From: McFadden, Angela
To: Kinslow, Sara
Sent: 8/13/2013 9:45:51 AM
Subject: headlines

From: Seneca, Roy
Sent: Tuesday, August 13, 2013 9:19 AM
To: R3 EVERYONE; Howell, Amie
Subject: EPA Mid-Atlantic Region Daily Headlines - Tuesday, August 13, 2013

EPA Region III

Office of Public Affairs

Mid-Atlantic Headlines

Tuesday, August 13, 2013

*** DAILY HOT LIST ***

Dimock residents ask EPA to reinvestigate gas drilling, contamination

SCRANTON TIMES-TRIBUNE Ray Kemble brought a gallon of well water from his Susquehanna County home to Courthouse Square in Scranton on Monday, the first stop on a trip to Washington D.C. to implore the Environmental Protection Agency to reopen its investigation of gas drilling and drinking water contamination in Dimock Township. A previously undisclosed document from the federal agency, that suggested the possibility of drilling-related methane contamination of groundwater, motivated Kemble and another Susquehanna County resident, Craig Stevens, to make the trip. They plan to drop off roughly 50,000 petitions today at the agency's headquarters. The petitions, collected online by several environmental organizations, ask the EPA to return to Dimock and conduct another investigation of drinking water supplies. Last year, federal regulators found no need to "take further action." Its analysis of local drinking water samples revealed no threat to human health. Kemble, 58, remains unconvinced. To demonstrate his ire while speaking to the media outside the courthouse, he held a plastic gallon container filled nearly halfway with a brownish-yellow liquid that he says he collected from the well of his Dimock home. After drilling got underway near his home off Carter Road, he said his clean water became filthy. "The smell and the color at times is 10 times worse," Kemble said. After their stop in Scranton, Kemble and Stevens planned to drop off petitions at the EPA's regional headquarters in Philadelphia on Monday, then head to the agency's headquarters in Washington, D.C. The EPA investigation in Dimock revealed elevated levels of methane, barium, arsenic, and sodium. But regulators said homeowners' water had either been later successfully treated or did not pose a health concern. They also noted the contaminates are naturally occurring substances. Twenty wells had methane levels above the state's reporting threshold and five of those were at or above the EPA's "trigger level" - the point when dissolved methane begins to escape into the atmosphere. The agency said it has not done any detailed review to determine the cause of any contaminates. Cabot, a major player in gas shale development in Dimock and Susquehanna County, contends that methane and other contaminates in local water wells are natural phenomena and unrelated to its operations. Meanwhile, state regulators determined in 2009 that faulty gas wells drilled by Cabot allowed methane to seep into 18 Dimock water supplies. Environmentalists question why EPA pulled out of Dimock and other hotbeds of shale gas drilling in Wyoming and Texas. Some believe it is political and feel regulation took a backseat to energy development, especially in the federal government where it appears the Obama administration and some members of Congress have tilted in favor of gas extraction as a means for the U.S. to achieve greater energy independence.

Many weapons in 'War on Coal' deployed long before Obama took office

PITTSBURGH POST-GAZETTE (Monday) The coal industry can be excused for thinking there's a massive, organized, palm-rubbing effort to make its life difficult -- the war on coal, in short. It's a "war" that's been decades in the making, with few regulations actually originating with the Obama administration. Yet the current swarm of actions also underscores the extent to which the White House can influence which rules get written, enforced or buried by delays and litigation. "It's not a war on coal for warring on coal's sake," said David Spence, associate professor of law, politics and regulation at the University of Texas. Rather, it's kind of a perfect storm of actions that have been simmering for a long time. Consider the Mercury and Air Toxics Standards, which were a major contributor to Akron, Ohio-based FirstEnergy Corp.'s decision to shutter 11 coal-fired power plants, including the Mitchell and Hatfield's Ferry power stations in southwestern Pennsylvania. Rules this complicated and consequential didn't spring up overnight: Their seeds were planted in the Clean Air Act amendments signed in the early 1990s by then-President George H.W. Bush. The amendments called on the EPA to conduct a study that Congress would use to determine if regulating mercury and "air toxics" -- hazardous air pollution -- is appropriate. The agency finally issued the study in 1998, nudged by a lawsuit, and Congress concurred they should be regulated. The deadline for the rules was pushed back several times until the EPA finally issued standards in 2005, during the President George W. Bush administration. Then, just before the rules were set to go into effect, the D.C. district court threw them out. The revised standards were finally issued in April and are scheduled to go into effect in March 2015 -- nearly a quarter of a century after the whole process began. The Cross State Air Pollution Rule, which regulates sulfur dioxide and nitrogen oxide that floats from power plants across state lines in the eastern part of the U.S., is another example: The regulation went into effect in 2012 as a replacement for the Clean Air Interstate Rule of 2005. The earlier rule was challenged by industry, and in 2008, a district court judge ordered the EPA to try again. Even the effort to regulate carbon dioxide and other greenhouse gases -- the EPA issued a draft rule for new power plants in 2011 -- has been in the works since 1998. That's when the EPA's general

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counsel issued an opinion that greenhouse gases fit within the definition of pollutants under the Clean Air Act. But the agency stopped there. Environmental groups sued the EPA to act on that opinion, but in 2003, after the White House changed hands from Bill Clinton to George W. Bush, the EPA reversed its stance. The agency said it didn't think the Clean Air Act was the appropriate vehicle for greenhouse gas regulation. More petitions and lawsuits followed. Eventually, the case went up to the U.S. Supreme Court, which sided with the environmental groups. That was in 2007, and it paved the way for the current EPA to issue these rules.The Obama administration would have preferred for Congress to pass legislation to curb greenhouse gas emissions, according to Mr. Spence, and it looked like a strong possibility in 2009. Then, momentum shifted during the 2010 election, and "EPA action was really the second-best alternative from their point of view." Congress, especially Republican lawmakers, has been railing against this strategy.

Gas industry to Gov. Markell: "move forward"

PHILADELPHIA INQUIRER Last November, Delaware Gov. Jack A. Markell was putting on the brakes when it came to natural gas development in the Delaware River Basin. Last month, he was extolling the virtues of natural gas at an event to celebrate the conversion of a coal-fired power plant in Dover to natural gas. And didn't the natural gas industry take note of the apparent irony! In a letter to the governor, Kathryn Z. Klaber, CEO of the Marcellus Shale Coalition, wrote of the coalition's "great interest" in the announcement about the plant, the NRG Energy Center Dover. In particular, a quote from the governor in a state press release: "The repowering of NRG Energy Center Dover represents another important milestone in Delaware's efforts to have the cleanest, cheapest and most reliable energy in the nation. ... NRG's investment in cleaner natural gas technology provides significant air quality benefits for our citizens and improves the economic competitiveness of Kent County. NRG is to be recognized for reducing air emissions and contributing to Delaware's goal of a clean energy economy." Markell is one of four governors — plus a federal representative — who are members of the Delaware River Basin Commission, which regulates water use and oversees water quality in the basin. He apparently was the impetus for the DRBC cancelling a meeting to vote on proposed regulations last November. If adopted, the regulations would have led to an end of a drilling moratorium the commission set in 2010. But Markell said he couldn't support the regs, and the meeting was off. In her recent letter, Klaber challenged Markell, saying, "Given these clear benefits — which your state is realizing firsthand, even while Delaware produces no natural gas — we once again encourage you, through your Delaware River Basin Commission position, to call on the Commission to move forward immediately with workable, common-sense regulations." Delaware has no natural gas reserves. But with drilling elsewhere in the basin, "your state would be in a strong position to advance even more opportunities associated with clean-burning natural gas than ever before," Klaber said.

Come on in. The water's clear of bacteria and pollution

NORFOLK VIRGINIAN PILOT Three health inspectors waded into the shallows of the Chesapeake Bay early one recent morning. One dragged an electronic probe through the brackish waters. Another carried a clipboard and recorded digital readings. A third dunked a glass bottle held with an aluminum pole and collected a sample. Each bottle - about 10, stored in an ice chest - had a plastic cap inked with black numbers. Each number represented a Norfolk beach. Every week during the summer, health inspectors across Hampton Roads take a few ounces of seawater from 46 public beaches along the ocean, bay and inlets. The amount is next to nothing. But those few ounces are perhaps the most important daily liquid to hundreds of thousands of locals and vacationers. They can determine whether children play in the waves or will be forced to find something else to do away from the water. The inspectors look for harmful bacteria and pollutants. Bad test results mean a beach advisory goes up to keep beachgoers away. The advisories are generally posted between May and September, when the beaches are most popular. It's also when summer storms stir up more bacteria and waste in the water, Brian Knight, environmental health scientist at the Norfolk Health Department, said. The weekly tests look specifically for enterococcus faecalis, a bacteria commonly associated with human and other animal waste, he said. Swimming in water with high bacteria levels can lead to stomach and intestinal sicknesses, as well as a greater chance of picking up eye and ear infections, according to the health department.

