fill" permits, Harvey said in a legal brief. Chambers did not immediately agree, and questioned Harvey in detail about parts of the industry's analysis. Obama administration lawyers, representing the corps at the hearing, also argued a similarly narrow view, saying Chambers should not hear detailed evidence from academic experts working with citizen groups in the case. At issue is a permit the corps granted to Alpha subsidiary Highland Mining for its 635-acre Reylas Surface mine near Ethel in Logan County. The company hopes to employ about 100 people for six years of mining, and then create a 235-acre site with paved roads and utilities that could be used for temporary housing during flooding and other emergencies. The mine, though, would bury about 2.5 miles of streams beneath a valley fill and associated runoff-control structures.

Nutrient Management Commission releases 2011 annual report

DELAWARE CAPE GAZETTE The Delaware Nutrient Management Commission has released its 2011 Annual Report, documenting the progress Delaware farmers and other nutrient handlers have made in reducing nutrient runoff. The report, recently submitted to Gov. Jack Markell and members of the General Assembly, reviews accomplishments for fiscal year 2011, including continued implementation of Concentrated Animal Feeding Operation regulations and the first full year for updated outdoor manure staging and storage regulations. All of Delaware's cropland and nutrient-applied land is managed under nutrient management plans developed by certified consultants. Secretary of Agriculture Ed Kee said the report demonstrates how Delaware farmers and other nutrient handlers have adopted best management practices to help meet the state's goals. "Delaware farmers are committed to surpassing the challenge of excellent environmental stewardship," Kee said. "Our farmers understand that water quality requires good nutrient management, and they are always finding solutions. Their leadership and cooperation have been critical to Delaware's achievements in this area." Those farmers include such environmental leaders as Jesse and Deborah Vanderwende of Greenwood's Locust Grove Farm, and Charles, Mary, Patty and Bill Leager of Greenwood's Wood Edge Farm. The Vanderwende and Leager families were honored earlier this year with the 2011 Environmental Stewardship Awards for their work in reducing nutrient runoff. The Vanderwendes were awarded top honors, and the Leagers were first runners-up. The Environmental Stewardship Awards recognize farmers whose stewardship and farm practices contribute to the conservation of water quality and farmland, including nutrient management, best management practices, farm management, innovation, biodiversity and wildlife habitat management.

Scientists use algae to scrub harbor water

BALTIMORE SUN In their quest to cure Baltimore's ailing harbor, advocates and authorities have tried one gadget after another: floating wetlands, a solar-powered aerator, even a trash wheel. Add now the "algal turf scrubber," a long wooden sluiceway through which harbor water is pumped over a bed of slimy green algae. The gutter, 350 feet long by a foot wide, uses native algae to strip nutrients, suspended sediment and carbon from water and inject oxygen into it before returning it to the harbor..The algae feed on the nutrients in the water pumped down the sluiceway, just as they do in the open waters of the harbor and the Chesapeake Bay. "We call it 'ecological engineering,'" said Patrick Kangas, director of University of Maryland's Algal Ecotechnology Center. "What you see here is basically a controlled algae bloom." The university's scientists have teamed up with the ecological restoration firm Biohabitats Inc. to build and run the scrubber on a fenced-off gravel lot in Fells Point where a chromium ore processing plant once operated. Kangas and colleagues have been experimenting with algae scrubbers for several years, testing them in the Susquehanna River, on the Eastern Shore and in Virginia. The scrubber at Harbor Point is the same one used two years ago at Peach Bottom nuclear power plant on the Susquehanna, where it was estimated it removed 640 pounds of nitrogen and 90 pounds of phosphorus from the water. The device processed heated water discharged from the Pennsylania power plant, inspiring Kangas to suggest that larger algae scrubbers might effectively augment or even replace the cooling towers nuclear plants now use to treat the water with which they cool their reactors. Harbor water has been sloshing down the scrubber's wooden trough since December, drawn from the dead-end canal by the Living Classrooms Foundation's campus on Caroline Street. "We've never done it in a spot like this before," said Kangas, who welcomed the chance to try it there because he hoped it might be able to affect water quality. "Our intention was to to use this site to show we can overturn a 'dead zone.'"

PENNSYLVANIA

PHILADELPHIA INQUIRER

From Early Bird Column: Green Living: There's big energy to be saved in the laundry room Good thing my clothes can't feel anything or talk. If they could, they'd surely berate me. I used to bathe them in nice warm water. These days, they're thrashing about in cold. From my viewpoint, it's all good. Cold water means they don't shrink, they don't fade, I save money by not using hot water, and — more to the point of this column — I'm helping the environment by not using as much electricity. According to most estimates, heating the water accounts for about 80 to 85 percent of the energy consumed by a typical batch of laundry. It's a big number. But so far, most of us seem to be sticking with the mind-set we learned from our mothers: hot for whites, warm for colors, cold just for delicates. According to recent data from Procter & Gamble, only about 30 percent of laundry loads in the United States are done on cold. Things are changing in laundry-land, however, as more and more groups take up the flag for cold water, and detergent manufacturers develop new formulas to work better in cold water. This could be a bigger shift than the return to the clothesline (which probably wasn't very big after all). In February, the Alliance to Save Energy (ASE), a national nonprofit that works to promote energy efficiency, partnered with Procter & Gamble to promote the benefits of cold-water washing. "Energy efficiency doesn't always require huge investments or new equipment," said Alliance president Kateri Callahan. "With just the switch of a dial, cold-water washing is one of the simplest ways to save energy and money and benefit the environment."

From Early Bird Injured bald eagle is a mystery to Pennsylvania wildlife officials The bald eagle was lying on its back in a pool of blood in, of all places, a Broomall parking lot. Joe Simmonds, the maintenance man at Congregation Beth El-Ner Tamid, spotted its dark form as he emptied trash into a Dumpster. He put a traffic cone by the huge bird so no one would run over it, and he called 911. The bird was breathing. It was alive, just barely. Wildlife officials trying to coax it back to health now think the male eagle was beset by a triple dose of misfortune. It has lead poisoning. X-rays showed it has a BB or shotgun pellet lodged in his chest. And it likely had been hit by a car. "We don't know if this bird is going to be OK," said Rick Schubert, director of wildlife rehabilitation at the Schuylkill Center for Environmental Education, where the bird is being treated. "It still hangs in the balance." Simmonds found the eagle nearly two weeks ago, on April 17. Jerry Czech, a wildlife conservation officer with the state Game Commission, got it to the clinic by 10:30 p.m. Schubert was waiting, and he was horrified. "It could not stand up. It was thin. It had blood on its face, on its feathers, in its mouth and in its nose," he said. "It looked like it went 10 rounds with Mike Tyson."

PITTSBURGH POST-GAZETTE

From Early Bird Editorial: Fact pollution: Again, the lung association clouds the region's air The only question about the American Lung Association's dirty air report is, when will the group come clean? Once again it has issued a report on the state of the air, and once again one of the monitors in southwestern Pennsylvania has recorded some of the highest emissions readings in the country for ozone and fine particulate pollution. No surprise there. So why can't the lung association report it that way? Instead, it grossly and inaccurately lets the pollution readings from a single monitor, typically the one in Liberty Borough, not far from U.S. Steel's Clairton Coke Works, represent the air quality of a disparate region -- Allegheny, Beaver, Washington, Westmoreland, Fayette, Butler, Armstrong and Lawrence counties. From New Castle to Uniontown, Slippery Rock to "Little" Washington, Kittanning to Connellsville, Midland to Ligonier, with the city of Pittsburgh in between, the Liberty monitor speaks for you. Yet 14 different monitors in these counties measure particulate and 12 different monitors track ozone, with numbers all over the lot. People have a right to be incensed -- and the lung association obliges every year. It issues a deceptively uniform picture of the region's air that is clouded by data collected from one instrument. This is not advocacy, but fact pollution -- and it's almost criminal. Imagine a Texas business owner thinking about a move to southwestern Pennsylvania. Imagine a Vermont student considering a college in the region. Imagine an Iowa family weighing a job offer in one of these eight counties. If you believe the lung association report, they'll all be inhaling the level of emissions registered in Liberty. Now imagine the coal-fired power industry producing the same kind of report -- except it lets the monitor with the *lowest* recorded emissions speak for the air quality of the region. That report would be bogus in the opposite direction for the same reason.The health group says it applies this shoddy -- our word -- method to every metro region in its report, so all it's doing is comparing apples to apples. But these apples are bad and they're beginning to suggest the credibility of the lung association is rotten.

