EPA Mid-Atlantic Region Headlines

Wednesday, February 5, 2014

*** DAILY HOT LIST ***

21 states jump into industry challenge of EPA's Chesapeake Bay cleanup plan

GREENWIRE Twenty-one states have joined an appeal by agricultural interests that challenges a court decision last year upholding U.S. EPA's cleanup plan for the Chesapeake Bay. In a friend-of-the-court briefing filed yesterday, the states argue that EPA overstepped its authority by compelling the Chesapeake Bay states to abide by a "pollution diet" meant to limit nutrient runoff into the bay. Many of the states have big farming constituencies and say they are worried EPA might embark upon a similar cleanup plan in other watersheds. "The issue is whether EPA can reach beyond the plain language of the Clean Water Act and micromanage how states meet federal water-quality standards," Kansas Attorney General Derek Schmidt (R), who led the state effort, said in a statement. "We think the clear answer is 'no,' and we would prefer to get that answer while the question surrounds land use in the Chesapeake Bay instead of waiting for EPA to do the same thing along the Mississippi River basin." EPA announced the cleanup plan in December 2010, a sweeping initiative to stem pollution in the 64,000-square-mile Chesapeake Bay watershed through the use of nutrient limits known as total maximum daily loads (TMDLs). States and municipalities were told to meet pollution targets divvied up among economic sectors but were given discretion to come up with their own plans to achieve reductions.

Federal grand jury investigates West Virginia chemical spill

CNN A federal grand jury investigation has been launched into the West Virginia chemical spill that left 300,000 people unable to use their water supply, CNN learned Tuesday. Sources familiar with the grand jury's activities tell CNN that subpoenas have been issued requiring testimony for what one federal official confirms is a criminal investigation. According to the source, the grand jury investigation has been under way since just after the spill at the Freedom Industries chemical storage facility on the Elk River in Charleston, West Virginia. The spill came to light in early January. On January 9, more than 7,000 gallons of 4-methylcyclohexane methanol, known as MCHM, leaked into Charleston's water supply from a Freedom Industries storage tank. The result was a do-not-use order that left about 300,000 people in the area unable to drink or bathe in their water, some for more than a week. Freedom Industries later told regulators that in addition to the methanol compound that escaped from a ruptured tank, a second chemical -- a mix of polyglycol ethers, known as PPH -- was part of the leak. PPH is not believed to pose any new health hazard for the people of Charleston, the federal Centers for Disease Control and Prevention said. But the state environmental agency said failing to accurately report the makeup of the leak is a violation of state law. The CDC said little is known

about the health hazards of PPH, but it appears to be less toxic than MCHM and made up about 5% of the total volume of the leaking tank. "Given the small percentage of PPH in the tank and information suggesting similar water solubility as MCHM, it is likely that any amount of PPH currently in the water system would be extremely low," it said. "However, the water system has not been tested for this material." Elizabeth Scharman, West Virginia's poison control director, told CNN last month that MCHM had not been widely studied. "We don't know the safety info, how quickly it goes into air, its boiling point," Scharman said. The chemical is used to wash coal before it goes to market to reduce ash. Exposure to it can cause vomiting, dizziness, headaches, diarrhea and irritated skin, among other symptoms, the American Association of Poison Control Centers and CNN's previous reporting shows.

Corbett budget proposal expands drilling in state parks and forests

STATE IMPACT PENNSYLVANIA Governor Corbett is seeking to overturn a Rendell-era executive order that placed a moratorium on new gas drilling in state parks and forests. Today Corbett unveiled his $29.4 billion spending plan for the coming fiscal year. He says allowing new oil and gas leases could immediately generate $75 million in new revenue to the state from royalties. Corbett did not directly address the issue in his budget address to the legislature, but he touted the benefits the Marcellus Shale has brought to the state, noting that Pennsylvania is on track to become the second-largest producer of natural gas in the nation. “Shale gas offers our country a chance at energy independence and greater economic security – and it’s part of the all-of-the-above strategy we’ve put in place,” Corbett said. Budget Secretary Charles Zogby called the proposal a restrictive approach to drilling. He says gas companies would not be allowed to construct new well pads. Instead, they could lease new underground mineral rights near existing drilling sites. “We’re looking at an approach that makes no surface disturbance to the land,” says Zogby. “These are pads that are already out there. From a public standpoint they’re not going to see any activity that they otherwise might not.” Zogby declined to answer a question about whether transporting approximately 4 million gallons of water per well to a site constitutes a surface impact. It’s not clear whether the measure will allow the new permits for gas-related infrastructure, like pipelines or compressor stations. “I think you’ll see a new executive order issued at some point in the future by the governor,” said Zogby.