Casey wants federal dollars to target Marcellus Shale jobs

BEAVER COUNTY TIMES MONTOURSVILLE — The custom molds under production in the Ralph S. Alberts Company take on a variety of forms: silicone models of dissected cats for science classes, foam safety padding for roller coasters and lifelike mannequins for medical education. The third-generation family business, celebrating its 50th anniversary this year, is now tapping into the latest field to shake up the local economy: natural gas drilling. Alberts Spray Solutions uses heavy-duty polymer sprays to construct containment pens that prevent spills from contaminating the soil at drilling sites. In just three years, the subsidiary has grown to account for 20 percent of the parent company's gross annual sales, according to company president Edward Alberts. The expansion has caught the attention of U.S. Sen. Bob Casey, D-Pa., who kicked off a statewide economic development tour Monday by visiting the Alberts Company headquarters just outside Williamsport. In front of the Spray Solutions warehouse, Casey held a press conference to unveil a bill that aims to pump federal job-training dollars into Pennsylvania's natural gas industry. The federal Workforce Investment Act, enacted in 1998 and now up for re-authorization, enables the U.S. Department of Labor to dole out grants to local workforce investment boards to provide employers with subsidized job training. Casey's proposed legislation, called the Marcellus Shale On-the-Job Training Act, would earmark some of those funds to companies involved in the exploration, production and transportation of natural gas extracted from the Marcellus Shale. "This is a very specific kind of on-the-job training," Casey said. "What we want to do here is target and specify and create an opportunity so that you can have employers that are going to have a steady stream of workers, a skilled workforce that will be prepared to do the jobs we want them to do in the natural gas field."

Court reveals how shale drillers, Pittsburgh-area family agreed

PITTSBURGH POST-GAZETTE Washington County documents detail couple's settlement. The previously confidential agreement to settle a Washington County family's claims that its health and property value were damaged by nearby shale gas development contains lifetime bans on what they can say and do, and also places restrictions on where they may live. The 2-year-old settlement agreement, restored to the public court record Monday morning when it was filed with the Washington County prothonotary, prohibits the Hallowich family from living within 2 miles of any existing Marcellus Shale facility owned by Range Resources, MarkWest Energy and Williams Gas/Laurel Mountain Midstream, or within 1,000 feet of any existing natural gas lease involving the companies. The 17-page settlement agreement also includes the Hallowiches' previously reported payoff of $750,000, and notes they will continue to receive oil and gas royalties under the terms of a lease agreement entered into by the previous owners of their farm. It prohibits them from objecting to any drilling under any new property or residence they may own, and details the lifetime nondisclosure and nondisparagement clauses preventing them from speaking publicly about the settlement or protesting or challenging any gas development activity or lease by the operators. The operators also agreed not to disclose the terms of the settlement nor to disparage the Hallowiches. Before signing the agreement in August 2011, Stephanie Hallowich and her husband, Chris, had been vocal critics of the shale gas development that surrounded their 10-acre farm in Mount Pleasant, Washington County. The settlement agreement states the companies denied their shale gas development activities caused any health problems, and Matt Pitzarella, a Range spokesman, has repeated that position in recent weeks when the Hallowich case has been in the news. "We are pleased that the public now has access to this information, which clearly demonstrates that there [are] absolutely no health, environmental or safety impacts from gas development," Mr. Pitzarella said in an emailed statement. The settlement included an admission by the family that it suffered no environmental, health or safety impact from drilling adjacent to their property. The Hallowiches' attorney, Peter Villari, said the companies insisted that such a provision be included in the settlement.

Editorial: Starting dialogue with EPA a step in right direction

HUNTINGTON HERALD DISPATCH A delegation from West Virginia came away from a meeting this month with the Environmental Protection Agency's new administrator feeling somewhat encouraged that they may be able to "hit the reset button" with federal regulators regarding the coal industry. Whether that button is reset at all, or exactly in what place, remains to be seen. However, the group of Democrats -- including members of the congressional delegation, Gov. Earl

Ray Tomblin and others, as well as coal industry and labor representatives -- said they believed new EPA chief Gina McCarthy at least heard their message. If she truly did, that might be at least a beginning of a view in Washington that simply driving the coal industry into the ground has economic ramifications as well as an impact on the nation's energy picture. Not long after Barack Obama took office as president in 2009, coal industry officials have maintained that his administration has waged a war on coal, with more stringent environmental regulations and holdups in the permitting of new mines. Those regulatory actions and comments from Obama himself have certainly given credence to that view. In June, the president announced a plan to cut carbon emissions, pursue clean technology and encourage other countries to close coal-fired power plants. That only added to the concerns of West Virginia politicians and coal industry officials. Not all that has plagued the coal industry is the government's fault, of course, although Mountain State officials and the coal industry seldom want to talk about that. The increased availability of cleaner-burning natural gas, the availability of low-sulfur coal in other states and the diminishing amount of easily reachable coal in West Virginia are contributors, too. But West Virginia officials' do have two key points to make, and it would be welcome news if those in Washington would acknowledge and take them into account.

Study finds toxins in James River crabs

RICHMOND TIMES DISPATCH Virginia Commonwealth University researchers have found high levels of a potentially liver-damaging toxin in blue crabs in the James River. The high toxin levels turned up in August 2012 during the first year of a three-year, $3 million study of harmful algae in the tidal James, said Paul Bukaveckas, a VCU river ecologist involved in the study. The toxin, called microcystin, is produced by a harmful type of blue-green algae. Bukaveckas, who leads the freshwater portion of the study, disclosed the findings in recent interviews with the Richmond Times-Dispatch. State officials say the public is not in danger. “We do not have any reason to believe that current microcystin levels in the James River present a health threat,” said Rebecca LePrell, the Virginia Department of Health’s director of environmental epidemiology. She added: “It is a noteworthy finding, and we would be interested in having more samples collected to further assess any potential risk.” The study is continuing. Bukaveckas acknowledged that his expertise lies in river health and not human health. “The only thing I can say is that in crab muscle tissue in certain times of the year, the toxins build up to levels that the World Health Organization considers unsafe for consumption.” Blue crabs are Virginia’s top commercial seafood catch and produced a $24 million harvest last year. “Consumers can be utterly confident that the product they are purchasing is of the highest quality,” said John Bull, a spokesman for the Virginia Marine Resources Commission, which manages fish in Virginia’s tidal waters. Harmful algae, and the toxins they produce, are a growing concern worldwide. A toxin is a poison produced by living things.

EPA says no problems found at World Resources facility in Norwegian Township

POTTSVILLE REPUBLICAN & HERALD MAR LIN - Residents voiced concerns about air quality, the permit process and other questions about World Resources at a information session hosted Monday by the U.S. Environmental Protection Agency at the Norwegian Township municipal building. "I think the good news that we want to share with you is that we did this examination of the World Resource facility and we found nothing that needs to be taken care of. There are no hidden issues there. The groundwater is fine. The soil around the plant is fine, and that's the primary purpose of the meeting tonight," said Paul J. Gotthold, associate director of the office of Pennsylvania Remediation Land and Chemicals Division with the EPA. World Resources recycles "EPA-listed and characteristic non-ferrous metal-bearing hazardous wastes, as well as non-hazardous wastes, by-products and other industrial residues," according to its website, www.worldresourcescompany.com. Residents have from Wednesday to Sept. 27 to comment on the proposed decision by the EPA. Comments must be submitted in writing via mail, fax or email to EPA project manager Catheryn Blankenbiller. Employees of the state Department of Environmental Protection Agency were also at Monday's meeting to a answer questions. DEP representatives said later, however, that they were surprised about comments from the public about air quality. "Would they test the air 24 hours a day?" said Irene Grabusky, a township resident. Gotthold said questions about air quality are very common when dealing with industrial operations. He said air monitoring is part of an air permit issued by a division of DEP. Officials at the meeting did not know about the permit but said air quality is monitored. DEP does inspections once a year at the property. The company does not know when those inspections will occur, said Tracey McGurk, facilities supervisor with the waste management program of DEP. "It's not a major source. I know that it's a small operation," she said of air emissions. How often the air is monitored is determined by applicable laws, Gotthold said. "I didn't realize air quality was such a big issue," McGurk said. Township Supervisor Robert Kirwan agreed that air quality is a concern.