From Early Bird PG garners national, state, local journalism recognition The work of Pittsburgh Post-Gazette newsroom staffers has been recognized in three more contests at three levels of competition -- national, state and local...First-place winners are: Business writing -- the PG's Marcellus Shale coverage team, which includes Bill Toland, Don Hopey, Jonathan Silver, Janice Crompton, Erich Schwartzel, Elisabeth Ponsot, Andrea Iglar, Matt Kennedy, Laura Schneiderman, Steve Mellon and Sean Hamill. The team's work on a special print section on Marcellus development as well the PG's interactive website on the subject -- Pipeline -- were honored in this category.

From Early Bird W&J College index details U.S. energy consumption Since the administration of President Harry Truman, the nation's dependence on foreign sources of energy has increased by 22 percent. That fact is one of many insights into the country's energy consumption provided by the Washington & Jefferson College Energy Index, which uses an algorithm to determine how much of our energy comes from domestic sources. "This is the first time that anybody has developed a public benchmark for evaluation of energy independence and done it a way that the public understands," said Diana Stares, director of the Center for Energy Policy & Management at Washington & Jefferson College, which will oversee the project.

Anti-fracking group adds claims to surveillance suit Opponents of hydraulic fracturing in Luzerne County can add defamation and conspiracy claims to their suit against the private surveillance company the government allegedly hired to watch them, a federal judge has ruled. The Gas Drilling Awareness Coalition filed suit in 2010 claiming the state's former director of the Pennsylvania Emergency Management Agency's Office of Homeland Security and the Institute of Terrorism Research and Response violated the First and 14th amendments when they watched the group. The 14th Amendment claims were dismissed last year. But this month, U.S. District Judge William W. Caldwell of the Middle District of Pennsylvania granted the group's request to add state law claims for defamation and conspiracy.

ALLENTOWN MORNING CALL

From Early Bird Lawmaker wants to exempt Bucks County from Marcellus Shale law State Sen. Chuck McIlhinney pushes amendment that would exempt county from Marcellus Shale law. A thin layer of 200-million-year-old mud lies thousands of feet beneath the fields, farms and homesteads of Nockamixon Township in upper Bucks County. That ancient mud, laid down in prehistory and dubbed the Lockatong Shale, might have a spot of natural gas locked away in its flaky layers. And that hint of gas has Nockamixon in the throes of a lawsuit challenging the state's Marcellus Shale law, known as Act 13, which regulates the gas industry that's boomed with the use of unconventional techniques like horizontal drilling and hydraulic fracturing, or fracking, of rock to release gas. The law's most controversial provision supersedes local zoning and control of oil and gas operations, which Nockamixon believes is unconstitutional. Thousands of gas wells have been bored across central and western Pennsylvania as oil and gas companies tap enormous deposits in the Marcellus and Utica shale formations, but no one has drilled in Bucks — at least, not yet. A western Pennsylvania company named Turm Oil applied this year to drill in Nockamixon, and some residents and officials fear Act 13 strips them of power to control the gas industry. They worry about heavy truck traffic on narrow roads; the quality of their well water; and the rustic, rural nature of the township. State Sen. Chuck McIlhinney, R-Bucks, hopes to calm those railing against Act 13 by amending the law to exempt counties without "unconventional" gas wells, which he says would keep local zoning control intact in southeastern Pennsylvania.

HARRISBURGH PATRIOT NEWS

From Early Bird Commentary: Hunters, anglers must lead charge to protect Pa. forests I am a lifelong hunter and angler, and Pennsylvania's state forest system has afforded me an extraordinary opportunity to hunt on public lands for grouse, squirrel, turkey, deer and bear, and it's pristine creeks and streams have enabled me to fish for native wild trout. I love our beautiful state forest, its habitat and wildlife. But I fear that these hunting and fishing opportunities are in peril by a state government susceptible to "Marcellus madness" and that my sons (and

grandsons) might never come to know the beauty, bounty and benefit of our marvelous state park and forest system. Our state forest system is composed of 2.2 million acres, 1.5 million acres of which are in the Marcellus Shale region. Oil and gas drilling has occurred in the state forest for decades, and today 700,000 acres are leased for gas drilling, which represents 47 percent of the state forest in the Marcellus region. So why rush to lease the remaining 53 percent of the forest for gas drilling? The lingering national recession has resulted in reduced tax revenue to fund state government programs and operations. The Corbett administration forecasts a $486 million revenue shortfall for this year despite record cuts in state spending. Even with another round of state budget cuts, there remains the stark fiscal fact that additional state revenue is needed to address critical state budget needs. One obvious option to raise needed revenue was to enact a reasonable and fair drilling tax on Marcellus Shale gas and use the revenue to invest in environmental protection and remediation programs, address impacts to local governments, and provide funding for critical state budget needs, especially public education.

SCRANTON TIMES-TRIBUNE

From Early Bird State investigating methane in water near Dimock Twp. State environmental regulators are investigating a possible case of methane migrating into water supplies just north of the 9-square-mile box in Dimock Township where the state halted a gas driller's operations because of methane contamination in 2010. Regulators with the state Department of Environmental Protection emphasized that they have not determined the source of elevated methane discovered in two Susquehanna County water wells and whether it is caused by Marcellus Shale drilling or a natural occurrence of gas in the aquifer. One focus of the investigation is Cabot Oil and Gas Corp.'s Greenwood 1 well, where the company recently squeezed additional cement between steel barriers that are meant to seal off gas and fluids from the aquifer. The work in late March was an effort to stop the problem, DEP spokesman Kevin Sunday said, even though inspectors have not pinpointed the well as the cause. "The next step is to determine the effectiveness of the remediation work and to continue water well sampling," he said. Regulators began investigating the elevated methane levels in August 2010 after a resident complained about water quality. The gas wells being evaluated are less than 400 feet from the northern boundary of a section of Dimock where Cabot's drilling and hydraulic fracturing operations have been on hold since April 2010, when state regulators blamed faulty Cabot wells for allowing shallow methane to channel into 18 private water wells. Cabot disputes the state's findings in that case. The current investigation is separate from the ongoing review of Cabot's wells in the off-limits area. Cabot spokesman George Stark said Friday that the company "always investigates landowners' concerns as they are brought to our attention. Cabot has been working closely with the Department of Environmental Protection on this matter and will continue to do so with the best interest of our landowners in mind." Neither of the two water wells involved in the current investigation has been vented because one well is buried and has not been located and inspections of the other have not found gas trapped in the open space above the water in the well, Sunday said.

From Early Bird Trying to find the gas drilling 'line of death' (Sunday) SUGARLOAF TWP. - For the past few weeks, contractors have swarmed the natural gas well site next to the Bear Fuel service station on state Route 118 in Columbia County. This time, they were filling instead of drilling. Bear Fuel employee John Leshko was close enough that he could watch the contractors pulling up the pipes and well casing. On Wednesday, they covered the area where a drilling rig once stood with sheets of metal. "They're getting rid of everything," Mr. Leshko said. "They're cleaning up something fierce." It isn't the first time an exploratory gas well in the region didn't produce enough gas to be considered economically viable. Geologists say the unproductive part of the Marcellus Shale extends beyond the coal region, where the high temperatures that hardened the anthracite "cooked" the natural gas out of the shale. The latest in a series of unproductive wells confirms experts' beliefs that producing natural gas in the region may be nothing more than a pipe dream. "Right now, I would be surprised if anything in Luzerne County were to come up productive," said Kenneth Klemow, director of the Institute for Energy and Environmental Research for Northeastern Pennsylvania at Wilkes University. Heather Lamparter, general counsel for EXCO Resources LLC, which was exploring the area near Bear Fuel, said the company is plugging and abandoning the well. "It was not a good well," she said. She declined to elaborate. Just a few miles away, WPX Energy had a well pad on state Route 487 near St. Gabriel Hill Road. WPX Energy is continuing to evaluate that well, spokeswoman

Susan Oliver said. But the rudimentary wellhead stands alone in the field, the drilling rig and water tankers gone and unlikely to return.