WASHINGTON POST

PHILADELPHIA INQUIRER

PITTSBURGH POST-GAZETTE

PITTSBURGH TRIBUNE-REVIEW

CHARLESTON GAZETTE

CHARLESTON DAILY MAIL

ASSOCIATED PRESS

BALTIMORE SUN

WILMINGTON NEWS JOURNAL

DELAWARE CAPE GAZETTE

RICHMOND TIMES-DISPATCH

NORFOLK VIRGINIAN-PILOT

GREENWIRE

BNA DAILY ENVIRONMENT REPORT

HEALTHY WATERS FOR THE MID-ATLANTIC REGION

PENNSYLVANIA

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PITTSBURGH TRIBUNE REVIEW

STATE IMPACT PENNSYLVANIA

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ALLEGHENY FRONT (WESTERN PA. RADIO)

ALLENTOWN MORNING CALL

BUCKS COUNTY COURIER TIMES

DELAWARE COUNTY DAILY TIMES

DOYLESTOWN INTELLIGENCER

ELLWOOD CITY LEDGER

ERIE TIMES-NEWS

HARRISBURG PATRIOT NEWS

HAZELTON STANDARD-SPEAKER

LANCASTER NEWSPAPERS

LEHIGH VALLEY LIVE

POTTSTOWN MERCURY

POTTSVILLE REPUBLICAN HERALD

READING EAGLE

SCRANTON TIMES-TRIBUNE

SUNBURY DAILY ITEM

Downed tanker truck spills fuel into Little Shamokin Creek SUNBURY — Several miles of Route 147 south were closed Monday after a heating oil delivery truck ran off the side of the highway and crashed down an embankment, dumping fuel into Little Shamokin Creek. The accident occurred just after noon Monday and the state Department of Transportation immediately closed Route 147 about one mile south of Sunbury in Upper Augusta Township. A Snyder Fuels Inc., of Sunbury, home heating oil truck slid off the road and crashed through the guard rail and landed just past Little Shamokin Creek. A small puncture in the holding tank forced emergency responders to act fast, and thanks to an ice block, they were able to contain most of the fuel in a small area, officials said. The driver was uninjured but was taken to Sunbury Community Hospital for observation, officials said. More than 40 firefighters from several Valley departments arrived at the scene and worked to soak up as much of the diesel fuel they could while waiting for Northridge Group Inc., Northumberland, to arrive and take over the cleanup. Northridge is an environmental response services operation that cleans spills.

STATE COLLEGE CENTRE DAILY TIMES

TOWANDA DAILY REVIEW

WASHINGTON OBSERVER-REPORTER

WILKES-BARRE CITIZENS VOICE

WILKES-BARRE TIMES LEADER

WILLIAMSPORT SUN GAZETTE

ASSOCIATED PRESS (PA)

WASHINGTON, D.C.

WASHINGTON POST

For federal employees, debt ceiling approach follows familiar path For fiscal crisis-weary federal employees, the looming federal debt ceiling fight has the feel of déjà vu all over again. The Treasury Department has warned that it "will be forced to use extraordinary measures to continue to finance the government" unless Congress acts by Friday, when the limit — temporarily suspended by a law enacted last year — goes back into effect. One of those extraordinary measures, which in practice has become ordinary, involves the largest of the investment funds in the 401(k)-style retirement savings program for federal employees, the Thrift Savings Plan. The TSP's government securities fund, or G fund, consists of special-issue Treasury securities available only in the TSP. As of December, the fund accounted for $173 billion of the $397 billion in investor accounts. In a "disinvestment" period, the Treasury stops issuing those securities, in effect taking that debt off its books and freeing up operating money. Over the last two decades alone, the Treasury has used the maneuver in 1995-1996, 2002, 2003, 2004, 2006, 2011, 2012 and 2013. Two separate disinvestment periods last year together covered about half the year. "As always, we want to remind our participants that the G fund will be made whole once the debt ceiling issue is resolved and that participants will not lose a penny, thanks to the statutory protections afforded to the TSP," spokeswoman Kim Weaver said in an e-mail.

WASHINGTON TIMES

WAMU-RADIO (NPR)

WTOP RADIO

DELAWARE

WILMINGTON NEWS JOURNAL

DELAWARE CAPE GAZETTE

MIDDLETOWN TRANSCRIPT

ASSOCIATED PRESS (Del.)