PENNSYLVANIA

PHILADELPHIA INQUIRER

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Read more at http://www.philly.com/philly/blogs/greenliving/Gas-industry-to-Gov-Markell-move-forward.html#0MXUf5meyZEocU2A.99

PITTSBURGH POST-GAZETTE

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Court reveals how shale drillers, Pittsburgh-area family agreed Washington County documents detail couple's settlement. The previously confidential agreement to settle a Washington County family's claims that its health and property value were damaged by nearby shale gas development contains lifetime bans on what they can say and do, and also places restrictions on where they may live. The 2-year-old settlement agreement, restored to the public court record Monday morning when it was filed with the Washington County prothonotary, prohibits the Hallowich family from living within 2 miles of any existing Marcellus Shale facility owned by Range Resources, MarkWest Energy and Williams Gas/Laurel Mountain Midstream, or within 1,000 feet of any existing natural gas lease involving the companies. The 17-page settlement agreement also includes the Hallowiches' previously reported payoff of $750,000, and notes they will continue to receive oil and gas royalties under the terms of a lease agreement entered into by the previous owners of their farm. It prohibits them from objecting to any drilling under any new property or residence they may own, and details the lifetime nondisclosure and nondisparagement clauses preventing them from speaking publicly about the settlement or protesting or challenging any gas development activity or lease by the operators. The operators also agreed not to disclose the terms of the settlement nor to disparage the Hallowiches. Before signing the agreement in August 2011, Stephanie Hallowich and her husband, Chris, had been vocal critics of the shale gas development that surrounded their 10-acre farm in Mount Pleasant, Washington County. The settlement agreement states the companies denied their shale gas development activities caused any health problems, and Matt Pitzarella, a Range spokesman, has repeated that position in recent weeks when the Hallowich case has been in the news. "We are pleased that the public now has access to this information, which clearly demonstrates that there [are] absolutely no health, environmental or safety impacts from gas development," Mr. Pitzarella said in an emailed statement. The settlement included an admission by the family that it suffered no environmental, health or safety impact from drilling adjacent to their property. The Hallowiches' attorney, Peter Villari, said the companies insisted that such a provision be included in the settlement.

Allegheny County leaders examine gas wells in Washington County park Allegheny County Executive Rich Fitzgerald on Monday took staffers and county council members on a field trip to a Washington County park -- but sorry, no nature hikes. They instead were checking out the drilling operations well underway at Cross Creek County Park, an example of the kind of natural gas development Mr. Fitzgerald hopes to bring to Allegheny County's own parkland. Nearly a half-dozen county council members came along for the half-day tour, which included discussions with Washington County commissioners and park staff. They surveyed several natural gas wells, which the county hopes could soon generate several million dollars annually. "We've all seen pictures," Mr. Fitzgerald said. "I think people wanted to see it visually and just to ask questions." At 2,700 acres, Cross Creek is twice as large as Allegheny County's Deer Lakes Park, the only park the county is considering developing. And unlike their Washington County colleagues, Allegheny County officials aren't planning to allow surface drilling within the park, instead building the well pads outside and drilling underneath horizontally. But at Cross Creek, council members got a taste of what energy company Range Resources has been promising: money for park equipment, improvements and all that maintenance they've been putting off for years. "They showed us the new boat docks. They showed us the pavilions," said Nick Futules, D-Oakmont, who is council's parks committee chairman. "They said, 'This all is possible because of what we've done with Marcellus Shale.' " Allegheny County's legal staff is still drafting a request for proposals, which Mr. Fitzgerald would like to distribute within a month. But with Range and local firm Huntley & Huntley already holding gas leases for most of the properties surrounding the park, it's unlikely another company is in a better position to secure the job.

PITTSBURGH TRIBUNE REVIEW

Marcellus Shale boom is a boon to Western Pennsylvania landfill company Bill Spencer went to his employees in 2011 and told them life at his landfill company had to change. Max Environmental Technologies Inc. had stayed in business for 50 years by serving Western Pennsylvania's biggest industries. First, it was steel; and now, the gas industry. To get its business would mean the end of standard 7-5 shifts. Some workers had taken pay cuts a year before — now they would have to work long hours and late hours. Max had to be ready and flexible around the clock. Drillers “are incredibly demanding. They want it yesterday,” Spencer said. “It was imperative that we made a change, and change direction. Also diversify the company. We tried a million different ideas, and we were fortunate that the Marcellus emerged all around us, and it was a perfect fit.” Gas companies are drilling about 100 wells a month into the state's shale formations, and the sand they've used and cuttings that come up from deep underground have to go to landfills or get permanently encased in a protective liner. That totaled 1.3 million tons of solid waste last year, according to state data. It occurred at a time when the landfill business was hurting because of the economic downturn, said David Buzzell, legal counsel to the Pennsylvania Waste Industries Association. Shale drilling accounts for 1 million of the 20 million tons of waste its members get a year, Buzzell said.

Timbering ordinance proposed Forward Township's board of supervisors voted on Monday to advertise a timbering ordinance. “The purpose (is) to promote the woodland areas and the environmental and economic benefits they provide,” the ordinance begins.It aims “to encourage the owners of woodland to continue that land use for the long-term production of timber, recreation and wildlife habitat,” promote stewardship, protect rights of adjacent landowners and the public and minimize the impact of “improper timber harvesting.” The supervisors propose minimum standards for minor and major timbering and logging permits, including buffer zones and a ban on timbering anywhere “with a slope exceeding 25 percent nor in landslide or flood-prone areas.” Board chairman Tom DeRosa said recent storms were the worst in the township since 1982. He said the worst impact was on Saddler's Hollow Road. Still, one resident said, some hard-hit roads, such as Pangburn Hollow, are not considered to be in a flood plain. He sought to get flood insurance and was told it costs $639 a year. Township secretary Karen Stetor reminded residents that they can apply for low-interest loans from the Small Business Administration.

Growing Greener grant sought Jefferson Hills council on Monday assured residents their tax dollars are being spent carefully. Council ratified a work authorization not to exceed $4,000 for Gateway Engineers to assist in the preparation of a Growing Greener grant application to Pennsylvania Department of Environmental Protection for the Peters Creek stream restoration project. But because of the borough's current public works/maintenance facility and salt bin project coming in at

nearly $1 million over budget, Councilman Tracey Kahlil wanted to stress to residents that the borough would not further fund the Peters Creek project until at least 2015, if not 2016. “We are watching the budget very carefully,” Kahlil said. “We're being mindful of every dollar that is being spent in the borough because we don't want to get ourselves in a bind.” Kahlil said that despite the budget problems with the public works facility, financial officer and treasurer Andrew McCreary has the borough in a good financial place. “He's really good at what he does,” Kahlil said. “We're in good shape and we want to keep it that way.”

STATE IMPACT PENNSYLVANIA

Pipeline Protest Targets Bank HQ In South Jersey Over a dozen protestors gathered outside the headquarters of TD Bank on Route 70 East in Cherry Hill, New Jersey Monday morning with signs asking drivers to “honk for clean energy.” Some of them did. The group, organized by Rising Tide Philly, gathered in South Jersey as some 200 environmental activists staged a sit-in on the steps of the State Department in Washington, D.C. where federal regulators are considering an expansion of the Keystone XL Pipeline. TransCanada, the Canadian energy company behind the multi-billion dollar project, needs a Presidential Permit to build a new connection across the border from Alberta through the Bakken Shale region to Kansas. The Cherry Hill protest was targeted at TD Bank’s role as a major investor the project. According to stockzoa.com, TD Asset Management owns more than $1 billion dollars worth of shares in TransCanada. A spokeswoman for TD Bank would not confirm how much stock the bank currently has in the energy company or the pipeline project. “We support everyone’s right to safely and respectfully protest,” said TD Bank medial specialist Lauren Moyer. Protest organizer Elias Schewel believes the bank is helping to push the Earth into “a climate disaster” by promoting non-renewable energy sources.