From Early Bird Region's shale boom extended to law For the 30-plus years that attorney Joseph Persico practiced real estate law, he saw little activity with oil and gas leases. After the birth of the Marcellus Shale natural gas industry, that has changed. The Marcellus Shale boom has pushed attorneys throughout Northeast Pennsylvania to practice oil and gas law after years of specializing in other areas. "Lawyers and the legal community had to get up to speed with oil and gas leasing laws once this Marcellus Shale phenomenon began," said Mr. Persico, a managing partner with Rosenn, Jenkins & Greenwald in Wilkes-Barre, "Lawyers became very quickly familiar with the terms of oil and gas leases and how they worked and what to look for." Attorney Doug Clark in Blakely practiced law for 17 years and formerly was a criminal defense lawyer. He began looking into oil and gas leases when his wife Marceea's family and neighbors were approached by a natural gas company interested in leasing land in Wayne County. As he negotiated a deal for thousands of acres of land, he learned there weren't many attorneys doing this work. Now, as companies continue to drill gas wells across the state, his primary focus is working with landowners across the Marcellus and Utica Shale formations with oil and gas leases and pipeline agreements. Since changing his practice in 2007 to oil and gas law, he has negotiated hundreds of leases and agreements.

Waverly Twp. mulling sewer plant addition to reduce nitrogen Waverly Twp. officials are mulling a $1 million to $2 million addition to its sewer system to reduce nitrogen discharged into local waterways to better comply with limits set by the state Department of Environmental Protection. In August, the township launched a pilot program to see if a proposed addition to the treatment plant would reduce nitrogen levels, according to township manager Bill White. The township uses a lagoon-style treatment system that Mr. White said is both efficient and cost-effective. The plant serves about 750 households throughout the township and treats between 250,000 and 300,000 gallons of wastewater each day.

WILKES-BARRE TIMES LEADER

From Early Bird Sportsmen encounter the challenges of drilling industry There are a few old hotspots in Wyoming and Sullivan counties where Dallas resident Russ Bigus won't hunt anymore. It's not that those places where Bigus often found turkey and deer no longer produce -- they simply no longer exist. Well pads, access roads and pipelines for Marcellus Shale drilling operations have claimed some of the areas that hunters, such as Bigus, enjoyed for years. The increase in drilling activity is forcing some outdoor enthusiasts to move elsewhere to find opportunities, and Bigus hopes such impacts are temporary. "Right now I'm not too terribly upset because hopefully in a few years things will return back to normal," he said. Bigus has seen the most impacts on areas where he hunts for spring gobbler. A well pad in Wyoming County removed the large roost trees that attracted turkeys, he said, while another series of pads near Wyalusing resulted in a 10-acre clearing of what used to be a prime hunting spot. "I'm going to walk away from those areas for a few years," Bigus said. "The turkeys have moved out of those areas so I'll go somewhere else." Since gas drilling moved into the northeast corner of the state several years ago, the Pennsylvania Game Commission has heard concerns from hunters and trappers about the industry impacting the areas they hunt and trap. Although an agency survey has found that Marcellus Shale activity isn't necessarily forcing hunters away from the sport, the Game Commission does take steps to lessen the impacts on hunters and trappers.

NORWICH (NY) EVENING SUN

From Early Bird Pro-drilling organization releases 'The Real *Dimock*' videoDIMOCK, Pa. – A pro-Marcellus Shale drilling group, Dimock Proud, has released a video highlighting the town's landowners, residents and business owners' positive feelings toward natural gas development.Dimock Proud is a community organization founded in 2011 to bring residents together and celebrate the energy companies that are providing opportunity, jobs, and revenues to the township. The group supports petitions urging the federal Environmental Protection Agency and the Pennsylvania Department of Environmental Protection to allow natural gas production to move

forward in their community.

DANVILLE NEWS

From Early Bird Frack cleaner facing hurdle with city rule SUNBURY — It's been two weeks since Sunbury Councilman Joe Bartello informed a Massachusetts company that the type of material it handles at a Baltimore facility would be strictly prohibited at the Sunbury site where Clean Harbors seeks to create a waste transfer station. While Clean Harbors — which processes Marcellus Shale industry-generated residual waste — is seeking a permit from the state Department of Environmental Protection to operate on the former Celotex site, Bartello said it is more important the company appear before the city's zoning hearing board, and that Sunbury's code is more restrictive than that of DEP. "I have not been informed about anything," Bartello said of the lack of response to his letter. Bartello sent the letter April 13 to Clean Harbors Environmental Services, of Norwell, Mass., in regard to its plans to work at the site, owned by Moran Industries, of Watsontown. In it he referenced Chapter 175, Article 60, of Sunbury's zoning ordinance, titled "Prohibited uses in an industrial park district," a portion of which states the banning of "processes that may be noxious or injurious by reason of the production or emission of dust, smoke, refuse matter, odor, gas (or) fumes ..."

STATE IMPACT PENNSYLVANIA

From Early Bird A Link Between Heavy Drilling and Illness? Doctors Search for Solid Answers
Doctors in heavily drilled areas across Pennsylvania are starting to see more patients who report symptoms they think might be related to gas activity. But with all the talk about health concerns and Marcellus Shale, what are the links between the two? And where does a doctor turn for answers? For this story, we spoke to several doctors who expressed frustration with trying to treat suspected shale related health impacts. This is the story of one such doctor's quest for solid information on how to help her patients.Washington County's village of Rae has only about 12 houses, and it's hard to find on google maps. This is the heart of Pennsylvania's shale country. The first Marcellus well was drilled in Washington County back in 2004, and today, there are 342 active gas wells registered with the state Department of Environmental Protection. Rae is surrounded by natural gas wells. Seven are within less than a mile.

ASSOCIATED PRESS (Pa.)

Construction mishap leads to Pa. sewage spill State officials say they are investigating how workers in eastern Pennsylvania accidentally drilled through a concrete pipe, triggering a sewage spill into a local waterway. Department of Environmental Protection spokeswoman Colleen Connolly says up to 1.8 million gallons of sewage leaked into the Little Schuylkill (SKOO'-kull) River in Tamaqua on Wednesday. According to a Transportation Department spokesman, workers drilled through the pipe while sinking a caisson for a temporary bridge on Route 309. Connolly says the pollution didn't appear to cause a fish kill. She says officials have not yet decided whether to assess penalties. The Standard-Speaker of Hazleton reports (http://bit.ly/JDmsIY) that contractors finished patching the concrete pipe on Thursday.

State: Few complaints, no manual PITTSBURGH (AP) - The Pennsylvania Department of Health said this week that it has received fewer than 30 complaints over the last year from people who feel natural gas drilling has affected their health, but it's not clear how many came before that. Last June the agency head suggested it had already received several dozen. The information came in response to a Right to Know request from The Associated Press, but the agency has refused to provide details of the complaints, such as where and when they originated. The state's public health agency also said it has no manuals or guidelines for how its staff should respond to health complaints about gas drilling. One expert said that's because they don't have the funding to do so.

WILLIAMSPORT SUN-GAZETTE

Experts disagree on 'D' air quality in Lycoming County Lycoming County residents can breathe a little easier, as experts agree that local air quality is slowly improving thanks to measures taken in accordance with the Clean Air

Act. What they don't agree on is by how much the air actually has improved. According to a State of the Air 2012 study recently released by the American Lung Association, the state's air quality is the best it has been in the last 12 years. However, Pennsylvania still has some of the most polluted metropolitan areas in the nation. Lycoming County received a "D" grade for high ozone days, meaning the county experienced eight to nine days of high ozone concentration in the three-year period reviewed. Ozone is present in our atmosphere all the time. In the summer months hot, long days and low wind will cause ozone to form at the ground level, where it can cause lung irritation and damage, especially for those who already suffer with breathing difficulties.Dan Spadoni, state Department of Environmental Protection spokesman, disagrees with the findings of the study. "The department is reviewing this report and the methodology that was used by the lung association in assigning grades to each individual county," Spadoni said.

Bat count plummets at Lycoming County nesting site, biologist saysMONTGOMERY - White-nose syndrome may well be killing bats right here in Lycoming County.A few years before the disease was discovered in New York, the state Game Commission counted about 4,500 bats populating a site in Brady Township in 2003-04.In 2010, the same count revealed 2,500 bats. Last year, it was 455 bats, said Mario Giazzon, a wildlife diversity biologist with the Game Commission."I am concerned that (disease) is the reason we aren't seeing bats come out of here," Giazzon told Pennsylvania College of Technology students who gathered last month to clean out a bat condo. "It is a very destructive - the most devastating - zootic disease found here today," he said.