WEST VIRGINIA

CHARLESTON GAZETTE

Citizen groups left out of Tomblin chemical bill stakeholder meeting CHARLESTON, W.Va. -- Two weeks ago, Gov. Earl Ray Tomblin held a press conference to announce his legislative response to the Elk River chemical spill. The governor unveiled proposed legislation aimed at creating a new regulatory program for aboveground chemical storage tanks. "This proposed legislation includes reasonable, common sense provisions to regulate above-ground storage tanks across the state including those located in areas of critical concern near our public water supply and distribution systems," the governor said at the press conference on Monday, Jan. 20. A day earlier, a select group of business lawyers and industry lobbyists met with the governor's staff and officials from the state Department of Environmental Protection to go over the governor's bill. "See everyone there and please be prepared to discuss the bill section by section," Jason Pizatella wrote in an email message announcing the meeting. Pizatella called the event a meeting "with the stakeholders." The West Virginia Chamber of Commerce was invited. So were the Oil and Gas Association and the Coal Association. Trade associations representing grocers, manufacturers, trucking firms and energy companies were included, according to the governor's office. But the chief lobbyist for the West Virginia Environmental Council -- the environmental community's umbrella lobby group at the Capitol -- said that his organization wasn't included in the governor's meeting. "Neither I nor anyone else I know of in the environmental community knew about that meeting," Garvin said Monday. "You telling me about it is the first I've heard about that meeting."

West Virginia American Water giving credits after chemical spill

CHARLESTON DAILY MAI

CNN

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BECKLEY NEWS REGISTER

BLUEFIELD DAILY TELEGRAPH

HUNTINGTON HERALD DISPATCH

PARKERSBURG NEWS AND SENTINEL

WEST VIRGINIA PUBLIC BROADCASTING

WEST VIRGINIA STATE JOURNAL

WEST VIRGINIA METRO NEWS

WHEELING INTELLIGENCER

ASSOCIATED PRESS (W. VA.)

Water company giving small businesses credits after chemical spill CHARLESTON, W.Va. -- West Virginia residents and small businesses who had to stop using water because the supply was tainted by a chemical spill will get a break on their bills after having to run faucets to clear out their systems. One-time relief credits in the $10 to $20 range could start trickling in this week for West Virginia American Water customers, who still are skeptical of the water quality after last month's spill. The credits will cost the company $1 million, spokeswoman Laura Jordan said. President Jeff McIntyre said his water company is trying to rebuild public trust of its water, which officials weeks ago deemed safe for everyone but pregnant women to drink. The water company has said its filters should be fine after the spill. But West Virginia American Water plans to switch them out as early as next month because of perception issues, McIntyre told a state House of Delegates health committee Monday. Filters at the plant were successfully treating the chemical for about an hour on Jan. 9 before it overwhelmed the system that afternoon, McIntyre said.

MARYLAND

BALTIMORE SUN

SALISBURY DAILY TIMES

ANNAPOLIS CAPITAL -GAZETTE

CAPITAL NEWS SERVICE

CARROLL COUNTY TIMES

CECIL WHIG

CUMBERLAND TIMES-NEWS

EASTON STAR DEMOCRAT

FREDERICK NEWS-POST

HAGERSTOWN HERALED MAIL

MARYLAND GAZETTE NEWSPAPERS

SOUTHERN MARYLAND NEWS

CHESAPEAKE BAY JOURNAL

ASSOCIATED PRESS (MD)

VIRGINIA

RICHMOND TIMES-DISPATCH

NORFOLK VIRGINIAN-PILOT

NEWPORT NEWS DAILY PRESS

ROANOKE TIMES

CHARLOTTESVILLE DAILY PROGRESS

DANVILLE REGISTER & BEE

FREDERICKSBURG FREELANCE STAR

LYNCHBURG NEWS AND ADVANCE

ASSOCIATED PRESS (VA.)

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

GREENWIRE

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municipalities were told to meet pollution targets divvied up among economic sectors but were given discretion to come up with their own plans to achieve reductions.

WATER POLLUTION: W.Va. senators promote bill to toughen regulation of chemical plants West Virginia senators called for tighter federal regulations of chemical facilities and teed off on a lack of information from regulators in the aftermath of a spill last month of a coal-scrubbing chemical that left 300,000 West Virginians without tap water for days. Sen. Jay Rockefeller (D-W.Va.) said he was "angry, upset, shocked, embarrassed" about the spill that underscores the need for more oversight of chemical plants, especially those near water supplies. It was an "Appalachian myth," he said, that industry would take care of protecting the public. Sen. Joe Manchin (D-W.Va.) said he would also push more regulations through a bill he introduced with Rockefeller and Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) that would target the safety of aboveground chemical storage tanks.

COAL ASH: N.C. spill sparks call for expanded oversight Duke Energy Corp. blamed a broken stormwater pipe for the spilling of between 50,000 and 82,000 tons of coal ash Sunday from a large impoundment at the retired Dan River Steam Station near the North Carolina-Virginia line. The ash that spilled into the Dan River near Eden, N.C., could fill 20 to 32 Olympic-size swimming pools, Duke said in a statement. As of this morning, workers had manage to reduce the flow but hadn't stopped it, the utility said. "The company is also estimating between 24 [million] to 27 million gallons of basin water has reached the river," Duke said. "The release is visible several miles downstream, and crews continue to track and monitor it." Duke said levels at the 27-acre ash pond have been lower since the coal plant was retired in 2012. New ash is no longer being dumped there. Duke said the dam keeping the coal ash from the Dan River was not affected. However, the company said workers were stabilizing a berm farther away from the river that suffered some erosion. The North Carolina Department of Environment and Natural Resources said it was investigating the spill and whether it will have any long-term effects. U.S. EPA also has staff on-site. DENR Secretary John Skvarla, who planned to travel to the site today, said in a statement, "Our chief concerns are that we do everything we can to assist in controlling this spill and assessing its damage." "While it is early in the investigation and state officials do not yet know of any possible impacts to water quality, staff members have been notifying downstream communities with drinking water intakes," DENR said.

DRINKING WATER: Study shows coal ash-tainted supplies near power plant are safe -- utility Utility Ameren Missouri said a new study shows coal ash from its Labadie, Mo., power plant has not contaminated local drinking water or polluted the Missouri River. The plant is "not adversely impacting human health" in the area, the study found. The report was commissioned by Ameren and carried out by the Los Angeles-based environmental consulting firm AECOM Technology Corp. The study examined 16 water samples from the Missouri River and Labadie Creek and 90 groundwater samples taken at sites near the coal-fired power plant. "In our continuing commitment to the environment and to ensure the safety of the community, we brought in an outside firm to objectively analyze local drinking water supplies," said Michael Menne, the vice president of environmental services for Ameren Missouri, a subsidiary of the energy giant Ameren Corp. But opponents slammed the study, saying it wasn't impartial and overlooked several areas with potential water pollution.

Momentum growing for TSCA reform bill, Senate sponsors say Senate sponsors of a bipartisan bill that would overhaul government regulation of chemicals said today they've made "significant strides" on the measure and hope to have new language out soon. Sen. David Vitter (R-La.) said he's been working with Sen. Tom Udall (D-N.M.) and others over the last eight months to rework his "Chemical Safety Improvement Act," or CSIA (S. 1009). Those discussions have brought input from states, environmental groups, businesses and other stakeholders, he said."I can assure you all that those senators and members of the environmental and public health communities who have constructively engaged us to improve the CSIA understand the important strides that have been made and share in my optimism for finally overhauling this law to better protect citizens across the nation," Vitter said at an Environment and Public Works Committee hearing this morning.

WATER POLLUTION: Estrogen in rivers could affect fish hearts -- research Researchers have found that estrogenic compounds in rivers could be changing how fish hearts develop. For the study, scientists exposed zebrafish embryos to water from 19 sites in the Susquehanna, Delaware, Allegheny and Shenandoah watersheds. The water from 16 of the sites activated estrogen receptors in the heart valves. While previous research has shown that estrogenic compounds can affect a variety of wildlife, the study is the first to show estrogenic activity in heart valves. "This tells us that endocrine-disrupting chemicals could lead to improper heart development. We were quite surprised, since this is something that others hadn't observed before," said study co-author Luke Iwanowicz, a research biologist with the U.S. Geological Survey based in West Virginia. Many hormone-mimicking compounds are found in sewage runoff that flows into waterways. They can be found in urine, birth control pills, soy, some pesticides and the plasticizer bisphenol A.

CHEMICALS: Poor blacks, Hispanics more exposed to potentially harmful cleaners -- CDC Low-income blacks and Hispanics are more likely to be exposed to two remnants of chemicals used in toilet deodorizers, moth repellents and a weed killer that researchers suspect can cause cancer, according to a new study. The chemicals -- 2,5-DCP, a breakdown product of 1,4-Dichlorobenzene, which is found in some air fresheners, toilet and urinal disinfectant blocks, and mothballs; and 2,4-DCP, used to make an herbicide linked to hormone disruption, reproductive problems and lymphomas in humans and animals -- pose a greater threat to lower-income groups because they are primarily used in cheaper household products, according to research from the Centers for Disease Control and Prevention. The chemicals were detected in 81 percent of the more than 10,400 people tested, and while the levels declined from 2003 to 2010, they remained significantly more common in Mexican-Americans, blacks and people living in denser housing complexes.

ASSOCIATED PRESS

NEW YORK TIMES

REUTERS NEWS SERVICE

BLOOMBERG NEWS SERVICE

GRIST

HUFFINGTON POST