Western Pa. Lawmaker Looks To Repeal New Pooling Law Pennsylvania’s new oil and gas lease pooling law hasn’t officially taken effect yet, but at least one legislator already wants to repeal it. Rep. Michele Brooks (R- Crawford) sent out a memo today seeking co-sponsorship to remove controversial language that allows pooling. The legislation was originally promoted as an effort to bring more transparency to royalty check stubs by requiring drilling companies to clarify the deductions they take. Most of the measure deals with that issue, but at the last minute amid budget negotiations, two sentences were added. The language gives drilling companies the power to combine leases into production units for horizontal drilling without the consent of landowners.

Clean Air Group Skepitcal About New DEP Rules (Saturday) The Pennsylvania Department of Environmental Protection’s new air quality rules is raising the eyebrows of at least one environmental group. While the new standards, stricter than current federal regulations, are getting the nod from the industry, the Philadelphia-based Clean Air Council is skeptical about the rules’ ability to drive down air pollution. Unconventional wells, the kind used for hydraulic fracturing, will no longer be getting a pass on filing air quality plans. The DEP’s criteria go a few steps farther than federal standards, by adding new rules about detecting and repairing leaks on well pads and burning excess methane to control emissions, a process known as flaring. Shale drillers can comply with the DEP’s new rules or prove they’ve already got stricter air quality measures in place.

BEAVER COUNTY TIMES

Casey wants federal dollars to target Marcellus Shale jobs MONTOURSVILLE — The custom molds under production in the Ralph S. Alberts Company take on a variety of forms: silicone models of dissected cats for science classes, foam safety padding for roller coasters and lifelike mannequins for medical education. The third-generation family business, celebrating its 50th anniversary this year, is now tapping into the latest field to shake up the local economy: natural gas drilling. Alberts Spray Solutions uses heavy-duty polymer sprays to construct containment pens that prevent spills from contaminating the soil at drilling sites. In just three years, the subsidiary has grown to account for 20 percent of the parent company's gross annual sales, according to company president Edward Alberts. The expansion has caught the attention of U.S. Sen. Bob Casey, D-Pa., who kicked off a statewide economic development tour Monday by visiting the Alberts Company headquarters just outside Williamsport. In front of the Spray Solutions warehouse, Casey held a press conference to unveil a bill that aims to pump federal job-training dollars into Pennsylvania's natural gas industry. The federal Workforce Investment Act, enacted in 1998 and now up for re-authorization, enables the U.S. Department of Labor to dole out grants to local workforce investment boards to provide employers with subsidized job training. Casey's proposed legislation, called the Marcellus Shale On-the-Job Training Act, would earmark some of those funds to companies involved in the exploration, production and transportation of natural gas extracted from the Marcellus Shale. "This is a very specific kind of on-the-job training," Casey said. "What we want to do here is target and specify and create an opportunity so that you can have employers that are going to have a steady stream of workers, a skilled workforce that will be prepared to do the jobs we want them to do in the natural gas field."

POTTSVILLE REPUBLICAN AND HERALD

EPA says no problems found at World Resources facility in Norwegian Township MAR LIN - Residents voiced concerns about air quality, the permit process and other questions about World Resources at a information session hosted Monday by the U.S. Environmental Protection Agency at the Norwegian Township municipal building. "I think the good news that we want to share with you is that we did this examination of the World Resource facility and we found nothing that needs to be taken care of. There are no hidden issues there. The groundwater is fine. The soil around the plant is fine, and that's the primary purpose of the meeting tonight," said Paul J. Gotthold, associate director of the office of Pennsylvania Remediation Land and Chemicals Division with the EPA. World Resources recycles "EPA-listed and characteristic non-ferrous metal-bearing hazardous wastes, as well as non-hazardous wastes, by-products and other industrial residues," according to its website, www.worldresourcescompany.com. Residents have from Wednesday to Sept. 27 to comment on the proposed decision by the EPA. Comments must be submitted in writing via mail, fax or email to EPA project manager Catheryn Blankenbiller. Employees of the state Department of Environmental Protection Agency were also at Monday's meeting to a answer questions. DEP representatives said later, however, that they were surprised about comments from the public about air quality. "Would they test the air 24 hours a day?" said Irene Grabusky, a township resident. Gotthold said questions about air quality are very common when dealing with industrial operations. He said air monitoring is part of an air permit issued by a division of DEP. Officials at the meeting did not know about the permit but said air quality is monitored. DEP does inspections once a year at the property. The company does not know when those inspections will occur, said Tracey McGurk, facilities supervisor with the waste management program of DEP. "It's not a major source. I know that it's a small operation," she said of air emissions. How often the air is monitored is determined by applicable laws, Gotthold said. "I didn't realize air quality was such a big issue," McGurk said. Township Supervisor Robert Kirwan agreed that air quality is a concern.

SCRANTON TIMES TRIBUNE

Susquehanna residents head to DC, imploring EPA to return to Dimock Ray Kemble brought a gallon of well water from his Susquehanna County home to Courthouse Square in Scranton on Monday, the first stop on a trip to Washington D.C. to implore the Environmental Protection Agency to reopen its investigation of gas drilling and drinking water contamination in Dimock Township. A previously undisclosed document from the federal agency, that suggested the possibility of drilling-related methane contamination of groundwater, motivated Kemble and another Susquehanna County resident, Craig Stevens, to make the trip. They plan to drop off roughly 50,000 petitions today at the agency's headquarters. The petitions, collected online by several environmental organizations, ask the EPA to return to Dimock and conduct another investigation of drinking water supplies. Last year, federal regulators found no need to "take further action." Its analysis of local drinking water samples revealed no threat to human health. Kemble, 58, remains unconvinced. To demonstrate his ire while speaking to the media outside the courthouse, he held a plastic gallon container filled nearly halfway with a brownish-yellow liquid that he says he collected from the well of his Dimock home. After drilling got underway near his home off Carter Road, he said his clean water became filthy. "The smell and the color at times is 10 times worse," Kemble said. After their stop in Scranton, Kemble and Stevens planned to drop off petitions at the EPA's regional headquarters in Philadelphia on Monday, then head to the agency's headquarters in Washington, D.C. The EPA investigation in Dimock revealed elevated levels of methane, barium, arsenic, and sodium. But regulators said homeowners' water had either been later successfully treated or did not pose a health concern. They also noted the contaminates are naturally occurring substances. Twenty wells had methane levels above the state's reporting threshold and five of those were at or above the EPA's "trigger level" - the point when dissolved methane begins to escape into the atmosphere. The agency said it has not done any detailed review to determine the cause of any contaminates. Cabot, a major player in gas shale development in Dimock and Susquehanna County, contends that methane and other contaminates in local water wells are natural phenomena and unrelated to its operations. Meanwhile, state

regulators determined in 2009 that faulty gas wells drilled by Cabot allowed methane to seep into 18 Dimock water supplies. Environmentalists question why EPA pulled out of Dimock and other hotbeds of shale gas drilling in Wyoming and Texas. Some believe it is political and feel regulation took a backseat to energy development, especially in the federal government where it appears the Obama administration and some members of Congress have tilted in favor of gas extraction as a means for the U.S. to achieve greater energy independence. Stevens owns property in Silver Lake Township, about 20 miles from Dimock and near another heartland of gas drilling in Franklin Township. He believes gas drilling near his property polluted his drinking water. "We're treating it as a civil rights issue and a human rights issue and we're not stopping until we get the truth," Stevens, 53, said.

Marcellus drillers consider federal option HARRISBURG - Many Marcellus Shale operators will likely opt to use federal rules as the focal point of their efforts to improve air quality at well sites, a spokesman for an industry trade group said Monday. The state Department of Environmental Protection is giving Marcellus well operators the choice of obtaining a state-approved air-quality plan or implementing procedures that would be more stringent than new federal air-quality rules for oil and gas sites. Patrick Creighton, a spokesman for the Marcellus Shale Coalition, said he can't speak for every well operator, but a number of them are likely to find the federal option preferable to submitting a formal plan to DEP, which could take a while and involve modifications and changes. "A plan-approval process takes a long time," he said. The new DEP air-quality criteria would limit nitrogen oxide emissions and require drillers to develop leak repair programs. Mr. Creighton said both options will build on efforts by the drilling industry to improve air quality. "This is an industry that is continuing to improve upon its footprint," he said. Oil and gas wells in Pennsylvania have had a blanket exemption from needing air-quality plan approvals since 1996.