Reflections in Nature: Seagulls don't exist Diary entry for Feb. 7, 2012: "While traveling down Route 15 along the Susquehanna River, we saw many gulls on their migration north." I mentioned to my wife, Mary Alice, who was reading a book, that she should look at all the seagulls on the river. Before I could correct myself, Mary Alice replied that I had told her there was no such bird as a seagull. Gulls belong to the family Laridae, which comes from the Latin word larus, meaning "seabird." The most abundant gull in Pennsylvania is the ring-billed gull, Larus delawarensis. The species name is Latin and means "of Delaware" because the specimen first was collected along the Delaware River below Philadelphia.

Columnist organizes edible wild plant study clubEdible wild plant enthusiast Bibi Snelderwaard Brion has organized an edible wild plant study club for those interested in learning more about this topic.For a few hours each month, attendees will gather to discuss plants, ask and answer questions and guide each other into finding information. There is no fee to join the club, unless a specific planned activity requires it.

GANTDAILY.COM

DEP Fines Ultra Resources for Operating Illegal Transfer Station WILLIAMSPORT – The Department of Environmental Protection has fined Ultra Resources Inc. of Wellsboro, Tioga County, $40,000 for operating an illegal transfer station at a well pad in West Branch Township, Potter County. DEP staff inspected the site in late February 2011 and found 47 wheelie storage tanks on-site that were holding more than 760,000 gallons of raw flowback fluid that Ultra was using for hydraulic fracturing at other area sites."This kind of activity requires a residual waste transfer station permit from the department," DEP East Region Oil and Gas Program Manager Jennifer Means said. "Because no wells were ever drilled at this site, and because the well permits actually expired while this activity was taking place, we determined that Ultra never intended to use the stored fluid for drilling at this site." Department inspections conducted in March and July 2011 documented additional violations of the Oil and Gas Act, including the failure to post well permit numbers at the site. DEP issued a notice of violation to Ultra in late July 2011, and then discovered additional violations during an inspection the following month. Those violations included flowback fluids around the wheelie tanks and on the containment liner; failure to properly stabilize several areas of the well pad and access road; and improper construction of a sediment basin. Ultra submitted a report to DEP in early October 2011 that documented the corrective actions it took at the Fowler well site to address the violations. A DEP

inspection in November 2011 confirmed that all violations had been corrected.

THE DAILY ITEM

DEP: Illegal waste transfer station fined $40G WILLIAMSPORT -- The operator of a drilling waste transfer station in Potter County has been fined $40,000 by the Department of Environmental Protection for illegally storing waste generated at other sites. DEP staff inspected the Ulta Resources site in West Branch Township in late February 2011 and found 47 wheelie storage tanks on-site that were holding more than 760,000 gallons of raw flowback fluid that Ultra was using for hydraulic fracturing at other area sites."This kind of activity requires a residual waste transfer station permit from the department," DEP East Region Oil and Gas Program Manager Jennifer Means said. "Because no wells were ever drilled at this site, and because the well permits actually expired while this activity was taking place, we determined that Ultra never intended to use the stored fluid for drilling at this site."Department inspections conducted in March and July 2011 documented additional violations of the Oil and Gas Act, including the failure to post well permit numbers at the site.DEP issued a notice of violation to Ultra in late July 2011, and then discovered additional violations during an inspection the following month. Those violations included flowback fluids around the wheelie tanks and on the containment liner; failure to properly stabilize several areas of the well pad and access road; and improper construction of a sediment basin.

ESSENTIAL PUBLIC RADIO

Drought Conditions Stall Water Withdrawals for Fracking Record low water levels in the Susquehanna River Basin have forced a halt to water removal by natural gas drilling companies. Hydraulic fracturing, or fracking, uses a mixture of water and chemicals shot deep into the ground with massive force to fracture rock shale and release the natural gas contained inside. According to a report from the Susquehanna River Basin Commission (SRBC), the drought conditions of this spring have temporarily suspended 17 different water withdrawals, impacting 10 drilling companies in Bradford, Luzerne, Lycoming, Susquehanna and Tioga Counties. Susan Obleski, director of communications for the SRBC, said the water withdrawal suspensions shouldn't impact drilling operations at this point.

WASHINGTON, D.C.

WASHINGTON POST

From Early Bird Bay cleanup plan has environmental groups at odds For more than a decade, the Potomac Riverkeeper organization has been that ant that tried to move a rubber tree plant, taking on large corporate polluters in high hopes of one day cleaning the Chesapeake Bay. But recently, in an unlikely twist, the scrappy Potomac Riverkeeper backed away from a fight. Although it believes a controversial part of the Environmental Protection Agency's plan to clean up the bay will actually lead to more pollution, it abandoned a small coalition of environmentalists that had threatened to sue the EPA. "We do not have the resources to get involved with this particular lawsuit," said the group's leader, Ed Merrifield. It was responding to a threat — not from a corporation, its usual foe, but a friend. The Keith Campbell Foundation for the Environment, which has donated millions of dollars to Riverkeeper groups over the years, threatened to withdraw future funding if they sued. Other Riverkeeper groups also dropped legal action. It was a clear sign that environmental groups have not only squared off against the American Farm Bureau Federation, which has filed a federal lawsuit to stop the largest bay cleanup plan in history, but also each other, in the 16 months since the EPA approved the first state proposals to reduce pollution in the watershed. The stakes are huge. The most ardent backers of the EPA's aggressive new pollution diet — the Choose Clean Water Coalition of 230 groups, the Chesapeake Bay Foundation and the Natural Resources Defense Council — view it as the Chesapeake's last hope.

From Early Bird EPA faces crucial climate decision on diesel made from palm oil Quick quiz: Which country is the world's third-largest emitter of greenhouse gases, after the United States and China? The answer, at least in

recent years, has been Indonesia. That's surprising. It's not the world's third-largest economy. It's not an industrial powerhouse. But Indonesia has been clearing its vast rain forests of late, releasing huge stores of carbon into the air. One culprit has been the country's fast-growing production of palm oil, an edible vegetable oil that's increasingly being harvested to make biodiesel fuel for cars and trucks in Europe. This isn't just a bit of environmental trivia. There's a fierce battle in the United States over whether the Environmental Protection Agency should allow more diesel made from palm oil to be used by U.S. refineries. Agribusiness groups are lobbying for its use. Environmentalists are trying to block it — with some saying this could be the EPA's most important climate-change decision of the year. Here's the backstory: In 2007, Congress expanded a requirement for U.S. refineries to blend a certain amount of "renewable fuel" with their gasoline. Ethanol or biofuels could count, but they had to be 20 percent cleaner than traditional fossil fuels. And, in January, the EPA released a preliminary analysis suggesting that biodiesel and renewable diesel made from palm oil didn't quite make the cut, thanks in part to the deforestation effect. (Over the course of their life cycle, the EPA found, palm-oil fuels emitted 11 to 17 percent less greenhouse gases than regular gasoline.)

From Early Bird EPA administrator rejects official's 'crucifixion' comments (Saturday) Environmental Protection Agency Administrator Lisa Jackson distanced herself Friday from comments by a top agency official who told a Texas community two years ago that his approach to enforcement was to make an example of polluters the way Romans crucified people to quash rebellions. Republicans on Capitol Hill, meanwhile, demanded that Jackson fire the official, regional administrator Alfredo Juan "Al" Armendariz. "Frankly, [the comments] were inflammatory but also wrong," Jackson said Friday when asked about a YouTube video discovered this week by Oklahoma Republican Sen. James M. Inhofe's staff. "They don't comport with either this administration's policy on energy, our policy at EPA on environmental enforcement, nor do they comport with our record as well." She noted that Armendariz has apologized for what he called a "poor choice of words." Jackson said she will "continue to review" the case. But she stopped short of saying he will resign and declined to say whether he faces discipline. House Republicans representing the energy heavy South Central region Armendariz oversees called his philosophy of enforcement "beyond the pale" and a reflection of a "petty, arbitrary and demagogic" environmental agency under President Obama."The EPA is not a conquering army, it does not wield dictatorial power, and it certainly was not granted the authority to crucify anyone," the lawmakers told Jackson in a letter Friday calling for his dismissal. Armendariz's comments "betray a vindictive culture that is driven by ideology more than it is by science." The letter was signed by 26 congressmen, including the entire Republican House delegation from Texas.

From Early Bird Letter: Why solar energy in the District deserves a warm reception The Post's editorial board seems committed to oppose any legislation with my name on it. How else to explain its criticism of the Energy Innovation and Savings Amendment Act of 2012 ["D.C. and climate change," April 22]? The editorial opposed solar energy incentives in the District and nearby jurisdictions. Solar energy is uniquely suited to serve the District because it offers site flexibility, can be easily added to existing structures, reduces stress on the grid in precise areas and creates local green jobs. Perhaps The Post would like the District to fall behind our neighbors, such as Maryland, Pennsylvania, Delaware and New Jersey, which ave enacted similar incentives.

DELAWARE

WILMINGTON NEWS JOURNAL

From Early Bird Delaware's national park efforts advance Will Delaware have a national park in time for next year's 375th anniversary of the arrival of Swedish settlers on the Kalmar Nyckel? It could happen, said Sen. Tom Carper, who has been pushing Congress for almost a decade to create a national park in Delaware, the only state without one. "I'd love to be able to do that," Carper said. "I think it will happen this year. It's not out of the realm of

possibility." Carper's bill is on the Senate's legislative calendar, which means the next step is for the chamber to vote on it, said Alan Spears, legislative representative for the nonprofit National Parks Conservation Association, which supports the legislation."We're still optimistic, though time isn't an ally in this process," Spears said. "It will get even more partisan and gridlocked the closer we get to the election."Carper said he expects the bill to be packaged with other relatively noncontroversial measures so it can gain broad support. Spears said that might be the proposal's best chance for passage.Some resistance to the proposal has come from congressional members reluctant to expand the size and expense of government, especially in light of a $7 billion to $9 billion backlog of maintenance projects at the nation's nearly 400 existing parks.

DELAWARE CAPE GAZETTE

From Early Bird Nutrient Management Commission releases 2011 annual report The Delaware Nutrient Management Commission has released its 2011 Annual Report, documenting the progress Delaware farmers and other nutrient handlers have made in reducing nutrient runoff. The report, recently submitted to Gov. Jack Markell and members of the General Assembly, reviews accomplishments for fiscal year 2011, including continued implementation of Concentrated Animal Feeding Operation regulations and the first full year for updated outdoor manure staging and storage regulations. All of Delaware's cropland and nutrient-applied land is managed under nutrient management plans developed by certified consultants. Secretary of Agriculture Ed Kee said the report demonstrates how Delaware farmers and other nutrient handlers have adopted best management practices to help meet the state's goals. "Delaware farmers are committed to surpassing the challenge of excellent environmental stewardship," Kee said. "Our farmers understand that water quality requires good nutrient management, and they are always finding solutions. Their leadership and cooperation have been critical to Delaware's achievements in this area." Those farmers include such environmental leaders as Jesse and Deborah Vanderwende of Greenwood's Locust Grove Farm, and Charles, Mary, Patty and Bill Leager of Greenwood's Wood Edge Farm. The Vanderwende and Leager families were honored earlier this year with the 2011 Environmental Stewardship Awards for their work in reducing nutrient runoff. The Vanderwendes were awarded top honors, and the Leagers were first runners-up. The Environmental Stewardship Awards recognize farmers whose stewardship and farm practices contribute to the conservation of water quality and farmland, including nutrient management, best management practices, farm management, innovation, biodiversity and wildlife habitat management.

From Early Bird Delaware Agritourism Association launches Farm Adventure Trail The Delaware Agritourism Association launched its newest statewide agritourism trail April 24 at TS Smith & Sons Farm in Bridgeville. The Farm Adventure Trail showcases 15 working farms and agricultural sites poised to offer authentic farm experiences from June through August 2012. Gov. Jack Markell was on hand to share his enthusiasm for the effort. "The Farm Adventure Trail should thrive in Delaware. It helps farmers grow and succeed while opening the gates of their fields and doors of their barns to the public. Agriculture is a vital element of our Delaware economy, and agritourism helps strengthen it." Representatives from the General Assembly, agriculture and tourism groups, economic development, and national, state and local officials were on hand to share in the enthusiasm for the group's endeavor. Secretary of Agriculture Ed Kee praised the initiative. "Agritourism is good for family farms and our economy, helping strengthen our tradition of agriculture here in Delaware," Kee said. "But it also helps families make their own traditions, whether enjoying ice cream on a dairy farm, picking strawberries to take home and make into shortcake, or visiting a horse up close and personal."

WEST VIRGINIA

CHARLESTON GAZETTE

From Early Bird Coal industry wants activists muted in courts over mine permits (Sunday) HUNTINGTON,

W.Va. -- Coal industry lawyers are hoping to combine the results of several recent court cases to significantly narrow the ability of citizen groups to block new mountaintop-removal mining permits in federal court. Lawyers for Alpha Natural Resources outlined their strategy last week during a hearing before U.S. District Judge Robert C. Chambers, who is considering citizen group challenges to at least two permits issued by the U.S. Army Corps of Engineers. Shane Harvey, a former Massey Energy Co. general counsel now representing Alpha, argued that a trio of federal court cases leaves Chambers with very little ability to overrule a permit approval from the corps. The rulings -- a district court ruling, an appeals court decision and a U.S. Supreme Court opinion -- show federal judges should "defer to the corps' review" of applications for Clean Water Act "dredge-and-fill" permits, Harvey said in a legal brief. Chambers did not immediately agree, and questioned Harvey in detail about parts of the industry's analysis. Obama administration lawyers, representing the corps at the hearing, also argued a similarly narrow view, saying Chambers should not hear detailed evidence from academic experts working with citizen groups in the case. At issue is a permit the corps granted to Alpha subsidiary Highland Mining for its 635-acre Reylas Surface mine near Ethel in Logan County. The company hopes to employ about 100 people for six years of mining, and then create a 235-acre site with paved roads and utilities that could be used for temporary housing during flooding and other emergencies. The mine, though, would bury about 2.5 miles of streams beneath a valley fill and associated runoff-control structures.

From Early Bird State activist wins Wallenberg Medal for 2012 HUNTINGTON, W.Va. -- The Ohio Valley Environmental Coalition says a veteran mountaintop-removal coal mining activist has won the Wallenberg Medal from the University of Michigan. Bob White resident Maria Gunnoe will receive her award in October. It's named for Michigan alumnus Raoul Wallenberg, who saved the lives of tens of thousands of Hungarian Jews during World War II. The university said in its announcement that Gunnoe's work exemplifies courage and commitment to Wallenberg's humanitarian values. Gunnoe is the 22nd winner. Last year, the award went to Aung San Suu Kyi, a Nobel Peace laureate who has fought for democracy and human rights in Burma. Gunnoe has already won several awards for her activism, including the Rain Forest Action Network's David vs. Goliath award and the Goldman Environmental Prize.

Joe Wyatt: Global warming is real Charleston's Other Paper implies that climate change has been invalidated by a single error among scientists' climate change predictions, which is like saying that the discovery of Hawaii disproved the existence of the Pacific Ocean. Indeed, the head-in-the-sand crowd is dying hard. In the past year, Rush Limbaugh advised the chronically misinformed that, "Belief in global warming requires faith because there is no evidence ... " and " ... man-made global warming, climate change, is now an official scam."

WEST VIRGINIA STATE JOURNAL

From Early Bird State role in new oil and gas air emissions rules not yet clear States will have the front-line role in administering the new federal oil and gas air pollution rules, but a supervisor in the state Division of Air Quality said it's not yet clear how it will be carried out. The rules, issued April 17 by the U.S. Environmental Protection Agency, require "green completion" during the flowback period of hydraulically fractured or refractured wells, along with defined control measures at compressors, processing plants, storage vessels and other industry facilities. Starting possibly in July, operators will have to notify the Division of Air Quality and the regional EPA office by e-mail at least two days before a well completion — that's the process, including fracturing and flowback, that prepares a drilled well for production. Operators will also have to file annual reports detailing every well completion and specifying the compliance actions taken at all other sites during the year. "We haven't in the past permitted the well sites per se," said Robert Keatley, senior engineer and supervisor for Compliance and Enforcement in the DAQ, housed in the state Department of Environmental Protection. "It may not require a permit but we have to evaluate the emissions and look at those source," Keatley said. "We permit the compressor stations, but not the well sites themselves." The rule becomes effective 60 days after it is published in the Federal Register; with publication expected soon, that could be in July. How many sites would this apply to in, say, a year? About 500 gas well permits were issued by DEP's Office of Oil and Gas in 2011, Keatley said, a number that is consistent with past years. He didn't know how many of those would be fractured. Some wells might be on the

same well pad and could be permitted together, and some permitted wells are never drilled. But something under 500 per year — possibly well under — seems to be the scale of it.