WNEP-TV SCRANTON

Casey Plans Job Training For Gas Industry FAIRFIELD TOWNSHIP — United States Senator Bob Casey (D-Pa.) has a plan to help train Pennsylvanians for jobs in the natural gas industry. The senator unveiled the Marcellus Shale on the Job Training Act Monday at Alberts Spray Solutions near Montoursville. The company makes spray-on liners and bedding for gas well pads. Casey says the proposed legislation would fund training for Pennsylvanians interested in careers in the natural gas field. “What we’ve got to do is build upon that strength and make sure we are doing everything possible, not just to create jobs – and the jobs are being created in the thousands and tens of thousands – but to make sure that the people getting those jobs are, in fact, Pennsylvanians,” said Senator Casey.

WILLIAMSPORT SUN-GAZETTE

Proposed bill promotes training state residents for gas industry More natural gas industry jobs may be more accessible to Pennsylvanians instead of out-of-state workers, if a bill by U.S. Sen. Bob Casey, D-Scranton, is approved. In a news conference held Monday at Alberts Spray Solutions, 61 Choate Circle, Montoursville, Casey unveiled his Marcellus Shale on the Job Training Act, which would authorize grants to strengthen on-the-job training programs to help ensure natural gas drilling jobs go to Pennsylvanians. Though Casey couldn't specify the timeline as it will go at the pace of legislation, or the cost at this point, he emphasized the importance of the Marcellus Shale natural gas play in producing jobs for state residents. This legislation would target northcentral Pennsylvanians, he said. "Pennsylvania doesn't wait for the future - Pennsylvania invents the future," Casey said, and one way is to "take full advantage of natural gas." The act, an enhancement of the original Workforce Investment Act passed in the 1990s, would allow grants to go to workforce investment boards. These boards would partner with employers to share natural gas industry training costs, Casey said. The workers would be trained for the exploration, production and transportation of natural gas, he said.

WASHINGTON, D.C.

WASHINGTON POST

Rise in TSP loans, withdrawals accompanies furloughs Federal employees have been taking out loans and financial hardship withdrawals from their retirement savings accounts at an increasing rate in recent months, new data from the 401(k)-style Thrift Savings Plan data show. Financial hardship withdrawals, which averaged about 10,000 a month over the prior five years and through March, rose every month starting in April, to more than 14,300 in July. Similarly, loans, which had averaged about 21,000 a month, began rising in April, and in July neared 30,200. Furloughs of federal employees following sequestration began in April at some agencies and surged in July with unpaid days averaging one day a week for some 640,000 Defense Department workers. Federal employee unions had asserted that in addition to reducing current income for employees, furloughs would have a spillover effect on their retirement savings. “The July hardship distributions were the highest in plan history, while the loan distributions were at the highest level since June 2004,” said an analysis by the agency. The TSP began operations in the late 1980s. While loans must be repaid into the account — investors in effect borrow from themselves — financial hardship withdrawals are not repaid and permanently deplete the investor’s account. There also is a six-month waiting period after taking such a withdrawal before the account holder can begin investing again. TSP spokeswoman Kim Weaver said the TSP “does not know whether this is a trend or an anomaly at this point. We will monitor the data to see what happens in August. We also will be asking our participants in our upcoming participant survey whether budget constraints have caused them to make changes to their TSP participation or contribution.”

Pentagon allows few exceptions to limits on employee awards The Pentagon, which recently reduced the number of furlough days for its civilian employees, will allow only “limited exceptions” to restrictions on incentive payments for them. New guidance spells out how the department will carry out an Office of Management and Budget directive restricting such payments government-wide due to sequestration. The department is the largest federal agency with more than 750,000 employees, about 85 percent of whom must take six furlough days, a number that has been cut several times, most recently last week from 11. For most, the requirement to take one unpaid day off per week on average ends this week. The memo, dated several days before that announcement, says that at the same time, “discretionary monetary awards should not be issued during sequestration unless agency counsel determines the awards are legally required.” That includes awards ordered by a third party, for example in an employee appeal, and those “stipulated as part of a collective bargaining agreement.”

Obama will exempt military personnel if sequester continues President Obama plans to exempt military personnel from sequestration next year if Congress does not act to cancel the automatic spending cuts, according to the White House budget office. Office of Management and Budget Director Sylvia Burwell announced the commander-in-chief’s intentions in a letter on Friday to the Senate president — Vice President Biden — and House Speaker John Boehner (R-Ohio). “This is considered to be in the national interest to safeguard the resources necessary to compensate the men and women serving to defend our nation and to maintain the force levels required for national security,” Burwell said. The White House was required under the sequester-founding Budget Control Act to notify Congress by Aug. 10 of its intent to exempt armed forces personnel.

DELAWARE

WILMINGTON NEWS JOURNAL

11,000 lose power after storms pound area UPDATE: Downed tree shuts westbound U.S. 40 in Glasgow. Street flooding reported, some traffic lights dark. Severe thunderstorm warning until 7:45 a.m. Flash flood watch in effect with up to 4 inches of rain possible

DELAWARE CAPE GAZETTE

Scientists look for clues to increased dolphin deaths Marine scientists say a virus could be causing dolphin deaths along the Atlantic Coast. Suzanne Thurman of the Marine, Education, Research and Rehabilitation Institute in Lewes, said a full necropsy has been done on one of two dolphins that washed ashore Aug. 3-4. One dolphin was mostly a skeleton, she said, but the other was fresher, so it could give scientists clues to its demise. Thurman said they studied the dolphin in detail because as many as 90 dolphins died along the coast through early August, from New York to Virginia. Thurman said strandings are normal during mid-summer, but this year from May through the beginning of August there have been 13 bottlenose dolphin strandings in the Cape Region. Mendy Garron, regional marine mammal response coordinator for the National Oceanic and Atmospheric Administration Fisheries Service, said Cape Region strandings reflect what scientists have seen nationally. She said the average number of strandings along the coast is 10 to 20. The morbillivirus has been blamed for a few of the deaths, but results from the more than 20 dolphins being studied have not come back from the labs, Garron said. The morbillivirus is similar to the canine distemper virus, Garron said. It can target a dolphin's lungs and eventually cause brain damage. In some cases examined by lab scientists, the virus causes the dolphin to get pneumonia and die, Garron said. “We don't know much about how the virus is contracted or how it is passed among marine animals,” Garron said. “We are investigating it to find out if animals can live through it or if the virus is moving quickly and causing them to die right away.” Garron said NOAA officials are looking at environmental factors such as water temperatures and harmful algal blooms in the Atlantic Ocean waters. She said heavy rainfall, like that experienced in Delaware this year, could lead to increased pollution and could be responsible for some of the deaths. “We really don't know much, but it is something to look at,” Garron said. “We monitor contaminants and there haven't been any state reports of contamination.”

Gordons Pond Trail trekking toward start Work on Gordons Pond Trail is expected to begin in the fall. Susan Moerschel, Department of Parks & Recreation chief planner, said earlier this month, “Parks and rec recently received all the required permits; the project will be advertised in the next few days. A pre-bid meeting is scheduled and bids for construction will be taken over a few weeks." She said construction will begin when the bid process is complete. “During the design phase, we assumed construction would begin in fall,” she said. The Gordons Pond Trail project will create 2.7 miles of improved trail connecting Gordons Pond to Herring Point in Cape Henlopen State Park. The Junction & Breakwater Trail and Gordons Pond Trail will be linked, becoming a major segment of a 15.5-mile loop forming a regional trail system connecting Rehoboth Beach and Lewes. The trail is aligned and designed to protect rare plant and animal species and archaeological sites from wayward bikers and hikers, with a 900-foot boardwalk-bridge spanning an environmentally sensitive area. Boardwalk-bridge decking is expected to be a fiberglass grid with a nonskid surface to allow sunlight and rainwater to reach vegetation growing underneath. The entire trail is designed to be accessible to people with disabilities, and people with strollers, bikes with skinny tires and rollerbladers. The new segment is designed to be surfaced with stone dust like that already used throughout the trail. The Gordons Pond Trail project is one of the first in Gov. Jack Markell’s Statewide Trails and Pathways Initiative. The trail network will help to promote healthy lifestyles and reduce air pollution and traffic by taking cars off the road.

WEST VIRGINIA

HUNTINGTON HERALD-DISPATCH

Editorial: Starting dialogue with EPA a step in right direction A delegation from West Virginia came away from a meeting this month with the Environmental Protection Agency's new administrator feeling somewhat encouraged that they may be able to "hit the reset button" with federal regulators regarding the coal industry. Whether that button is reset at all, or exactly in what place, remains to be seen. However, the group of Democrats -- including members of the congressional delegation, Gov. Earl Ray Tomblin and others, as well as coal industry and labor representatives -- said they believed new EPA chief Gina McCarthy at least heard their message. If she truly did, that might be at least a beginning of a view in Washington that simply driving the coal industry into the ground has economic ramifications as well as an impact on the nation's energy picture. Not long after Barack Obama took office as president in 2009, coal industry officials have maintained that his administration has waged a war on coal, with more stringent environmental regulations and holdups in the permitting of new mines. Those regulatory actions and comments from Obama himself have certainly given credence to that view. In June, the president announced a plan to cut carbon emissions, pursue clean technology and encourage other countries to close coal-fired power plants. That only added to the concerns of West Virginia politicians and coal industry officials. Not all that has plagued the coal industry is the government's fault, of course, although Mountain State officials and the coal industry seldom want to talk about that. The increased availability of cleaner-burning natural gas, the availability of low-sulfur coal in other states and the diminishing amount of easily reachable coal in West Virginia are contributors, too. But West Virginia officials' do have two key points to make, and it would be welcome news if those in Washington would acknowledge and take them into account.

Huntington appoints first storm water director HUNTINGTON -- The state employee in charge of municipal storm water regulations in West Virginia will now oversee the city of Huntington's largest infrastructure problem. Sherry Wilkins began work Monday as the city's first storm water director. The position was proposed by Mayor Steve Williams and approved by City Council in July. She will be responsible for ensuring that the city comes into compliance with its Municipal Separate Storm Water System, or MS4, permit. Huntington was fined $156,000 by the Environmental Protection Agency in 2011 for falling out of compliance, although the penalty was reduced to $15,000 after city officials agreed to move forward with a handful of storm water projects that reduced runoff. Wilkins has more than 30 years experience in water resources and in the water regulatory field. Her main focus has been the federal Clean Water Act and the MS4 program. She has been employed by the West Virginia Department of Environmental Protection for the past 20 years, the last nine of which were as the MS4 program manager. Under that role, she has traveled across the state to train municipal officials about the state storm water program and encourage innovative storm water management in urban areas. "She brings immediate credibility when we're talking to the EPA," Williams said. "She knows what has worked and what hasn't worked in municipalities in West Virginia and can use that insight to tell us how we should proceed with our storm water program." Wilkins will earn $51,000 a year as the city's storm water director. She will join storm water coordinator Chad Minnick, who makes $31,000 a year and is responsible for organizing community-based and supplemental environmental projects within the storm water division.

Biden to speak at dinner for W.Va. Democrats CHARLESTON -- Vice President Joe Biden, who is showing more interest in the 2016 presidential race of late, will be the keynote speaker at the West Virginia Democratic Party's annual Jefferson-Jackson dinner in October. Biden also will head to Iowa next month to headline Democratic Sen. Tom Harkin's steak fry fundraiser on Sept. 15, a key stop for aspiring presidential candidates. It's the latest in a string of Biden appearances with ties to critical states for primary candidates. The Iowa caucuses kick off the 2016 primary season. Biden is also planning to raise money in Maine for the governor of New Hampshire, which holds the first primary, and spoke earlier this year in South Carolina, another early state. During inaugural weekend this year, he mingled with Democrats from Iowa and New Hampshire. Biden hasn't closed the door to a third presidential campaign in 2016. West Virginia Democratic chairman Larry Puccio said Tuesday that Biden accepted an invitation from U.S. Sen. Joe Manchin to deliver the keynote address at the Oct. 12 Jefferson-Jackson event at the Charleston Civic Center -- a premier Democratic event for the state.

MARYLAND

BALTIMORE SUN

O'Malley in Las Vegas for clean energy program Governor will discuss policy at national event.

Gov. Martin O'Malley is scheduled to be in Las Vegas Tuesday for a panel discussion on clean energy, appearing alongside former California Gov. Arnold Schwarzenegger at an event with big names in national politics.

County plans to increase tree canopy matches Catonsville goal of more shade Last week's Baltimore County Council resolution to evaluate ways to increase and improve tree canopy in the county was encouraging news for Catonsville residents working to add trees to the area. The Aug. 5 resolution, co-sponsored by 1st District Councilman Tom Quirk, orders the Commission for Environmental Quality "to review the County's current requirements and standards for tree planting and preservation and to evaluate tree canopy programs in neighboring jurisdictions." The commission is required to submit a report to County Executive Kevin Kamenetz by Dec. 31. Commission members are asked to pay specific attention to watersheds and parts of Perry Hall and Towson. But the resolution touches on an issue that is of particular relevance in Catonsville, according to Catonsville resident Valerie Androutsopoulos, who represents the 1st District on the commission. She pointed out that Catonsville's proximity to Patapsco Valley State Park gives the impression that there is a large, healthy tree canopy in the area. "...we may be a little lax in what we're doing individually, because we say, 'Oh, the state park is right down the street, and we have all these beautiful trees.' But we can still do a better job," she said. "Within Catonsville, there have been a number of individuals who have sort of been spurring getting the homeowners to get involved — really encouraging people to start planting trees," she said.

Editorial: The jury's still out on Harbor Point Our view: City support for a mega-development on the waterfront is all but assured, but the degree to which it will ultimately benefit Baltimore residents remains to be seen. The Baltimore City Council is scheduled to hold at least preliminary debate on $107 million in tax increment financing for the Harbor Point development today, and whenever the final vote occurs, the outcome is not much in doubt. Despite an unusual amount of public criticism of the city's support for this project, there has in fact been little question that it would be approved since the mayor stood with the City Council president to endorse the deal months ago.

CARROLL COUNTY TIMES

Taneytown passes Chesapeake Bay fee financial hardship exemption plan TANEYTOWN — The Taneytown City Council unanimously voted to adopt a state requirement that mandates municipalities craft a form allowing low-income residents the opportunity to opt out of a paying the $60 annual Bay Restoration Fee. Signed into law in 2004, the state legislature crafted the fee, which is aimed at creating a dedicated fund financed by wastewater treatment plant and septic system users with the goal of helping clean up the Chesapeake Bay. The fee doubled in 2012, prompting the state to require municipalities to craft and implement a financial hardship exemption plan, according to Jay Apperson, Maryland Department of the Environment spokesman. There wasn't a deadline for the exemption form to be implemented nor is there a penalty for not abiding, Apperson said. A person must re-apply ever year, according to the resolution that passed at the council's Monday meeting. The Maryland Department of the Environment approved the city's proposed plan in March, according to Apperson. In order to be eligible for an exemption, a Taneytown resident must meet two of the following conditions: receive an energy assistance subsidy; receive public assistance, such as supplemental security income or food stamps; receive veterans or Social Security disability benefits; and have a total monthly income at or below a certain number. For example, for a household the size of one, the monthly income must be less than $1,628.95 to apply. For a household of four, the monthly income must be less than $3,361.45, according to the resolution. In order to apply, a financial exemption form must be filled out, at least two of the criteria must be met, a verification of any exemption criteria must be provided and a renewal application must be received by May 30 every year to City Hall, located at 17 E. Baltimore St. A copy of the resident's tax bill and proof of Taneytown residency must also be provided, according to the resolution.

Companies propose first solar energy farm to be built in Carroll Preliminary steps have been taken to pursue building the first solar energy farm in Carroll, which would be privately owned and located on 66 acres south of Taneytown. Two Maryland-based companies, BithEnergy and Total Construction Services, proposed the project together. Officials from both said it has the potential to possibly benefit Carroll residents and would be a good fit for the land, which is just outside Taneytown's city limits.

VIRGINIA

RICHMOND TIMES-DISPATCH

Study finds toxins in James River crabs Virginia Commonwealth University researchers have found high levels of a potentially liver-damaging toxin in blue crabs in the James River. The high toxin levels turned up in August 2012 during the first year of a three-year, $3 million study of harmful algae in the tidal James, said Paul Bukaveckas, a VCU river ecologist involved in the study. The toxin, called microcystin, is produced by a harmful type of blue-green algae. Bukaveckas, who leads the freshwater portion of the study, disclosed the findings in recent interviews with the Richmond Times-Dispatch. State officials say the public is not in danger. "We do not have any reason to believe that current microcystin levels in the James River present a health threat," said Rebecca LePrell, the Virginia Department of Health's director of environmental epidemiology. She added: "It is a noteworthy finding, and we would be interested in having more samples collected to further assess any potential risk." The study is continuing. Bukaveckas acknowledged that his expertise lies in river health and not human health. "The only thing I can say is that in crab muscle tissue in certain times of the year, the toxins build up to levels that the World Health Organization considers unsafe for consumption." Blue crabs are Virginia's top commercial seafood catch and produced a $24 million harvest last year. "Consumers can be utterly confident that the product they are purchasing is of the highest quality," said John Bull, a spokesman for the Virginia Marine Resources Commission, which manages fish in Virginia's tidal waters. Harmful algae, and the toxins they produce, are a growing concern worldwide. A toxin is a poison produced by living things.

NORFOLK VIRGINIAN PILOT

Come on in. The water's clear of bacteria and pollution Three health inspectors waded into the shallows of the Chesapeake Bay early one recent morning. One dragged an electronic probe through the brackish waters. Another carried a clipboard and recorded digital readings. A third dunked a glass bottle held with an aluminum pole and collected a sample. Each bottle - about 10, stored in an ice chest - had a plastic cap inked with black numbers. Each number represented a Norfolk beach. Every week during the summer, health inspectors across Hampton Roads take a few ounces of seawater from 46 public beaches along the ocean, bay and inlets. The amount is next to nothing. But those few ounces are perhaps the most important daily liquid to hundreds of thousands of locals and vacationers. They can determine whether children play in the waves or will be forced to find something else to do away from the water. The inspectors look for harmful bacteria and pollutants. Bad test results mean a beach advisory goes up to keep beachgoers away. The advisories are generally posted between May and September, when the beaches are most popular. It's also when summer storms stir up more bacteria and waste in the water, Brian Knight, environmental health scientist at the Norfolk Health Department, said. The weekly tests look specifically for enterococcus faecalis, a bacteria commonly associated with human and other animal waste, he said. Swimming in water with high bacteria levels can lead to stomach and intestinal sicknesses, as well as a greater chance of picking up eye and ear infections, according to the health department.

Suffolk waits to hear verdict on roadkill incinerators SUFFOLK -- Deer that lose battles with cars and squirrels flattened by semitrailers all end up at one of the city's four roadkill incinerators. The furnaces roar at 1,600 degrees and can reduce to ashes about 200 pounds of animal carcasses an hour. The city depends on them - Public Works crews clear about 2,000 dead animals a year from city roads, mostly deer. But the diesel-fueled incinerators can release pollutants into the air and require operating permits from the state's Department of Environmental Quality. That requirement has the city facing legal sanctions - the state recently discovered the city has been running its incinerators without permits for six years. The city recently purchased two replacement incinerators - for $31,940 apiece - which also have no permits. The state investigated after a Pilot inquiry into the use of the machines, and it told Suffolk officials to apply for permits to comply with state and

federal air quality standards. Documents obtained through the Virginia Freedom of Information Act show Portsmouth and Virginia Beach have up-to-date permits for the use of similar machines. Norfolk and Chesapeake pay an animal crematorium, which has a permit.

NEWPORT NEWS DAILY PRESS

Goin' Green: Rain barrels keep pollutants out of the Chesapeake Bay Kory Steele moved his family into their Newport News home about five years ago, and before they completely unpacked he'd already installed his first rain barrel — a plastic container once used to import Greek olives, purchased at an Army surplus store. "This is my first house," Steele explained. "So I think I was young and enthusiastic to try out all these projects." he rain barrel worked out so well that the next year Steele, an environmental consultant, installed two more. Altogether, the barrels help capture and store 160 gallons of rainwater that flows off his roof — rainwater that otherwise could transport all kinds of nasty, manmade chemicals and sediment into the Chesapeake Bay. Instead, Steele uses it to water the thirsty native trees and plants in his yard. "One of the principals of pollution management is to not just send your stormwater runoff down your driveway, out to the street, into the gutter and directly out to the James River," Steele said. "One of my goals was to capture all of my stormwater and keep it on my lot and try to send it into the ground so that we have some sort of aquifer recharging." As an environmental consultant, Steele is accustomed to looking at the big picture. And in the big picture, stormwater runoff is one of the worst culprits when it comes to polluting the bay. Most people assume the same rainwater that lands on roofs, sidewalks and streets eventually makes its way to the bay in pristine condition. Or that it's treated somehow and cleansed of all the fertilizers, pesticides, litter and debris it picks up en route.

Tighter regulations prove a boon for stormwater pipe industry (Sunday) Selling stormwater pipes is a growing business, as localities across the country face tightening state and federal restrictions on the pollution content of storm runoff. In Virginia, localities will have to meet strict new regulations in 2017 and 2025 in an effort to stem pollution in the Chesapeake Bay, said Thomas L. Frederick Jr., executive director of the Rivanna Water & Sewer Authority. “The rules are getting more stringent, and I would anticipate that for the city of Charlottesville and Albemarle County, that the regulations will continue to more stringent,” Frederick said. “Most of that has to do with cleaning up the Chesapeake Bay.” Ferguson Waterworks, a company that sells stormwater pipes to commercial and residential customers, has seen a growth in business mostly from subdivision developers in the last two years, said sales manager Todd Reeder. The spike in business comes after a four-year dry spell from 2007 to 2011, Reeder said. “I think our business is moving up in the last couple years, and it looks like it will likely continue for the next couple years,” he said. “We’ve seen more work in Albemarle in the last two years … It’s nowhere near what it was years ago, but it’s moving in the right direction.” Demand for pipe in the United States is expected to reach $50.1 billion by 2016, according to a study published by the Freedonia Group, an industry market research firm.

ROANOKE TIMES

'Pulse release' will raise James River levelsAn effort to flush the Jackson River of algae and improve water quality will raise the Jackson’s level by up to five feet and raise the upper James River by up to three feet Tuesday morning. The Army Corps of Engineers has announced it will conduct a “pulse release” from Gathright Dam beginning at 6 a.m. Tuesday. The release will peak at 3,500 cubic feet per second by 9 a.m. It will return to 250 cubic feet per second by 2 p.m. People using the river should be aware of the river level fluctuations, according to a news release from the corps.Three other releases are scheduled over the next two months, on Sept. 3 and 24, and Oct. 15.

FREDERICKSBURG FREELANCE STAR

Waste foes meet again A group of Stafford County residents are hoping their questions will help kill the proposed waste-to-energy project being discussed by elected officials again this afternoon. Stafford Citizens for Open Government’s Monday night meeting drew about 50 people to the England Run Library, many of whom said they’d be speaking at today’s Board of Supervisors meeting. County supervisors will discuss the project that they’d approved in June, with one supervisor planning to ask to delay the timeline until further research could be done. “There are simpler, far less risky ways to go about fixing a landfill problem than to go into a technology that’s being implemented by a company that’s never done this before, with a technology that has never been successful,” said resident Bill Johnson about Energy Extraction Partner’s proposal for a $73 million facility at the regional landfill. The process of pyrolysis would convert trash and imported tires into 15 megawatts of electricity and other byproducts. Johnson wrote an email last week to a county supervisor with concerns over the project. EEP’s senior system engineer, Rod Flores, wrote replies to Johnson’s comments, but never sent it to the local resident. Johnson saw the answers when they were posted on fredericksburg.com, he said. Johnson, a 15-year resident of the county and recently retired, questioned why Stafford would want to be known as a manufacturer of tire oil, which is one of the byproducts of the pyrolysis process. Under the current draft lease, about 90 tons of tires would be trucked into the Rappahannock Regional Landfill on Eskimo Hill Road each day to provide for balanced heat units in the process. “Give me your tires, your garbage, your unwanted trash, so we can breathe free polluted air,” Johnson said, making a parody of “The New Colossus,” the poem by Emma Lazarus mounted on the Statue of Liberty. “They’re manufacturing this waste oil. That’s what this is designed to do—it’s the only way it can be profitable,” Johnson said.