From Early Bird Rockefeller giving weight to health concerns over coal ash In seeking to decouple coal ash regulations from a major transportation bill April 26, Sen. Jay Rockefeller gave weight to voters' concerns about a connection between coal ash and public health. "We have all heard from our constituents about water contamination and health impacts, and those concerns still need to be addressed," the West Virginia Democrat said in an e-mail to The State Journal. Rockefeller's comments came on the formation of a conference committee to reconcile Senate and House transportation bills. The Republican-controlled House ignored a transportation bill from the Democratic-led Senate and instead created its own. On April 18, the House added as an amendment to its bill a stalled bill from Rep. David McKinley, R-W.Va. that would prevent the U.S. Environmental Protection Agency regulating coal ash as hazardous waste, instead reserving regulation of its disposal to the states. McKinley said at the time that the amendment would help keep transportation construction costs down by supporting the continued re-use of coal combustion residuals as structural fill and in construction materials. And he issued a challenge, saying the chance to save jobs and construction costs was now in the hands of the Senate.

From Early Bird Jackson Kelly continues expansion in energy Continuing its expansion into the energy industry, Jackson Kelly has added attorneys from a Pennsylvania law firm and is in the process of opening a new office in Canton, Ohio, the firm announced April 27. Effective May 1, four Gormly Gormly & Yuhas attorneys and staff will join Jackson Kelly and will relocate to the firm's Pittsburgh office upon completion of renovations. The attorneys — Kevin M. Gormly, Melissa McCoy Gormly, Stephanie M. Yuhas and Lindsey R. Mitchell — have traditionally represented oil and gas companies in Pennsylvania. Their clients are involved in the Marcellus and Utica shale plays and rely upon their extensive experience in oil and gas law.

Sierra Club calls on Rockefeller to stop coal ash amendment Sen. Jay Rockefeller is being called on by the West Virginia chapter of the Sierra Club in its fight to kill another West Virginia representative's coal ash provision of the transportation bill. Rep. David McKinley, R-W.Va., had an amendment added to the Republican-led House transportation bill that would prevent the Environmental Protection Agency from regulating coal ash as hazardous waste. The amendment was instead give individual states the charge to regulate coal ash. Rockefeller, a Democratic member of the conference committee appointed to reconcile the House and Senate versions of the transportation bill, said he would not support the amendment.

WHEELING INTELLIGENCER

Landowner Breathes Easy: Oglebay Drilling Not a Headache for Minch WHEELING - Before city officials and Wheeling Park Commissioners collect royalties for the natural gas under Oglebay Park, Chesapeake Energy needs to complete its drilling pad on Timmy Minch's land. Though Minch initially had reservations about Chesapeake placing its drilling pad on his property - notably because he lost about 12 acres of farm land in the process for the surface placement of the well - he said the the driller and its subcontractors have treated him fairly well since coming on site late last year. "I thought it was going to be a disaster, but it hasn't been anywhere near as bad as what I thought," said Minch, a dairy farmer who maintains about 75 milk producing cows, along with some younger cows, at any one time. "They have been really responsible so far."

PARKERSBURG NEWS & SENTINEL

Environmental group cites five power plants PARKERSBURG - Five coal-fired power plants in West Virginia have acknowledged groundwater contamination from disposal sites at levels exceeding federal or state standards, an environmental group reported on Friday. According to data submitted to the U.S. Environmental Protection Agency Office of Water and obtained through a Freedom of Information Act by the Environmental Integrity Project, 116 disposal sites at 49 plants across the nation reported the groundwater contamination and at least 28 of those have come to light only recently, including the five in West Virginia, three in Iowa, North Carolina and Texas and two each in Colorado and South Carolina, the organization said.The plants in West Virginia are the Albright

Power Station in Preston County, the Kanawha River Plant in Glasgow, the Mount Storm Power Station in Mount Storm, the Mountaineer Plant in New Haven and the the Philip Sporn plant in New Haven. Plants reported exceeding federal or state groundwater standards for pollutants subject to Safe Drinking Water Act or federal health advisory standards, including arsenic, manganese, boron selenium and cadmium.

ASSOCIATED PRESS (W. Va.)

Loadout LLC agres to hold off plans for southern W. Va. mine until court hearing May 18
CHARLESTON, W.Va. — A coal company says it will delay work on a planned Boone County strip mine until a federal judge can hear arguments on a permit challenge. The Charleston Gazette (http://bit.ly/IqyjFH) says U.S. District Judge Robert Chambers will hear arguments May 18 on a request by environmental groups for a preliminary injunction against the operation. Loadout LLC attorney Ed Tiffey says the subsidiary of Pennsylvania-based Penn Virginia Resource Partners will wait until then to proceed. The groups are challenging a Clean Water Act permit issued by the U.S. Army Corps of Engineers.

W.Va., Va. ranked among top for bass fishing CHARLESTON, W.Va. -- A national fishing magazine says some of the top places in the country to catch bass are close to home. Bassmaster Magazine's 2012 100 Best Bass Lakes in the U.S. includes the Potomac River at No. 31, Smith Mountain Lake in west-central Virginia at No. 63, the Kerr Reservoir and Buggs Island Lake on the Virginia-North Carolina border at No. 81, and West Virginia's Tygart Lake at No. 86. Falcon Lake in Texas was at the top of the list, followed by Florida's Lake Okeechobee. The magazine asked natural resources officials in every state to rank their top bass lakes. It also sought input from B.A.S.S. Federation Nation state presidents and conservation directors as well as a panel that included outdoor writers and fishermen.

Fisheries officials want to correct 50-year-old goof West Virginia fisheries officials want to correct a goof committed nearly half a century ago.They want to replace the Lake Erie-strain walleyes stocked in Summersville Lake during the 1960s with a strain native to the Mountain State."We think there's potential to grow larger fish if we switch to the Eastern Highlands strain," said Dave Wellman, a Division of Natural Resources fisheries biologist. The U.S. Army Corps of Engineers created Summersville Lake in 1966 shortly after contractors finished construction of the 390-foot-high Summersville Dam. Fisheries officials knew the lake's deep, cool, rocky waters would make good walleye habitat, so they imported thousands of Great Lakes-strain walleye fry from New York and Pennsylvania and stocked them into the 2,700-acre impoundment.

MARYLAND

BALTIMORE SUN

From Early Bird Scientists use algae to scrub harbor water In their quest to cure Baltimore's ailing harbor, advocates and authorities have tried one gadget after another: floating wetlands, a solar-powered aerator, even a trash wheel. Add now the "algal turf scrubber," a long wooden sluiceway through which harbor water is pumped over a bed of slimy green algae. The gutter, 350 feet long by a foot wide, uses native algae to strip nutrients, suspended sediment and carbon from water and inject oxygen into it before returning it to the harbor.The algae feed on the nutrients in the water pumped down the sluiceway, just as they do in the open waters of the harbor and the Chesapeake Bay. "We call it 'ecological engineering,'" said Patrick Kangas, director of University of Maryland's Algal Ecotechnology Center. "What you see here is basically a controlled algae bloom." The university's scientists have teamed up with the ecological restoration firm Biohabitats Inc. to build and run the scrubber on a fenced-off gravel lot in Fells Point where a chromium ore processing plant once operated. Kangas and colleagues have been

experimenting with algae scrubbers for several years, testing them in the Susquehanna River, on the Eastern Shore and in Virginia. The scrubber at Harbor Point is the same one used two years ago at Peach Bottom nuclear power plant on the Susquehanna, where it was estimated it removed 640 pounds of nitrogen and 90 pounds of phosphorus from the water. The device processed heated water discharged from the Pennsylania power plant, inspiring Kangas to suggest that larger algae scrubbers might effectively augment or even replace the cooling towers nuclear plants now use to treat the water with which they cool their reactors. Harbor water has been sloshing down the scrubber's wooden trough since December, drawn from the dead-end canal by the Living Classrooms Foundation's campus on Caroline Street. "We've never done it in a spot like this before," said Kangas, who welcomed the chance to try it there because he hoped it might be able to affect water quality. "Our intention was to to use this site to show we can overturn a 'dead zone.'"

'Largest rockfish tournament in the world' expected to draw nearly 4.000 anglersMELFA -- The Science and Philosophy Seminar of the Eastern Shore of Virginia announces its next seminar, "The Nation's River: Challenges for the Potomac." The free hour-long seminar will be held at 12:30 p.m. on Friday, May 4, in the Lecture Hall of Eastern Shore Community College in Melfa. George Reiger will lead the seminar and will discuss the Potomac Basin and its role particularly as a model for the Chesapeake Bay watershed from the point of view of the Interstate Commission for the Potomac River Basin.

Proposal would require best septic technology Most new homes in Md. would need more costly systems.
The proposal would accomplish by regulation a goal that environmental advocates tried to achieve in 2009 through legislation: to require use of the new technology virtually statewide.The rule, proposed Friday, is another step in the administration's effort to curb nitrogen pollution from septic systems in the watersheds of the Chesapeake and Atlantic coastal bays. It follows the General Assembly's passage this month of the governor's bill setting limits on where large developments using septic systems are permitted. That measure, scaled back by the legislature to reduce the state's direct role in determining the placement of septic systems, did not address the issue of differing septic system technologies. The legislation was nevertheless hailed by environmentalists as a significant victory. Jay Sakai, director of the Water Management Administration at the Maryland Department of the Environment, said the proposed regulation expands on a 2009 law requiring the use of "best available technology" septic systems. That law requires such technology to be used in all new and replacement systems installed in critical areas — locations close to the bays or the streams that run into them.

SALISBURY DAILY TIMES

From Early Bird Seminar focuses on challenges of Potomac River MELFA -- The Science and Philosophy Seminar of the Eastern Shore of Virginia announces its next seminar, "The Nation's River: Challenges for the Potomac." The free hour-long seminar will be held at 12:30 p.m. on Friday, May 4, in the Lecture Hall of Eastern Shore Community College in Melfa. George Reiger will lead the seminar and will discuss the Potomac Basin and its role particularly as a model for the Chesapeake Bay watershed from the point of view of the Interstate Commission for the Potomac River Basin. Reiger and his family have been on the Shore for 40 years while he has pursued a career as a freelance journalist and author. He is a federal commissioner, executive committee member, and past-chairman of the commission.

STATES NEWS SERVICE

REGULATION PROPOSED TO REDUCE POLLUTION FROM SEPTIC SYSTEMS The following information was released by the Maryland Department of the Environment (MDE): The Maryland Department of the Environment (MDE) proposed a new regulation today to require nitrogen-removal technology for all septic systems serving new construction on land draining to the Chesapeake Bay and Atlantic Coastal Bays or in other areas where bodies of water are impaired by nitrogen. Existing regulations require nitrogen removal technology for all new and replacement septic systems in the Critical Area. "Since 2008, we have spent more than $40 million to retrofit thousands of septic systems in Maryland, but this investment has been completely negated by new septic system

installations. Septic systems are one of the few sources for which nitrogen pollution continues to increase," said MDE Secretary Robert M. Summers. "Thanks to the leadership of Governor O'Malley and the Maryland General Assembly, we made great progress during the 2012 legislative session toward limiting the impact of septic system development on Maryland's waters, farmlands and forests. By requiring technology that reduces nitrogen discharges by half or more on more new septic systems, we are one step closer toward reaching our goal of a restored and healthy Chesapeake Bay."

CBS LOCAL

'Mahogany Tide' Invades Inner HarborBALTIMORE (WJZ) — A pretty common problem is causing an unusual change in color around area waters. **Tim Williams** has more on the mahogany tide rolling around Baltimore's Inner Harbor. If you're sitting on the dock of the bay near downtown Baltimore, the tide you're watching roll away will likely be mahogany in color. "What we're seeing here appears to be what's called a mahogany tide," said National Aquarium specialist Susan Bitter. "Unfortunately, it isn't exotic and it isn't as interesting and tasty as it sounds." It's also common to the Chesapeake Bay. Mahogany tides are algae blooms that occur every spring.

HAGERSTOWN HERALD-MAIL

Fungal infection seen in declining bat population at Washington Co. mineWASHINGTON COUNTY—Authorities investigating a disease that kills bats have noticed a severe decline in a bat population in an abandoned cement mine in Washington County. The number of bats in the mine is the lowest since monitoring of the problem was started in 1998, according to the National Park Service.

Eastern Panhandle hosts fourth annual National Pharmaceutical Take-Back Day MARTINSBURG, W.Va.—Expired, unwanted or unused prescription drugs and medications will be accepted Saturday at several locations in the Eastern Panhandle as part of the fourth annual National Pharmaceutical Take-Back Day. The Drug Enforcement Administration said in a news release this month that the initiative is part of the DEA's effort to bring a national focus to the issue of pharmaceutical substance abuse, while providing a

CAPITAL GAZETTE

State wants new homes with septic tanks to use pollution-busting system Nearly all new homes in Maryland built with septic systems must have expensive, pollution-busting technology under a rule proposed by the state on Friday. The goal is to reduce the amount of nitrogen pollution that harms the Chesapeake Bay that comes from new homes built with septic systems instead of using the public sewer system. "Every new septic system adds new nitrogen to the bay," said Jay Sakai, director of the Water Management Administration at the Maryland Department of the Environment. Conventional septic systems only treat waste for bacteria and pathogens. They don't reduce nitrogen, which seeps out into the water system and contributes to the growth of oxygen-sucking algae blooms in the water. If current growth rates continue, there could be 120,000 more septic systems installed in Maryland over the next 25 years.

VIRGINIA

NORFOLK VIRGINIAN-PILOT

From Early Bird Editorial: Mixed messages in crab report (Sunday) As is always the case when the blue crab makes the front page, contention has greeted news that the crustacean's population is at a 20-year high in the

Chesapeake Bay, 66 percent larger than a year ago. Watermen argue that it's proof that the crab's future is healthy enough to resume heavier harvests; conservationists argue that the rebound shows the 2007 restrictions are working. That's when Virginia and Maryland instituted new rules designed to reverse a crab crash in the Chesapeake. Scientists involved in this year's annual winter dredge survey estimate that the blue crab population is now 764 million, nearly three times the number in 2007. The announcement brought a rare moment of bipartisan celebration. "This is fantastic news," said Gov. Bob McDonnell in a statement. "The crab population is the highest it has been in the past 20 years, and to see this record production of juveniles is truly remarkable. Those crabs will grow over the summer and many will reach market size in the fall. Those that aren't harvested and brought to the dinner table will become the building blocks for future generations of crabs." "The rebounds of the Bay's crab and oyster populations," former Gov. Tim Kaine said in a statement, "show that by following sound science and making tough decisions, we can establish a regulatory balance that protects our natural resources and allows our industries to flourish."

ROANOKE TIMES

From Early Bird Chemical spill in Giles County not a hazard to New RiverA small, nonhazardous chemical spill at the Celanese plant in Giles County reported Thursday night appears not to be a threat to the New River, according to the Roanoke office of the Virginia Department of Environmental Quality. Celanese reported the spill to the DEQ on Thursday evening, said Allen Linkenhoker, pollution response coordinator. So far the DEQ has received no reports that any of the material leaked into the nearby New River, and no damage to wildlife has been observed, Linkenhoker said. Linda Beheler, a Dallas-based spokeswoman for Celanese, said Friday that fewer than 5 gallons of fire suppression foam leaked into the plant's rainwater drainage system during a routine safety test. The foam is considered nonhazardous, Beheler said. The company's internal hazardous materials cleanup team responded immediately to contain the spill, which occurred outside the plant buildings, Beheler said.Absorbent containment booms were placed in the river nearby the spill, she said, and "there were no adverse effects to the environment."

SUFFOLK NEWS HERALD

From Early Bird Watermen skeptical of government oyster plans Coming from a world where earning a living means rising before dawn each workday to pull a few hundred crab pots or oyster cages from the water, a veteran waterman from Eclipse and his son don't have great faith in efforts by authorities to restock those waters the family has lived off for over three decades. The U.S. Army Corps of Engineers recently held public meetings to discuss the corps' plans to restore oyster populations in the Chesapeake Bay and its tributaries. The plan was developed with help from the states of Virginia and Maryland, three federal government agencies, the Potomac River Fisheries Commission and two nonprofits, with the stated goal of restoring an "abundant, self-sustaining oyster population" to restore ecological balance and contribute to the oyster fishery. "I don't think the government programs do very much to help, especially in the long-term," 58-year-old Robbie Johnson said Friday, pausing briefly to talk in his Spartan office while catching up on some paperwork. "We're very fortunate that we have now more oysters than we've had in the past 20 years. I personally don't attribute that to anything that a government agency has done." Earlier this year, Virginia Gov. Bob McDonnell announced that the Chesapeake Bay blue crab population is at a 20-year high, which coincided with 2011's reportedly having been Virginia's best oyster harvest since 1989. It was an announcement delivered with a measure of fanfare — and it wasn't long before Democratic U.S. Senate Tim Kaine chimed in, attributing the welcome news to policies enacted during his term as governor.