Regional landfill proposal stirs controversy If and when Energy Extraction Partners, LLC submits an application to the state for its planned waste-to-energy plant at the regional landfill, at least two state permits would be required, along with a review process that could take a year, a state regulator says. The plant, proposed for the landfill on Eskimo Hill Road in Stafford County, has generated intense public debate in recent weeks, because of a lack of information and complexities of its little-known pyrolysis technology in the United States. In an interview, Thomas Faha, director of the Virginia Department of Environmental Quality’s Northern Regional Office in Woodbridge, said EEP outlined its proposal to the agency in early June. That approach is standard, Faha said. “It gives us an opportunity to give them early advice on what we might be seeking from them.” But unlike other waste-to-energy projects approved by DEQ in recent years, one using pyrolysis has never been through the state’s regulatory process. Records indicate “we don’t have any,” Faha (pronounced Fay) said. That’s not to say there haven’t been other proposals. “We’ve had maybe half a dozen meetings” with entities, he said, “that have proposed facilities very similar, on a large scale,” but none ever made it to actually filing an application.

ASSOCIATED PRESS (VA.)

Chesapeake Bay course offered in Charlottesville CHARLOTTESVILLE, Va. (AP) -- The Chesapeake Bay Foundation is accepting applications for an adult education course in Charlottesville. The Volunteers as Chesapeake Stewards classes will be held on Tuesday evenings from Oct. 1 through Nov. 19 at the Charlottesville Elks Lodge. The cost is $30 for individuals and $50 for couples. The classes focus on water quality and stewardship. Included are two field trips and discussion of efforts to restore streams, rivers and the Chesapeake Bay. After completion of the class work, participants will be asked to perform 40 hours of Bay-related volunteer service. Successful graduates receive the Chesapeake Bay Foundation's designation as a "Chesapeake Steward." Applications are due by Sept. 13. For more information, contact Robert Jennings at (484) 888-2966.

Toxin levels in James River crabs down from last year RICHMOND-- A study of harmful algae in the James River has found high levels of a toxin in blue crabs, but a state health official says there is no reason to believe there is a health risk to the public. The three-year, $3 million study is being conducted by researchers from Virginia Commonwealth University, the Virginia Institute of Marine Science and elsewhere. Researchers discovered high levels of a toxin called microcystin in blue crabs in the tidal freshwater James in August 2012. The toxin also has been found in crabs this summer but not at high levels, VCU river ecologist Paul Bukaveckas told the Richmond Times-Dispatch. "We've been looking for the toxin in water and sediments as well as the things that live in the river, and we are basically finding it everywhere," Bukaveckas said. But toxin levels in fish such as menhaden and blue catfish were low. "At this time, no human studies have demonstrated that people can become ill from ingesting shellfish tissue containing microcystin," said Rebecca LePrell, the Virginia Department of Health's director of environmental epidemiology.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

Groups Ask D.C. Circuit to Vacate 2008 RCRA Gasification Exemption Environmental advocates and a hazardous waste industry group ask a federal court to vacate an EPA rule that excludes hazardous waste gasified at petroleum plants from the definition of solid waste under the Resource Conservation and Recovery Act. In a brief to the U.S. Court of Appeals for the District of Columbia Circuit, Earthjustice and others argue that EPA arbitrarily discounted evidence that the exclusion would endanger human health and the environment and circumvented notice and comment requirements by crafting a final rule that was broader than the 2002 proposal.

BP Sues EPA Over Affiliate Contract Debarment Following Gulf Spill BP Exploration & Production Co. and several affiliates sue EPA over its decision to suspend the company from federal contracts following the 2010 Deepwater Horizon explosion and oil spill. In the lawsuit in the U.S. District Court for the Southern District of Texas, BP says it was negotiating an agreement with EPA to resolve issues stemming from the oil spill when the agency broke off discussions and suspended 21 BP affiliates from federal contracting. The company claims most of the affiliates had no relation to the Deepwater Horizon accident and asks the court to overturn the suspensions

GREENWIRE

Sportsmen press Obama admin to proceed with Clean Water Act guidance Sportsmen's groups are leaning on the Obama administration's new regulatory heavyweights to sign off on controversial guidance to clarify oversight of wetlands and other water resources, more than 18 months after it was sent to the White House for review. Regulators and industry have been stuck in a legal quagmire for six years in the wake of two confusing Supreme Court decisions that raise questions about the regulation of isolated wetlands and intermittent streams under the Clean Water Act. In February 2012, U.S. EPA and the Army Corps of Engineers sent guidance to the White House that would increase the number of marshes, bogs and waters under the jurisdiction of the 1972 law. But the guidance has since been stalled at the Office of Management and Budget. "Continued delay is inexcusable and puts critical wildlife and habitat at risk," 13 groups said in a letter sent Friday to Sylvia Mathews Burwell, who was confirmed by the Senate in April to direct OMB, and Howard Shelanski, who took the reins at the Office of Information and Regulatory Affairs last month. Since the agencies announced the draft guidance in 2011, they have made clear that they plan to undertake a formal rulemaking on the topic. Green groups and sportsmen's advocates want the administration to release the guidance in the interim, but industry groups and Senate Republicans say doing so would constitute regulatory overreach. They want the administration to move directly to a rulemaking.

EMICALS: Hazardous material warning system lacks oversight A federal program meant to warn the public about hazardous chemicals lacks oversight in several states. Private and public facilities are required to file Tier II reports under the Emergency Planning and Community Right-to-Know Act. The reports provide an inventory of what hazardous chemicals are stored at their properties. But the reports are often inaccurate, sometimes misidentifying chemicals or failing to report them in the first place. And in most cases, federal and local authorities aren't auditing the reports to check for problems. U.S. EPA has no active system for examining reports. Instead, the agency looks into the reports only when it receives complaints or during checks for other regulations. Last year, this system resulted in EPA's reporting that at least 95 companies had failed to report the chemicals they had on site. State and county officials are responsible for ensuring Tier II reports are accurate, EPA said in a statement.

WALL STREET JOURNAL

BP Sues EPA to Get New Contracts BP has sued the U.S. Environmental Protection Agency, saying the agency is abusing its discretion by continuing to bar the company from new government contracts. BP PLC has sued the U.S. Environmental Protection Agency, saying the agency is abusing its discretion by continuing to bar the company from new government contracts following guilty pleas related to the 2010 Gulf of Mexico oil spill. In a filing Monday in federal court in Houston, BP says it has lost out on billions of dollars of potential contracts, such as supplying fuel to the U.S. military, because the EPA refuses to lift the prohibition on new contracts first put in place in November 2012. That was when BP said it would pay $4.5 billion in fines and plead guilty to criminal charges including obstruction of justice, involuntary manslaughter and a misdemeanor violation of the Clean Water Act. At the time, BP said it believed the suspension would be brief and that it was working with the EPA on an agreement that would effectively end the suspension. But according to the court filing, which was reported earlier by the Houston Chronicle, the EPA refused to lift the ban even after the company entered its formal pleas and the criminal case was closed. The company is asking the court to rule the EPA suspension is illegal and to end it immediately. The EPA referred questions to the U.S. Department of Justice, which didn't respond to a request for comment.

NEW YORK TIMES

Editorial: A Clean-Car Boom (Saturday) In a welcome development for the planet, the cars on American streets are becoming much more climate-friendly much sooner than many had expected. Consumers are increasingly buying fuel-efficient hybrid and electric vehicles thanks to breakthrough innovations and supportive government policies. The transportation sector accounts for 28 percent of American greenhouse gas emissions, the most after power plants. Reducing those emissions will require many changes, including greater use of public transit. More efficient cars will almost certainly play a critical role, too; increased fuel efficiency helped reduce carbon dioxide emissions from passengers cars by 16 percent from 2005 to 2012. Automakers sold more than 350,000 hybrid and electric cars in the first seven months of this year, up 30 percent from the same period in 2012. While these vehicles make up less than 4 percent of light vehicle sales, hybrids, which use electric motors and conventional engines, are now so mainstream that there are more than 40 models available. The most popular one, the Toyota Prius, is among the 10 best-selling passenger cars in the country.Fully electric cars are still a niche product bought mostly by affluent drivers. But sales of even these vehicles have been growing fast, thanks in part to federal and state tax rebates. Among the best selling of these cars is the luxurious Model S produced by Tesla Motors, which has been so successful that companies like BMW and Cadillac are also rushing to bring out high-end electric cars.