BURKEPATCH

Save the Bay Photo ContestVote by Friday for one of these nine images.All of Northern Virginia's waterways impact the health of the Chesapeake Bay. The Chesapeake Bay Foundation states on its website: "Our vision is that the Chesapeake Bay and its tributary rivers, broadly recognized as a national treasure, will be highly productive and in good health as measured by established water quality standards. The result will be clear water, free of damage from toxic contaminants, and with healthy oxygen levels. Natural filters on both the land and in the water will provide resilience to the entire Chesapeake Bay system and serve as valuable habitat for both terrestrial and

aquatic life."In 2010 the Chesapeake Bay's health index was rated at 31 of 100 possible points.To increase awareness, the foundation is hosting its Viewers' Choice Award photo contest. View the photos at the Save the Bay Viewers' Choice Award contest webpage, voting for your favorite of the nine choices by Friday, May 4.

PBS NEWSHOUR

Rising tide in Norfolk Va.

When the presidential candidates talk about the long-term economic security of the US, they often talk about the national debt, the viability of Medicare and Social Security, and the rise of China. But there's another issue that could have major implications for the nation's economy, and it's barely mentioned at all: the soaring costs America might face in generations to come from climate change. More specifically, the very damaging and very costly effects of sea level rise. According to recent research put out by Climate Central, close to four million Americans now live in coastal communities that could see increased flooding caused by sea-level rise. The kind of flooding that was once considered extremely rare could happen more and more often, with devastating economic consequences. The city of Norfolk, Va., is getting an early look at what sea-level rise means for a big coastal community. The city is experiencing sea-level rise earlier than most because not only are the seas around the city going up, but much of the land beneath Norfolk is going down. This one-two punch means the city is seeing today the kind of flooding that many cities could experience down the road if the scientific projections of sea-level rise play out.

DALECITYPATCH

Conservation Trust to Protect Occoquan Reservoir Drinking Water

The Northern Virginia Conservation Trust recently won a grant from the Virginia Environmental Endowment to conserve the Bull Run Headwaters to protect the Occoquan Reservoir's drinking water. To protect the drinking water in the Occoquan Reservoir, the Northern Virginia Conservation Trust wants to go to the source, by conserving the Bull Run Headwaters. The NVCT recently won a grant from the Virginia Environmental Endowment to do just that, allowing the NVCT to launch the Bull Run Headwaters Initiative.

ASSOCIATED PRESS (Va.)

DEQ: Chemical spill not a threat to New River

NARROWS, Va. — The Virginia Department of Environmental Quality says a small chemical spill at the Celanese plant in Giles County doesn't appear to be a threat to the New River. The Roanoke Times reports that the nonhazardous spill occurred on Thursday night. DEQ has not received any reports that the material leaked into the nearby New River and no damage to wildlife has been observed. Linda Beheler, a Dallas-based spokeswoman for Celanese, said Friday that fewer than 5 gallons of fire suppression foam leaked into the plant's rainwater drainage system during a routine safety test. The foam is considered nonhazardous. She says the company's internal hazardous materials cleanup team responded immediately to contain the spill, which occurred outside the plant buildings.

Navy, EPA Settle Tank Allegations At Va. Facility NORFOLK, Va. (AP) - The U.S. Navy has settled allegations that it violated underground storage tank requirements at a Norfolk facility. The U.S. Environmental Protection Agency says the Navy agreed to pay a $5,855 penalty. An EPA inspection in March 2011 found that three 25,000-gallon underground storage tanks containing diesel fuel at Building NH94 hadn't been tested for corrosion since 2004. Such testing is required every three years to prevent leaks. The tanks were tested on April 4, 2011 and the Navy certified its compliance with the requirements. The EPA announced the settlement Thursday in a news release.

MISCELLANEOUS

EP MAGAZINE

From Early Bird EPA Grants Funding for Greening Philadelphia A $200,000 grant from the U.S. Environmental Protection Agency (EPA) will help fund projects to make South Philadelphia's George W. Nebinger School and surrounding streets greener and healthier. EPA's grant, with matching funding from the Philadelphia Water Department (PWD) and the nonprofit Partnership for the Delaware Estuary (PDE), brings the total award to $400,000 that will go towards a host of green features at Nebinger School and the adjacent neighborhood. The projects are part of the city's wide-ranging plan, Green City, Clean Waters, to control pollutant-laden stormwater that inundates the city's sewer system and causes sewage overflows into area waterways. EPA and the City of Philadelphia signed a partnership agreement earlier this month to help ensure the success of the city's plan. "This grant will help the city realize the environmental, economic and community benefits of the Green City, Clean Waters plan," said EPA Regional Administrator Shawn M. Garvin. "In controlling stormwater runoff, we'll also be helping students appreciate ways of preventing pollution and creating cost-effective, high-performance green streets adjacent to the school."

ASSOCIATED PRESS

From Early Bird NC lawyer: Landowners must take care on fracking RALEIGH, N.C. (AP) — North Carolina landowners should be extremely careful when considering ceding drilling rights and legislators should require more information and protections for residents as the General Assembly evaluates whether to allow fracking, a state attorney said Thursday. Lynne Weaver, assistant attorney general with the state Department of Justice's consumer protection office, presented to a legislative panel the draft of a report mandated last year by the Legislature to study consumer and legal issues associated with oil and gas exploration. The report, combined with another study by the state Department of Environment and Natural Resources, is considered another step in the Legislature's decision-making on whether to eliminate a ban on hydraulic fracturing — another name for fracking — as soon as mid-2014. House and Senate leaders are preparing competing bills to be considered when they reconvene in three weeks.

Still No Earthquake Study by Well Operator COLUMBUS, Ohio (AP) - The operator of a northeast Ohio deep-injection well tied to earthquakes in the area has yet to receive the state clearance it says is necessary to conduct independent seismic research aimed at proving the well wasn't the cause of the quakes. Documents show D&L Energy in Youngstown sought state permission in February to re-open the shuttered well - after plugging it to a shallower depth - and then to measure the vibrations for its analysis. The Ohio Department of Natural Resources has yet to respond, in what could signal a permanent delay.

Lampreys from Great Lakes destined for queen's pie DETROIT -- A few unwanted, invasive sea lampreys from the Great Lakes have been shipped to England for use in a traditional pie for Queen Elizabeth II. The Detroit Free Press reports the City of Gloucester, which has given the pie as a gift to the monarch since the Middle Ages, requested the eel-like creatures from the Great Lakes Fishery Commission because they're a protected species in England. The pie is for June's Diamond Jubilee, the 60th anniversary of the queen's ascent to the throne.

AEP disputes study linking plants to 3200 deaths TULSA, Okla. — Energy giant American Electric Power is disputing an environmental group's study that finds air pollution from the company's 26 coal-fired plants caused as many as 3,200 deaths and more than 20,000 asthma attacks last year. The analysis done for the New York-based Natural Resources Defense Council also estimates that the pollution emitted by AEP plants, two of which are in Oklahoma, led to more than 1 million lost work days and lists the economic toll as high as $24 billion in 2011. It accuses the Columbus, Ohio-based electric company of using its wealth to promote laws designed to stop or delay the U.S. Environmental Protection Agency from cleaning up the air. A spokesman for the company expressed skepticism about the accuracy of the study.

HUFFINGTON POST

The Facts on Fracking: Interview with Barbara Arrindell of DCS I AM PICTURES in association with I HEART H2O has just launched a trailer for their "ANYBODY of WATER" campaign to raise awareness about the dangers of unregulated fossil fuel extraction. A topic of controversy for the last number of years, hydraulic fracturing (a.k.a. fracking) has become a serious concern among citizens, particularly in the Northeastern United States. In this interview, Barbara Arrindell, Director of Damascus Citizens for Sustainability (DCS), one of the organizations behind the I HEART H2O PSA, shares the 101 on natural gas exploration.

WATERSHED TOWN

Bethel becomes latest New York State town to ban hydrofracking On Thursday, April 27, Bethel's town board unanimously passed a law banning hydraulic fracturing within town borders, making it the third (and largest) town in Sullivan County to ban the practice. The River Reporter reports that board member Richard Crumley, whose support for the measure had been uncertain, was persuaded to vote for it: