



Keystone

For the Solid Waste Professionals of the Keystone Chapter of SWANA

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A Message from SWANA President: Tim Hartman.



Well, we are now more than half way through the 2013-2014 Pennsylvania General Assembly Session. In the first year of the two-year

session, there has been a lot of activity but not a lot of closure. Only four (4) bills of the more than 100 bills introduced and referred to the Environmental Resources and Energy Committees (E R&E) in the House and Senate have been signed into law by Governor Corbett. These four Acts deal with the issues of urban runoff (Act 16/SB 196), on lot sewer systems (Act 41/SB 1325), oil and gas lease royalties (Act 66/SB 259) and stormwater management planning and projects (Act 68/SB 351). So far only Senate environmental bills have made it to the Governor's desk.

And, only eleven (11) other environmental bills have made the journey to the other side of the Capitol building

from where they originated. Eight (8) House Bills are now in the Senate and three (3) Senate Bills are now in the House. House Bill 34 establishing energy and environmental building standards for State owned and leased buildings made it to the attention of the full Senate relatively quickly, but was laid on the table last June 27 and hasn't been picked up since. House Bill 80, prescribing fines and penalties for the theft of wire, pipe and cable belonging to gas and electric utilities and railroads, mass transit or commuter rail agencies passed the House and has been stuck in the Senate Judiciary Committee since last June 28. And three of an eight (8) House Bill package (301-309) promoting natural gas vehicles and the conversion of vehicles to natural gas have moved to the Senate.

From the Senate side of the Capitol, three (3) environmental bills moved over to the House in 2013. Two of these bills promote the development and use of natural gas. Senate Bill 738 provides for distribution system extension and expan-

See "President's Message" on page 6

Safety First: The Road from Ruin



In October, a county newspaper reported that a town public works employee died from injuries suffered in a tragic accident while working on the back of a sanitation truck. The vehicle struck a utility pole while backing, crushing him. This was the third in a series of deaths in the county over several years related to the waste and recycling. A highway worker was killed in 2011 when he was run over by a dump truck that was backing up at the town's sanitation and recycling center. In 2005 another worker died after falling off the back of a sanitation truck. Although measures to prevent such deaths were probably put in place in response to this trio of fatalities, they were obviously not successful.

Continuing high injury and fatality rates throughout the solid waste and recycling industry indicate the need for a change in the way business is conducted. Thus, the Environmental Industry Associations' recent strategic plan has identified the need for safety as a core value throughout the industry. The ultimate industry goal should be that all work related injuries and deaths can and should be prevented.

To achieve this lofty goal, management must be accountable for safety and health issues. Leadership actions need to deliver safety performance excellence, while leveraging learning from shared best practices across the

entire industry. When management personnel are involved in the safety process, good things happen.

November 13, 2013 will mark the 204th birthday of Rear Admiral John A. Dahlgren, known to history as the "father of American naval ordnance." Dahlgren, however, almost didn't make it past his 40th birthday.

In November 1849, he was test firing a 32-pound cannon to determine its range when suddenly the piece exploded, killing a sailor on the gun crew and nearly killing Dahlgren.

The incident spurred Dahlgren to develop detailed specifications for the manufacture and testing of cannons, yielding safer and more reliable weapons for the Navy than ever before. Unlike previous American wars, not a single Dahlgren smoothbore exploded during combat while used in the Civil War.

As a result of his measured response to an identified problem, John Dahlgren instituted into the Navy a culture of safety that had not existed before and that still persists to this day. In effect, safety was made a core value for conducting naval operations both at sea and in the air.

Mining is another industry with an extensive history of safety shortcomings. Though long considered one of the world's most dangerous occupations, with total deaths in all types of U.S. mining averaging 1,500 or more per year during earlier decades, this number has decreased on average during the 1990s to under 100 per year. Historic lows of 35 total deaths were reached in 2009 and 2012. The average annual injuries to miners in all segments of the mining industry have also decreased steadily.

This dramatic change was enabled by the introduction of vastly safer and more efficient mining machines and systems, safer mining methods, a growing awareness of the

See "Road to Ruin" on page 5

The Big Apple is Taking on Solid Waste Reduction



Former NYC Mayor Michael Bloomberg discussing the steps taken to reduce Solid Waste in Manhattan.

Every year, New York City homes, businesses, schools, streets, and construction sites generate more than 14 million tons of waste and recyclables. It takes a fleet of more than 2,000 City government and 4,000 private trucks to collect that waste from across the five boroughs. Once these trucks are full they are then emptied at recycling facilities or transfer stations, where the material is transferred to long-haul trucks, barges, or railcars for processing or final disposal. Not only is the process expensive, costing City taxpayers more than \$300 million for residential waste disposal alone, the solid waste system contributes substantially to both greenhouse gas (GHG) emissions and poor air quality.

All together, the collection, processing, disposal and decomposition of New York City's solid waste generates approximately 2.2 million metric tons CO₂ each year, or 4 percent of the citywide total. In an effort to reduce that number, Former Mayor Michael Bloomberg established an aggressive goal of diverting 75 percent of the city's solid waste from landfills.

As the city continues to grow, and we meet the challenges posed by climate change, we must reduce the amount of waste we generate and its related impacts. We are doing that by implementing a sequence of voluntary, comprehensive and targeted programs that directly focus on solid waste issues with the highest potential for positive returns. The "Food Waste Challenge", the Organics Pilot for Schools and Residences – an expanded recycling program that includes all rigid plastics – as well as the launch of the "Recycle Everything" ad campaign, are new initiatives the City is undertaking to build out a more robust, comprehensive solid waste management program. The "Food Waste Challenge", an initiative that aims to cut down on the amount of organic waste sent to landfills, kicked off in April 2013 with more than 100 participating NYC restaurants. Some of the city's most popular eateries have pledged to reduce landfilled food waste by 50 percent through composting and other waste prevention methods. To date, FWC participants have diverted 1,000 tons of food waste to landfills, abating 500 tons of CO₂ into the atmosphere.

See "Big Apple" continued on page 4

“Big Apple” continued from page 3

In September 2012, the New York City Department of Sanitation (DSNY) launched the pilot program Organics Pilot for Schools in 68 schools to separate organic waste for composting. To date, the program has led to a diversion rate of 34 percent from Manhattan schools and 38 percent from Brooklyn schools participating in the pilot. The weekly collection of more than 20 tons of organic waste from the program will soon be processed into sludge at a Waste Management-operated facility on Varick Street, and co digested with city wastewater at Newtown Creek wastewater treatment plant (WWTP).

Building off of the success of the Organics Pilot to Schools, the Organics Pilot for Residences, a voluntary pilot program that allows residents to take advantage of a new organics collection service, launched in May 2013. Through the program DSNY collects yard waste, food scraps, and food-soiled paper every week from pilot area homes. DSNY then turns these organic wastes into compost, a natural soil amendment. Finished compost is made available to city agencies and non-profit organizations for use in gardening, soil restoration and erosion mitigation, and habitat improvements.

Sustainable solid waste management not only has environmental benefits, but economic benefits as well. The expansion of the City’s recycling program will in-

clude, for the first time, all rigid plastics, including toys, hangers, shampoo bottles, coffee cups and food containers. The recycling expansion will result in more than 50,000 additional tons of waste a year no longer ending up in landfills, saving taxpayers almost \$600,000 in export costs each year.

In coordination with the expansion of all rigid plastics, Former Mayor Bloomberg launched the “Recycle Everything” ads, which are part of a public information campaign that kicked off in July of 2013 to promote recycling. These ads have been featured throughout the city on buses, subways, transit shelters, taxi tops, phone kiosks and even the Staten Island Ferry.

Ultimately, the pursuit of sustainable solid waste management in New York City is a long-term and complicated effort. Yet, with the implementation of these creative, forward-thinking programs and policies, the City is moving in the right direction. Long term success will require continued commitment as well as creative thinking and better coordination between different levels of government. We know the critical milestones of sustainable solid waste management; our task now is to act aggressively in pursuit of these goals. 🌍

Article Source: <http://newswatch.nationalgeographic.com/2013/10/23/nyc-implements-comprehensive-programs-to-reduce-solid-waste/>



Panoramic View of New York City Skyline taken from “The Top of the Rock”.

“Road to Ruin” continued from page 2

importance of effective accident prevention programs among both management and miners, and a more cooperative attitude toward safety issues by the mining industry, labor and government. Mining is now recognized as one of the safest industries, with a lower rate of injuries and illnesses per 100 employees than the waste and recycling industry, agriculture, construction or retail trades.

This is the road that the solid waste and recycling industry needs to follow. The toll of deaths, injuries and destruction in our industry is driving the same search for answers that stabilized the U.S. Navy and the mining industry. Technology, effective training and education programs and best practices need to be evaluated and implemented where they make sense.

The whole industry needs to identify and quantify risks and develop realistic mitigation responses. And these mitigation responses need to be implemented and followed by everyone! 🌐

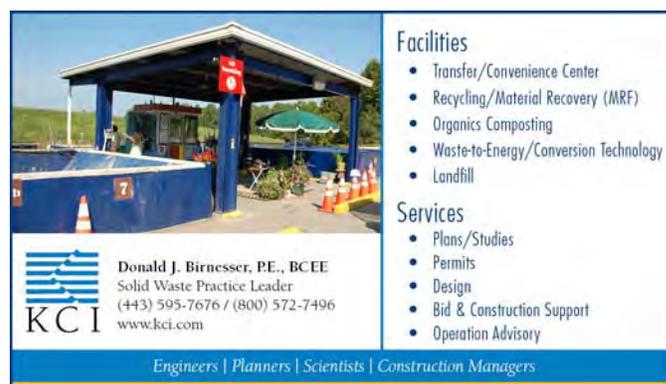
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Covanta acquires Transfer Stations & Mass. City Contract

Covanta Holding Corp., Morristown, N.J., has acquired two transfer stations in New Jersey from Advanced Disposal, Ponte Vedra, Fla. Combined, the stations are permitted to accept 2,500 tons per day of municipal solid waste, construction and demolition waste and recyclables. The facilities are located in Paterson and Totowa. Covanta now owns or operates 15 transfer stations in the United States.

"This is an attractive acquisition that provides increased stability and flexibility of fuel supply to our energy-from-waste facilities in the region," says Derek Veenhof, Covanta Waste Solutions' executive vice president. *"The transfer stations will also allow us to provide an array of sustainable waste management services to customers in an important market."*

The company also has announced that its Covanta SEMASS LP subsidiary has signed a waste management deal with Yarmouth, Mass., for bundled sustainable waste



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management services, as well as the operation of Yarmouth's transfer station.

Covanta will provide disposal of the town's 10,000 tons of municipal solid waste at Covanta SEMASS' energy-from-waste facility in Rochester, Mass. Additionally, the facility will handle the recycling, electronic scrap recycling, organics and composting, secured destruction of prescription medication and bulky waste disposal for southeastern

See "Covanta" continued on page 8

Lanchester Landfill Hosts Mini Technical Seminar

On November 7, 2013, the SWANA Keystone Chapter held a Mini-Technical Seminar at the Lanchester Landfill in Narvon, PA. Presentations at the seminar were made by Bob Watts, Executive Director of CCSWA, William Taftuto, P.E. of ARM Group Inc. (ARM), and Daniel Fellon, P.E. of ARM.



Construction of MSE berm to 47.5' of proposed 68' total height.

The Lanchester Landfill (Lanchester), an approximately 630-acre disposal facility that has operated since the 1960's, is owned and operated by the Chester County Solid Waste Authority (CCSWA). The Area E expansion

was permitted in 2011, providing approximately 4.1 million tons of capacity at Lanchester, and encompasses a total footprint of approximately 55.9 acres; 41.6 acres of the expansion footprint are comprised of overfilling or a "piggyback" of the existing landfill. The final phase of the initial 3-phase build-out, the Stage 2 Construction project, is currently underway. Final design tasks of the three construction phases to develop the initial cell of the Area E expansion were completed by ARM.

See "Seminar" continued on page 12

"President's Message" continued from page 1

sion plans to increase the use of natural gas, while Senate Bill 739 amends the Alternative Energy Investment Act to provide grants to schools, hospitals and small businesses to obtain natural gas. Both of these bills have resided in the House ER & E Committee since mid-June, 2013. And, Senate Bill 1077, which was referred to the House Commerce Committee this past December, adds railroad material and lading to the definitions of the Scrap Metal Theft Prevention act.

Our friends at Crisci Associates who produce the excellent weekly Pennsylvania Environmental Digest have identified a number of significant bills introduced in 2013 with potential for movement in 2014:

Among those leftover significant environmental proposals initiated in the Senate are the use of acid mine water for hydraulic fracturing of oil and gas wells (SB 411), the establishment of a Marcellus Health Advisory Panel (SB

555) and the movement of the Waste-to-Energy facilities from Tier II of Alternative Energy Portfolio Standards to Tier I (SB 1568 and HB 1151). (Very few environmental bills introduced in 2013 have companion bills in the other house).

On the House side, bills addressing endangered species (HB 1576), eliminating riparian buffers (HB 1565), increasing renewables (HB 100) and repealing Alternative Energy Portfolio Standards (HB 1912), among others, remain to be taken up or left alone.

Lest we get our hopes up too high, the pundits warn that in a major Pennsylvania election year (Governor, all of the House, half of the Senate and the entire U.S. Congressional delegation) and with the 2014-2015 budget work already begun identifying a \$1.7 billion deficit challenge, time is of the essence. The chances for bill movement and passage will grow dimmer as the year wears on. 

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“Covanta” continued from page 5

Massachusetts. The agreement is slated to begin Feb. 1, 2014 with the contract running for 10 years with mutual extension options after the initial term.

as part of the agreement, Covanta will also assume control of Yarmouth’s transfer station, which provides municipal and commercial customers with access to rail transport of solid waste from throughout the area to SEMASS’ Rochester facility. The station will continue to accept recyclable material with Covanta assisting municipal and commercial customers with opportunities to increase recycling through bundled services offerings.

“These agreements represent a continuation and expansion of what has been a mutually beneficial public-private partnership between the town of Yarmouth and Covanta SEMASS,” says William Hinchey, Yarmouth’s town administrator. “The town benefits financially by securing a reasonable price for transportation and disposal of solid waste and by reducing solid waste through expanded recycling initiatives including e-waste and organics.”

Solid waste delivered to the transfer station will be processed and

shipped by Mass Coastal Railroad to Covanta SEMASS’s Rochester facility. A 10-year agreement between Covanta and Mass Coastal will provide new opportunities to increase rail utilization for waste and recyclables.

“Mass Coastal is pleased to work with Covanta and the Cape Cod

trips along the Rte. 6 Corridor and the Canal Bridges. We also work in tandem with the MASSDOT Rail Unit and the Army Corp to ensure that the railroad infrastructure remains a viable means of transportation of waste along with other rail-borne commodities.”

Covanta SEMASS processes about one million tons of municipal solid waste into clean, renewable electricity for approximately 75,000 southeastern Massachusetts homes and recycles nearly 50,000 tons of metals annually.

“Covanta is extremely pleased to be expanding our partnership with the Town of Yarmouth. The Yarmouth Transfer Station provides Cape Cod communities and commercial haulers a convenient location for disposal and recycling and by partnering with Mass Coastal Railroad, we are able to minimize truck traffic on Cape Cod roadways and bridges,” says

Stephen Diaz, Covanta’s Waste Solutions vice president. 

Source: Recycling Today article written by REW Staff on January 19th 2014. <http://www.recyclingtoday.com/covanta-acquires-transfer-stations-advanced-disposal.aspx>



From left to right, front row: Yarmouth Assistant Town Administrator, P. Johnson-Staub; VP Covanta, S. Diaz; President and COO Mass Coastal Railroad, P. C. Podgurski. Back row: Municipal Bundled Services Sales Manager, T. Cipolla; Covanta, M. Ruder; Yarmouth Assistant Director of Public Works, R. Angell; General Manager, Massachusetts Coastal Railroad, E. Ciborowski; General Manager for ECovanta, J. Moffitt

Communities to provide dependable and energy efficient transportation of waste from the Cape to the SEMASS Facility,” says Christopher Podgurski, president and COO for Massachusetts Coastal Railroad. *“One of the most obvious benefits of our ‘Energy Train Service’ is avoiding over 10,000 truck*

LCSWMA Closes Deal on Harrisburg Incinerator



Photo of LCSWMA's Susquehanna Resource Management Complex.

On December 23, 2013, LCSWMA acquired the Susquehanna Resource Management Complex (SRMC), formerly known as the Harrisburg Resource Recovery Facility, for a total purchase price of \$129,898,000.

As part of the transaction, LCSWMA received \$16 million towards the purchase price: \$8 million from the previous owner and \$8 million from the Commonwealth of Pennsylvania. The purchase is supported by 20-year waste disposal contracts with the City of Harrisburg and Dauphin County, in addition to a 20-year power purchase agreement with the Commonwealth of Pennsylvania's Department of General Services.

This project boasts the first public to public acquisition of a waste-to-energy (WTE) facility in the United States and was a key ingredient in relieving the distressed City of Harrisburg from over \$360 million of debt. LCSWMA's newly expanded system will now manage approximately 900,000 tons of solid waste with annual revenues of approximately \$85 million.

"After 3 years of intense exploration, planning, negotiating, and preparations, I'm thrilled to say that we are the new owners of the oldest operating WTE facility in the United States," says James Warner, LCSWMA's CEO. *"This inno-*

vative, strategic acquisition will provide the region with future waste processing capacity and offer additional flexibility to LCSWMA's already robust Integrated System."

As new owner, LCSWMA is now fully managing the site, which includes an 800 tons per day, 3-boiler mass burn WTE facility, a transfer station, and two ash landfills. Covanta Energy will continue operating the WTE facility portion of the site under an amended agreement with LCSWMA.

LCSWMA's business plan includes a series of capital improvements to the site over the next four years totaling \$18.25 million, including: (1) installing new scales and implementing traffic flow patterns to improve on-site time for customers; (2) constructing a new small vehicle drop-off building for residents and deliveries of construction/demolition waste; (3) purchasing equipment for upgrades to the WTE facility; (4) expanding the current tipping floor; (5) constructing a new building for ash storage; (6) re-vamping the current site entrances; and (7) implementing extensive landscaping work.

The SRMC serves as the drop-off location for waste haulers who collect refuse in Dauphin County and the City of Harrisburg. The SRMC, originally constructed in 1972 and extensively renovated with 3 new boilers and a new turbine generator set in the mid-2000s, can generate up to 23 megawatts of renewable energy. The facility will process approximately 275,000 tons of waste and generate 130,000 megawatt-hours of renewable energy each year. Two ash landfills are also located on the SRMC site—one that closed in 1980 and the other which stages ash from the WTE facility on site. Once the staged ash is dry, it is transported to LCSWMA's Frey Farm Landfill and used as alternative daily cover. 

Article Submitted By: Kathryn Sandoe, Communications Manager January 13, 2014

SECCRA Gets New General Manager



Photo of Scott Mengle

WEST GROVE, PA—William G. (Bill) Stullken has retired as general manager after 25 years of service at the Southeastern Chester County Refuse Authority (SECCRA). Scott Mengle, previously administrative supervisor at SECCRA, has been named to succeed Stullken as general manager. Stullken stepped down June 11. The SECCRA Board of Directors lauded him for his years of “*outstanding loyalty and devoted service.*”

Board President John Robbins noted that during Stullken’s tenure, SECCRA became financially self-sustaining, grew its assets from \$300,000 to \$26 million, put into place a landfill gas-to-energy program that won 2007 Project of the Year from the U.S. Environmental Protection Agency, negotiated a host municipality agreement with London Grove Township, and acquired adjacent property as a buffer zone.

“We wish Bill the best as he enters retirement,” Robbins said. “We also welcome Scott Mengle as Bill’s successor. We have every confidence he will continue and build upon our record of success.”

Mengle holds a degree in engineering management from Wilkes University and a master’s in public administration from West Chester University and has 18 years of experience in waste management, the last 11 with SECCRA. He is a certified by the Solid Waste Association of North America as a Manager of Landfill Operations. He lives in Exton with his wife and daughter.

SECCRA is a nonprofit municipal authority with a publicly appointed board of directors. It provides solid waste disposal and recycling services for about 105,000 residents in 24 boroughs and townships in the southern third of Chester County. 

Article Submitted By: Scott Mengle, General Manager at SECCRA

Coming Soon: Annual SWANA ROAD-E-O

The annual Mid Atlantic Regional Truck and Landfill ROAD-E-O for the New Jersey, Pennsylvania, and Mid-Atlantic Chapters of SWANA will be held **THURSDAY, JUNE 5 (evening Meet and Greet) and the competition - FRIDAY, JUNE 6.** Like last year, it will once again be hosted by the Mid-Atlantic Chapter and the actual event will be hosted by the Maryland Environmental Service (MES) at its Mid-Shore II Solid Waste Facility in Ridgely on the Eastern Shore of Maryland.

Look for more information on the ROAD-E-O on the Keystone SWANA website. 



Image from 2013 Mid Atlantic ROAD-E-O

Susquehanna Discharge Lands Texas Driller in Courts

WILLIAMSPORT — All criminal charges against a Texas natural gas drilling company over a fluids discharge at a Lycoming County natural gas well site into the Susquehanna River will go to court.



District Judge James G. Carn Thursday found the state attorney general's office had presented sufficient evidence against XTO Energy Inc. of Fort Worth to support alleged violations of the state's clean streams and solid waste laws. Carn, who did not issue a written opinion, had deferred a ruling after the Dec. 18 preliminary hearing so he could obtain input from a law clerk for a county judge on strict liability that is the basis of the three solid waste charges.

"We are gratified the judge found merit in all of our charges as part of Attorney General (Kathleen G.) Kane's effort to protect the environment and maintain a pro-business level playing field for all companies that adhere to the law and their business/environmental responsibilities," said Joe Peters, spokesman for the Attorney General's Office.

XTO, a subsidiary of Exxon Mobile, is charged with discharging approximately 50,000 gallons of wastewater at one of its well pads outside Hughesville on Nov. 16, 2010.

Jeremy Daniel, a water quality specialist for the Department of Environmental Protection at the time, discovered the discharge from a tank that was linked with four others. The fluids that contained high levels of barium, strontium, chlorides and total dissolved solids got into an unnamed tributary of Sugar Run.

Chief Deputy Attorney General Glenn A. Parno argued XTO did not take reasonable measures to safeguard the site from others, noting it was unmanned and there were no security cameras or perimeter fence.

Vandalism is the suspected cause of the discharge but XTO never filed a complaint with state police, Parno noted. He also pointed out there was no lock on the valve and XTO did not have secondary containment such as a liner under the tank. The 49 storage tanks on site were converted from fresh water storage to wastewater in October 2010 while XTO was building a permanent treatment facility elsewhere, according to hearing testimony.

The advertisement features a background of interlocking gears. At the top, a red banner contains the text 'SCS ENGINEERS' in white. Below this, the text 'Environmental Consultants and Contractors' is written in red. Further down, 'Solid Waste and Recycling Facilities' is in black, followed by 'Design · Permit · Build · Operate · Maintain · Monitor' and 'Compliance · Due Diligence · Collection Programs' in black. 'Biogas to Energy · Syngas & CNG' and 'Complete Environmental Services' are also in black. A white banner reads 'Offices Nationwide'. Two Pennsylvania locations are listed: 'Harrisburg, PA 17112' and 'Reading, PA 19609'. A vertical red banner on the right side contains the website 'www.scsengineers.com'. At the bottom, another red banner contains the text 'SCS FIELD SERVICES' in white.

“Driller” continued from page 11

The contractor treating the production fluids received from operating gas wells moved its operation at the request of XTO to West Virginia a few days before the discharge was discovered, witnesses testified.

XTO argued the prosecution did not show criminal negligence or cite any regulation requiring specific security measures. *“Just because the commonwealth after the fact can brainstorm additional measures XTO might possibly have taken does not mean that XTO was criminally negligent for not having taken them,”* James M. Becker wrote in the company’s brief.

The decision by Attorney General Kathleen G. Kane to

file the criminal charges was controversial because it followed resolution of a federal lawsuit by the Environmental Protection Agency against XTO over the same discharge. XTO did not admit any liability or wrong doing when it settled the federal case.

Terms included a \$100,000 civil penalty and a requirement XTO implement preventive measures and adhere to the required recycling and disposal of fluids from hydraulic fracturing and well operations. The government estimates the ruling will cost the company \$20 million. 🌐

By: John Beauge

Source: The Patriot-News on January 02, 2014.



Map outlining the Counties that XTO operates in within the State of Pennsylvania.

“Seminar” continued from page 6

The Stage 2 project includes construction of approximately 1,600 feet of a mechanically stabilized earth (MSE) berm, the 18 acre liner system for Cell 1 of the expansion, extensive landfill gas (LFG) and stormwater management modifications, and final cover system removal. The MSE berm is constructed to a 1H:3V exterior face, graded with a 2H:1V interior slope, and extends to

a maximum elevation of 68 feet. To date, the MSE berm has been constructed to a height of approximately 47.5 feet.

Preparatory construction phases during the 2011-2013 construction seasons included the following tasks:

See “Seminar” continued on page 13

“Seminar” continued from page 12



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- Relocation of existing communications/power infrastructure;
- Relocation of the existing LFG flare station;
- Installation of 3,200 LF of stormwater diversion culverts;
- Slip-lining 2,300 LF of existing gravity leachate collection pipe;
- Mining/relocation of 31,000 CY of MTLF waste materials;
- Redirection of 3,150 LF of existing leachate force-main;
- Relocation and construction of a 5-acre yard debris Compost Area; and
- Installation of 13,250 LF of LFG header and lateral piping.

Concurrent with the construction of Area E Cell 1 is installation of an alternative final cover, comprised of the ClosureTurf™ system. ClosureTurf™ is a synthetic HDPE grass-blade product that combines the use of an Agru Super Gripnet® LLDPE geomembrane barrier with a synthetic turf drainage layer component. The

double-layer woven geotextile component housing the turf product is subsequently infilled with sand ballast. The CCSWA permitted the installation of the ClosureTurf™ system as a PADEP Demonstration Project in September 2011 and commenced construction in 2013. A two-year evaluation program will be implemented during 2014-2016 by the CCSWA to document the effectiveness and performance objective achievement of the system, prior to review and further consideration by PADEP as a potential permanent cover system.

A tour of the active construction projects at Lanchester followed the project discussions. CCSWA thanks the Keystone SWANA for its support in organizing this well-attended event. 

Contributed by Daniel N. Fellon, P.E., Project Manager at ARM Group Inc. of Hershey, PA.



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New Years Eve Aftermath



Celebrants at Times Square on New Years Eve.



NYC Sanitation Department during cleanup on January 1st, 2014.

Sanitation workers rolled into Times Square shortly after the ball dropped Wednesday to begin picking up after all the revelers who gathered to usher in the new year. Over 1 million people packed Times Square in the cold for the annual celebration. When the shimmering crystal ball dropped, a ton of confetti was released into the cheering crowd to usher in 2014.

But all that fun makes for a lot of garbage. In 2013, the Department of Sanitation removed 50.84 tons of debris following the New Year's celebration. Although the total for this year has not yet been made available, it is estimated to be just as high or higher than the 2012 celebration. Cleanup crews got to work clearing the confetti paper, pizza boxes, streamers, popped balloons, discarded hats and horns from sponsors, and empty soda bottles that littered the sidewalks, temporarily pushing it into the street.

The city's Sanitation Department had more than 150 workers on duty, along with about 40 extra members of the Times Square Alliance who helped corral refuse. "By 8 a.m., you'll never realize we had the largest party in the world here," said Alliance sanitation director Joe Costarella. By late Wednesday morning the streets had returned to normal.

In London a multi-sensory display was used to ring in the New Year. There were strawberry scented fireworks, peach flavored snow and orange infused bubbles. Even the confetti that rained down was an edible banana flavor. In Dubai the record was set for the largest fireworks display. And in homes across the World people gathered with friends and family to have their own parties. But are these over the top displays and seemingly innocent parties causing more harm than good?

It is estimated that the holiday season brings about a 25% increase in waste production rates in the United States. The trend starts with Thanksgiving and the wasting of food and disposable cooking pans. Christmas is an obvious culprit with the bright light displays and store bought wrapping paper, ribbons, cards, trees, and decorations. But the surprise ending comes with New Years celebrations. The excessive amount of plastic cups at parties, the confetti, and all of the use once and throw away items that are plastered with the current year. Its not like anyone is going to ring in 2014 with party goods from 1995.

It is unlikely that these cities are going to drastically change how they handle their New Years celebrations, but there is some hope on the horizon. London's display was billed as bio-

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See "Aftermath" continued on page 16

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For additional information and an application visit KeystoneSWANA.org or contact Alison L'Hommedieu, Phone 717-737-8326

Note of interest—sponsors to either the Road-E-O or the annual Chapter meeting will receive a free advertisement in the next issue of the Keystone newsletter.

“Aftermath” continued from page 14

degradable, and by using a more environmentally friendly approach they avoided the need to add tons of celebratory garbage to a landfill. In Manhattan, Citi Bank sponsored and installed six bicycles (called Citi Bikes) in Times Square. A visitor could then hop on the bikes and use peddle power stored in batteries to help power the ball, which requires nearly 15,000 Watts before it's dropped on the 31st. Other cities have been making a switch to the more energy efficient LED bulbs in their displays as well.

Even at home we can take some steps to make our celebrations a little greener. Don't buy the goods that have a single year on the side. Instead go for a general color scheme that you can use and reuse. If you want to make noise, go to your kitchen and find pots and pans that you can rattle around instead of cheap plastic ones that you will trash. If you want confetti, shred up your own from the paper already in your house. (Left over wrapping paper works great for this.) There are tons of ways to help cut down on waste, and what better time to start that habit than the new year. 🌍

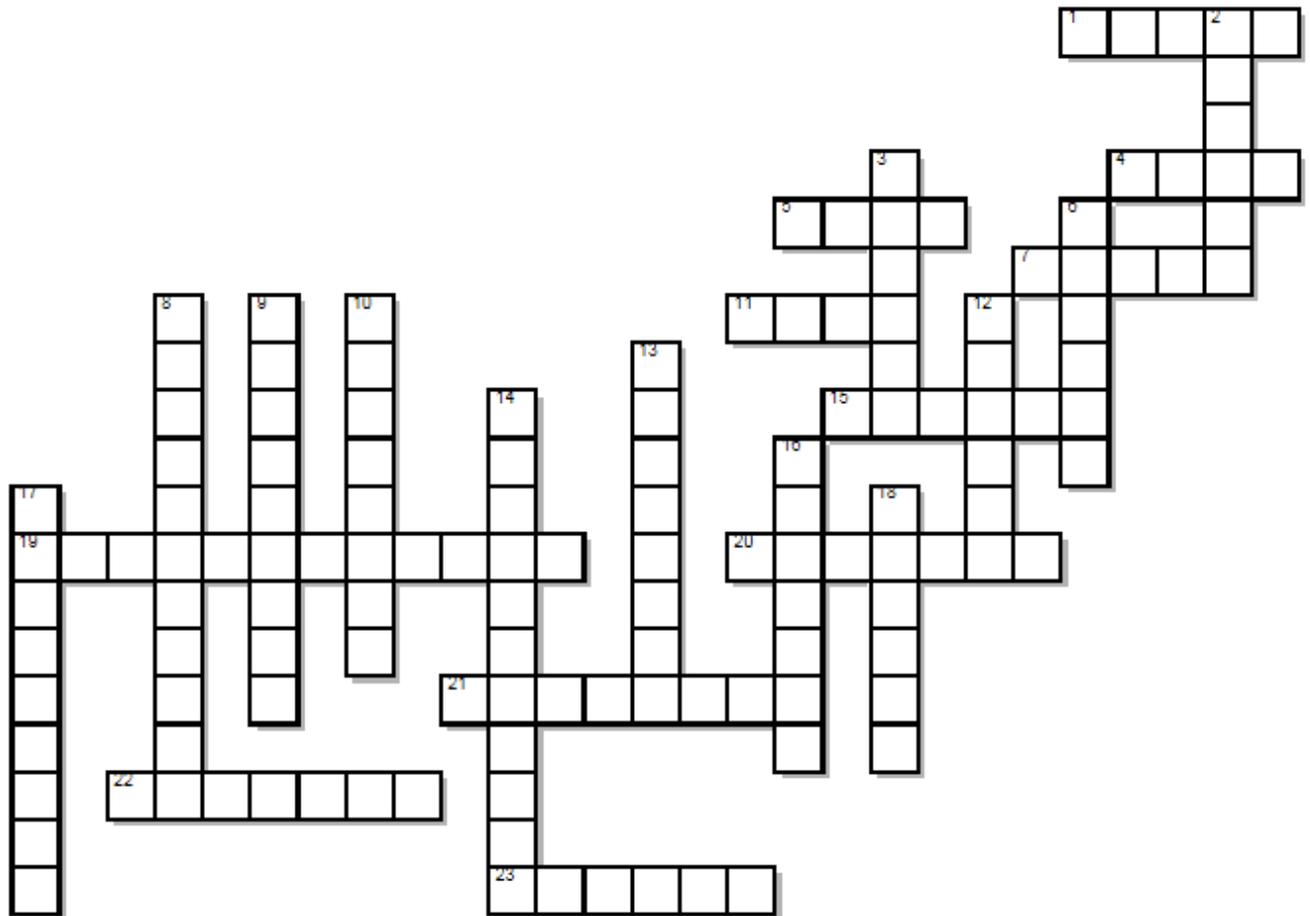
Sources: CBS News, Telegraph.uk and CNN Money

Written by: Alison L'Hommedieu



Just for Fun - The Keystone Cross-Word

New Year - New Puzzle

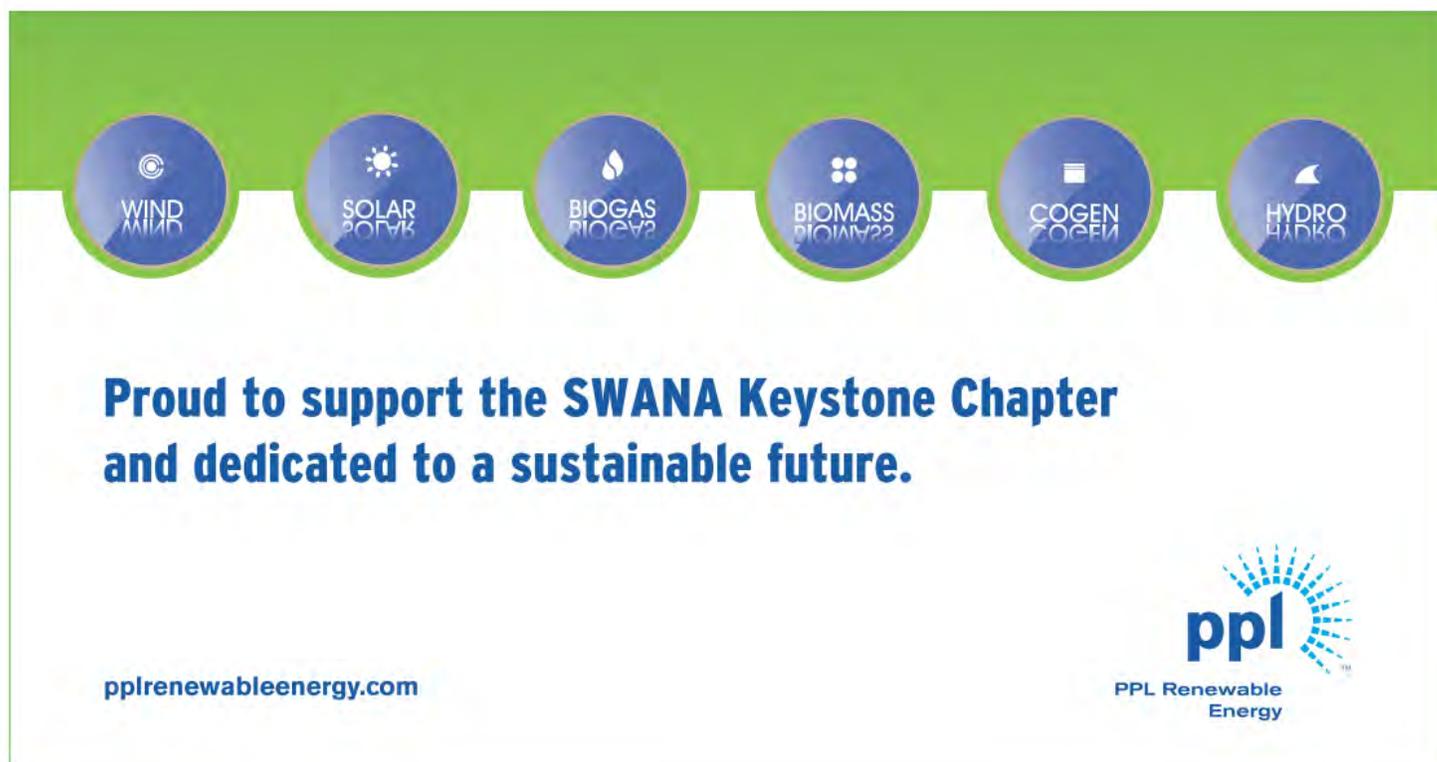


ACROSS

- 1 Not Your Typical Snow Flakes
 4 ROAD-E-O Month
 5 The MSE height of this is only at 47 feet of its 1600 foot total
 7 Type of Farmers to benefit from WTE funding in NY
 11 The Road from ____
 15 New SECCRA GM
 19 The 'A' in "DAP"
 20 Company Acquiring Two Transfer Stations
 21 Voluntary ____ Recycling for NYC Residents
 22 SWANA President
 23 Harrisburg Incinerator is first Public to ____ WTE Sale

DOWN

- 2 Second C in CCSWA
 3 Bubble Scent in London Celebration
 6 CEO of LCSWMA
 8 XTO Discharge River
 9 The "Food Waste ____" in NYC
 10 Creator of 50 tons of trash in Times Square
 12 "D" in the "PED" Pennsylvania Environmental ____
 13 Annual Trash Tons in NYC (in Millions)
 14 Advertisements Help Fund this SWANA Program
 16 Three Year EPA Exemption is for ____ Power Plants
 17 Suspected cause of XTO Spill
 18 Flavor of London Confetti



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SWANA College Scholarships Available Now

Great news!

The SWANA Keystone Chapter 2014 College Scholarship applications are now available!
The deadline to submit your application is **May 1, 2014**.

Who is eligible?

Eligible candidates must be a son, daughter, or grandchild of a Keystone Chapter Member that is currently in good standing.

Applications:

Category I Application

Requirements: Must be graduating high school senior or graduate equivalent certified candidate, that has been accepted for enrollment in a junior college, four-year college, or a university.

Category II Application

Requirements: Must be currently enrolled as a full-time student at a college or university and are entering their junior or senior undergraduate year while pursuing a degree in environmental science, engineering, or suitable major that is related to the field of solid waste management.

See "Scholarship" continued on page 19

“Scholarship” continued from page 18

The Robert P. Stearns/SCS Engineers Scholarship Award Application

Requirements: Must be a full-time student that is entering or is currently in a graduate school pursuing a degree in environmental science, engineering, or other suitable major that is related to the field of solid waste management.

What's next?

May 1, 2014 - All completed scholarship application forms and corresponding documentation must be received by the Keystone Chapter Scholarship Chairperson.

Application Submissions

Please submit all applications and corresponding documentation by **Thursday, May 1, 2014** to:

Ms. Kay Dougherty, SWANA Keystone Chapter Secretariat
123 Wyneberry Drive
Ephrata, Pennsylvania 17522-2595
or by email Kay at kdougherty@keystoneswana.org 

End of the Biomass Exemptions?



Environmental groups across 23 states have asked the U.S. Environmental Protection Agency (EPA) to end its three-year exemption of biomass power plant greenhouse gas emissions from Clean Air Act permitting.

According to a news release by the advocacy group Partnership for Policy Integrity, under the current exemption biomass plant builders and operators are able to avoid using the best pollution controls for the smoke-stack emissions. Without the pollution controls, there is an increase in local air pollution which can cause harm to human health.

The group claims that because of the exemption, now proposed biomass power plants are allowed to emit twice the pollution that they would be if they were held to the stricter federal standards.

The EPA is currently working on a science-based carbon dioxide accounting plan for biomass facilities. The D.C. Circuit U.S. Court of Appeals concluded that the EPA's exemption of biomass energy from regulation of carbon dioxide was not justified, but the agency has not yet reversed the exemption. 

Source: Waste 360, originally printed December 30, 2013.

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Waste To Energy Funding for Dairy Farmers in NY

New York will make available nearly \$21 million to state dairy farmers to generate energy from waste. Gov. Andrew Cuomo said in a news release the project aims to help dairy farmers convert farm waste to energy and develop business and environmental plans to reduce operating costs and increase profitability.

Most of the funding targets anaerobic digestion. "Farmers that utilize anaerobic digester technology are able to produce renewable energy and lower their costs while providing a number of environmental benefits to their local communities," said John Rhodes, president and CEO, New York State Energy Research and Development Authority (NYSERDA).



Typical Dairy Farm to be affected by Funding Measure.

Beginning Jan. 17, \$20 million will be available through NYSERDA to install anaerobic digester technology that produces renewable biogas used to produce electricity and heat from organic waste. Farms, food processing manufacturers or municipal wastewater sites will be eligible for up to \$2 million per project.

During the past 10 years, NYSERDA and the New York Power Authority have awarded nearly \$30 million toward anaerobic digestion projects and related technology. The funding currently supports 20 operational digester projects.

The digester technology funding will be available on a first-come, first-served basis for eligible projects. Funding for the Dairy Acceleration Program (DAP) will be increased by \$850,000, which is in addition to the \$1 million announced by the governor in August. 



Source: Waste 360, originally printed on January 16, 2014.

Planning	Landfill Gas-to-Energy
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Construction	Land Development
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Eye on Capitol Hill: Big Issues of 2014.

This year is sure to bring a number of significant changes in the areas of waste and contamination. Areas where changes may occur are in vapor intrusion, waste management and cleanup, brownfields/due diligence and issues related to real estate purchases. Some of the bigger points coming up in 2014 include:

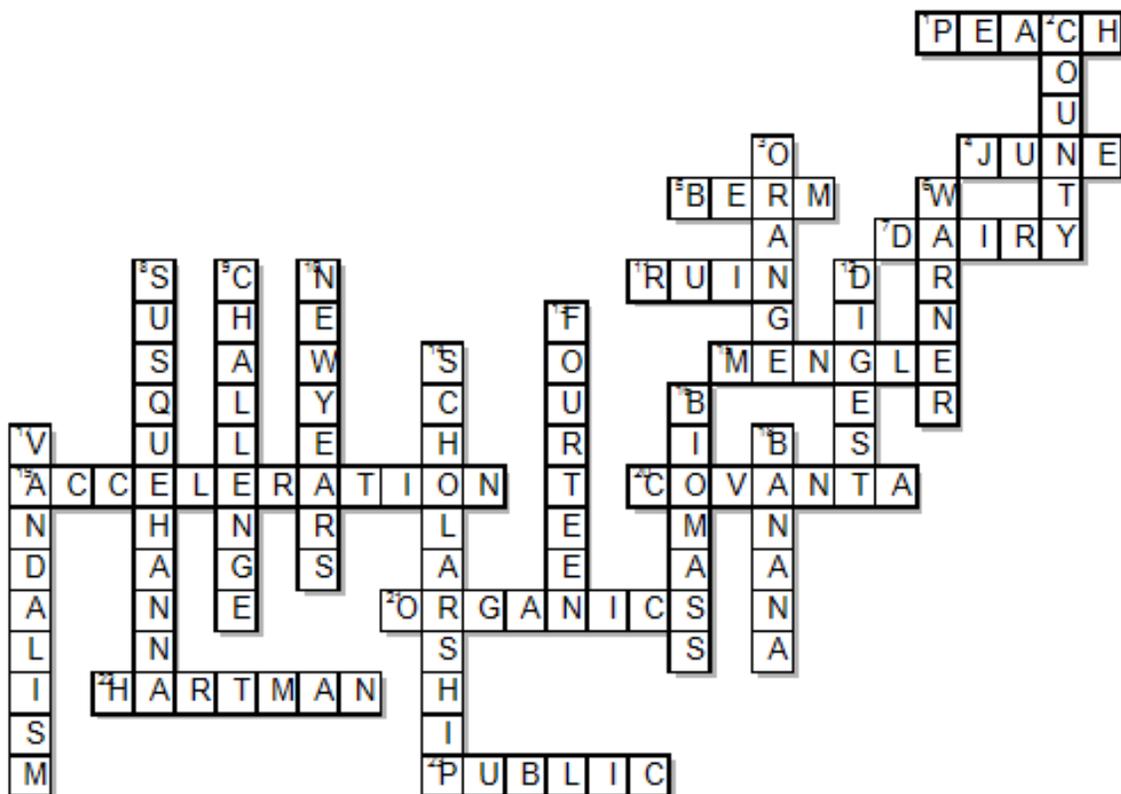
Vapor Intrusion

EPA Vapor Intrusion Guidance: The United States Environmental Protection Agency (EPA) issued its draft vapor intrusion guidance in 2013: "Final Guidance for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Sources to Indoor Air" (VI Guidance) and the

"Guidance for Addressing Petroleum Vapor Intrusion at Leaking Underground Storage Tank Sites" (Petroleum VI Guidance). While these guidance documents upon finalization may provide certainty as to how to investigate and assess vapor intrusion, the guidance is likely to significantly increase remediation costs, could lead to regulators reopening sites where cleanup had previously been declared closed, and may add more uncertainty to business transactions as sellers, buyers, landlords, tenants, lenders and equity investors grapple with how much sampling is enough. Final VI Guidance and Petroleum VI Guidance should be issued later this year. The EPA emphasized the importance of assessing the potential for vapor intrusion in

See "Capitol Hill" continued on page 22

Cross-Word Solution



“Capitol Hill” continued from page 21

due diligence in the preamble to its final regulation allowing the use of the new ASTM Phase I standard E1527-13 for meeting all Appropriate inquiries discussed further below. For more information on the guidance, please see "A Material Milestone For Vapor Intrusion,"/_aw360, May 1, 2013, and "Vapor Concerns May Perniciously Intrude Into Your Financings," The Real Estate Finance Journal, Fall 2013.

Waste Management and Cleanup

Hazardous Waste Electronic Manifest System Regulations: The EPA was authorized by statute in 2012 to establish a hazardous waste manifest system that will replace the paper system that has been in place for decades. Instead of promulgating a new rule in 2013, they advised that it would address comments on a draft rule published in 2001. The EPA has further announced that it will publish a draft fee regulation in 2014.



Management of Hazardous Waste Pharmaceuticals: The EPA has announced that it intends to establish management standards for hazardous waste pharmaceuticals generated by health care facilities. Although the EPA initially anticipated that this rule would be published in 2013, the agency is still working to develop the proposal. They intended to add hazardous waste pharmaceuticals to the universal waste program in 2008, but the public comment raised concerns about the lack of notification by the generating facilities as well as tracking of the waste generated under the program. The EPA has stated that the new rule will cover only pharmaceutical waste generated at health care facilities that meet the definition of an RCRA hazardous waste.



Coal Combustion Residues (CCR): The coal ash rulemaking roller coaster may go down its final hair-raising plunge and reach the end of its ride in 2014. A tentative settlement between the EPA and environmentalists in a pending lawsuit in the District of Columbia (*Appalachian Voices v. McCarthy*) would require the agency to complete the coal ash rule by the end of the year. The terms of the settlement will likely be disclosed by the end of January when the EPA has to provide the Court with a schedule for revising its coal ash rules. However, as has been the case since this effort began in 2010, the rulemaking

process may yet come to another screeching halt as House Republicans are planning to propose legislation that would eliminate the mandatory requirement that the agency review and revise its waste rules every three years, which was the basis for the environmentalists' lawsuit. This possible legislation, combined with the fact that the EPA had only recently placed coal ash rulemaking on its "long-term action list" (meaning that adoption of final regulations would not occur until sometime in 2015), signals that significant opposition to completing the rulemaking still exists. No matter how the process unfolds, the regulatory options will continue to focus on whether coal ash should be treated as a hazardous waste or some new category of special waste under RCRA. In the absence of regulatory action, environmental groups have turned to the courts with citizen suits over alleged pollution from power plant coal ash ponds, an approach that is sure to continue given that recent cases against Duke Energy and Santee Cooper resulted in consent agreements and settlements requiring the closure and remediation of a large number of such ponds. The years of uncertainty have taken their toll on the beneficial reuse of coal ash, which in 2013 declined for a third straight year, a trend that will likely continue this year as well.

CERCLA: This year marks the 10th and fifth anniversaries of two seminal decisions of the United States Supreme Court under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The Court's

See “Capitol Hill” continued on page 23

“Capitol Hill” continued from page 22

2004 decision in *Cooper Industries, Inc. v. Aviall Services, Inc.* upended longtime Superfund practitioners' understanding of the interplay and availability of cost recovery actions under Section 107 of the statute and contribution actions under Section 113. The lower courts have continued to wrestle with that interplay. The Supreme Court has before it a recently filed petition for a writ of certiorari requesting review of the Seventh Circuit's July 2013 decision in *Bernstein v. Rankert*. The Court's 2009 decision in *Burlington Northern & Santa Fe Railway Company v. U.S. limited liability for "arranger" liability under CERCLA* and breathed new life into divisibility as a means of avoiding the harshness of joint and several liability. The Court continued to admonish the lower courts to apply basic rules of statutory construction by holding that the term "arrange" should be given its plain meaning. Liability could attach, therefore, only where an entity "takes intentional steps to dispose of a hazardous substance," and mere knowledge that some product may be spilled or leaked was not enough to prove that an entity "planned for" the disposal. Courts have struggled to apply this holding on a case-by-case basis to various factual scenarios, including the question of the "useful product" defense, and more than a dozen opinions have been issued. The exact contours of *Burlington Northern* continue to be debated, and appeals of decisions in this arena are currently pending in both the Fourth and Seventh Circuits, which may help further define arranger liability. Joint and several liability continues to thrive, however, as the lower courts hold defendants in cost recovery actions to higher standards of proof of divisibility than had initially been envisioned after *Burlington*.

Enforcement**EPA Enforcement in 2014 and Beyond:**

The next five years do not look good for the EPA's enforcement and compliance assurance program, according to their own recently released "Draft FY 2014-2018 Strategic Plan." Out for public comment through Jan. 3, 2014, the draft five-year plan announces sweep-

ing cuts to federal inspections, enforcement cases initiated and concluded, and environmental benefits achieved as a result. While the draft plan calls for maintaining or nominally increasing level of effort on just two enforcement activities (criminal enforcement and oversight of open consent decrees), inspections are slated to drop 33 percent, case initiations 41 percent and case conclusions 48 percent compared with baseline levels. Likewise, the EPA enforcement actions will secure over 1.4 billion fewer pounds of air pollutants and 500 million fewer pounds of water pollutants. For two reasons, however, the projected cuts are not unalloyed good news for the regulated community. First, states, tribes and local governments tend to take an uneven approach to compliance and enforcement, creating uncertainty for companies that operate across multiple jurisdictions. And second, the EPA retains significant enforcement resources and intends to focus them on key industrial sectors. For more information on EPA enforcement please see "EPA Enforcement Budget Cuts Not Good News for Regulated Community," Dec. 9, 2013.

Due Diligence and Real Estate Purchases

New ASTM Phase I Standard: The EPA published the All Appropriate Inquiries (AAI) standard in 2005 and expressly provided in the regulation that AAI could be met by following ASTM "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" E1527-05. EPA issued a direct final rule in August 2013 to amend the AAI standard to add ASTM's then anticipated new Phase I standard E1527-13, but withdrew the rule in October after receiving adverse comments that allowing the use of both E1527-05 and E1527-13 would create confusion for the users. ASTM issued E-1527-13 in November, and EPA followed on December 30 with a new regulation effective that day providing that E1527-13 meets AAI. This means that the regulations currently allow the use of either ASTM Standard E1527-05 or E1527-13 to meet AAI. In the December 30 regulation, though, EPA announced its intent to issue a subsequent regulation proposing to eliminate E1527-05 as a standard that can be

See "Capitol Hill" continued on page 24

“Capitol Hill” continued from page 23

used to meet AAI. Until such time, either standard may be used to meet AAI, but with the new standard now approved those who are looking to rely on defenses to liability under CERCLA that require them to meet AAI should consider using the new standard as it is more thorough and the older standard is likely to be removed from the regulation in 2014. For more information on the new ASTM standard, please see "ASTM Releases New Phase I Standard: What Does It Really Mean for Purchasers?," Nov. 11, 2013.

Possible Changes to Forest & Rural Land Phase I Standard: ASTM has not yet modified its separate standard for meeting AAI for forestland and rural property, titled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property" E2247-08. As EPA has modified the AAI regulations to allow the use of E1527-13 to meet AAI, conforming changes to Forest & Rural Land standard would be helpful to avoid confusion with terminology and other differences. If a new standard is issued, a rulemaking will be necessary before a new version of E2247 could be used safely to meet AAI. For more information on the existing Forest & Rural Land Standard see "EPA Allows Use of New Phase I Environmental Site Assessment Standard for Forestland and Rural Property," Dec. 29, 2008.

State Notification Programs: The Maryland Department of the Environment (MDE) has announced its intent to reissue regulations in 2014 to implement a 2008 law requiring "responsible persons" to notify MDE of sampling results showing levels of contamination above certain screening levels. Regulations were originally proposed in 2009 and withdrawn in 2011. One of the more troubling aspects of the earlier draft of the regulations was the requirement on current and former owners and operators to disclose sampling results in reports in their files showing levels of contamination above the notification criteria. MDE has stated that it will exercise enforcement discretion in situations when old reports are uncovered in files after the deadline for notification has passed. How MDE will react to the information it receives, such as bringing an enforcement action under the Controlled Hazardous Substance Act (a state-level CERCLA-like statute), is unclear. How the regulations ultimately address the notification levels could have a chilling effect on commercial and industrial real estate transactions in Maryland, since sellers may be reluctant to allow purchasers to test and develop information that the seller may have to disclose to MDE. The requirement to look back at old files will also concern current and former owners and tenants. How this unfolds in Maryland will need to be closely watched in 2014, because its regulations could serve as a possible template for other state disclosure laws.

Brownfields Funding: EPA will continue to fund a variety of brownfields grants in 2014 for assessment, cleanup and area-wide planning. New in 2014 are "Environmental Workforce Development and Job Training" grants, which EPA has advised "are provided to recruit, train, and place, unemployed and under-employed, including low-income and minority, residents historically affected by hazardous and solid waste sites and facilities with the skills needed to secure full-time, sustainable employment in the environmental field and in the assessment and cleanup work taking place in their communities." CERCLA Section 128(a) money used by states and tribes in funding their state response programs may also see a decline at the end of 2014 for the 2015 allocations as the federal government grapples with budget cuts. States and tribes will need to consider modifications to private funding mechanisms to continue to maintain these important state response programs at current levels. 

Source: <http://www.mcguirewoods.com/Client-Resources/Alerts/2014/1/Environment-2014-Contamination-and-Waste-Management-Related-Issues.aspx>

Legislative Update - January 2014

Bills Passed	Description	Status
Act 16 SB 196 White	Amends the Pennsylvania Infrastructure Investment Act to add a definition and grant eligibility for "urban runoff."	Enacted June 19, 2013.
Act 41 SB 1325 Mahoney	Amends Act 537 to require that on lot systems approved by DEP meet anti-degradation provisions.	Approved by Governor, July 2, 2013.
Act 66 SB 259	Regulates terms and conditions of certain oil and natural gas leases pertaining to minimum landowner royalties	Approved by Governor, July 9, 2013.
Act 68 SB 351 Erickson	Adds stormwater management planning and projects to the purposes and powers of certain incorporated authorities.	Approved by Governor, July 9, 2013.
BILL #	Description	Status
SB 154 Greenleaf	Provides for disclosure and indemnification of landowners in gas mineral rights lease agreements.	Referred to Environmental Resources and Energy Committee (ER & E), Jan. 15, 2013.
SB 164 Yudichak	Provides for independent counsel to be appointed by the PADEP for the Environmental Quality Board.	Laid on table, Feb. 6, 2013.
SB 196 Act 16 White	Amends the Pennsylvania Infrastructure Investment Act to add a definition and grant eligibility for "urban runoff."	Enacted June 19, 2013.
SB 207 Wozniak	Amends the Alternative Energy Investment Act including the funding of energy service project grants to political subdivisions.	Referred to ER & E, Jan. 22, 2013.
SB 208 Kitchen	Provides youth employment opportunities for the summer in state and parks and recreation facilities.	Referred to ER & E, Mar. 6, 2013.
SB 213 Farnese	Provides for transfer of funds from the Oil and Gas Lease Fund to the Franklin Technology Development Authority Fund to support life science, IT or green industries.	Referred to ER & E, Feb. 1, 2013.
SB 218 Solobay	Provides for an alternative energy development program and clean energy supply chain initiative.	Referred to Community Economic and Recreational Development, Feb. 4, 2013.
SB 221 Smith	Establishes a high-performance building tax credit program.	Referred to Finance, Feb. 7, 2013.

“Legislative” continued from page 25

BILL #	Description	Status
SB 225 Farnese	Amends the Alternative Energy Investment Act to expand the definition of an alternative energy production project to include facilities that manufacture materials used in solar energy efficient lighting and displays or batteries.	Referred to ER & E, Feb. 1, 2013.
SB 226 Ferlo	Amends the Alternative Energy Investment Act to clarify eligibility of residential properties, small businesses and individuals for grants.	Referred to ER & E, Jan. 30, 2013.
SB 259 Act 66 Yaw	Regulates terms and conditions of certain oil and natural gas leases pertaining to minimum landowner royalties.	Approved by Governor, July 9, 2013.
SB 351 Act 68 Erickson	Adds stormwater management planning and projects to the purposes and powers of certain incorporated authorities.	Approved by Governor, July 9, 2013.
SB 355 Yaw	Amends Title 58 (Oil and Gas) to provide for the application of a standard unit order by persons controlling a majority interest (at least 65%) in a proposed unit.	Referred to ER & E, Jan. 31, 2013.
SB 411* Kasunic	Provides for the use of mine drainage water in the use of hydraulic fracturing.	Re-Referred to Appropriations, Dec. 4, 2013.
SB 459 Costa	Establishes an Emergency Drinking Water Support Fund to be funded by a \$10.00 surcharge on natural gas wells using a hydraulic fracturing process.	Referred to ER & E, Feb. 8, 2013.
SB 460 Costa	Amends Act 101 to provide for the assessment of fees of up to \$4.00 per ton (initially) on municipal solid waste generated within a County's borders. Fees shall be assessed on operators of landfills and waste-to-energy facilities receiving the waste.	Referred to ER & E, Feb. 8, 2013.
SB 504 Dinniman	Provides specific public notification requirements of applicants for certain environmental permits.	Referred to ER & E, Feb. 26, 2013.
SB 506 Dinniman	Imposes obligations on operators of gas and hazardous liquids pipelines with easements across public and other types of lands to provide recreational use areas and neutral stormwater runoff impact.	Referred to ER & E, Feb. 26, 2013.
SB 512 Kasunic	Provides notification requirements of the PADEP for suspension and revocation of oil and gas well permits and registrations and for enforcement orders.	Referred to ER & E, Feb. 20, 2013.
SB 540 Leach	Imposes a moratorium on leasing State forest lands for natural gas exploration.	Referred to ER & E, Feb. 21, 2013.

See “Legislative” on page 27

“Legislative” continued from page 26

BILL #	Description	Status
SB 544 Leach	Provides for the release of trade secret information to and the protection of that information by health care professionals.	Referred to ER & E, Feb. 21, 2013.
SB 592 Fontana	Requires the PADEP to maintain on its website confirmed cases of subterranean water supply contamination by municipality while maintaining land owners privacy. Also requires PADEP to provide test results to private water supply owners.	Requires the PADEP to maintain on its website confirmed cases of subterranean water supply contamination by municipality while maintaining land owners privacy. Also requires PADEP to provide test results to private water supply owners.
SB 659 Wozniak	Establishes a Range Cleanup Trust Fund for sport shooting and training ranges and provides certain legal and financial protections.	Establishes a Range Cleanup Trust Fund for sport shooting and training ranges and provides certain legal and financial protections.
SB 723 McIlhinney	Adds a “critical zone” definition and other definitions to Pennsylvania Safe Drinking Water Act” and requires discharge permit applicants within such a zone to demonstrate the discharge will not degrade the water quality of the critical zone.	Adds a “critical zone” definition and other definitions to Pennsylvania Safe Drinking Water Act” and requires discharge permit applicants within such a zone to demonstrate the discharge will not degrade the water quality of the critical zone.
SB 738 Yaw	Provides for distribution system extension and expansion plans to increase usage of natural gas in Pennsylvania.	Provides for distribution system extension and expansion plans to increase usage of natural gas in Pennsylvania.
SB 739 Yaw	Amends Alternative Energy Investment Act to provide grants to schools, hospitals and small businesses to obtain natural gas.	Amends Alternative Energy Investment Act to provide grants to schools, hospitals and small businesses to obtain natural gas.

See “Legislative” on page 28

“Legislative” continued from page 27

BILL #	Description	Status
SB 780 Kasunic	Provides compensation to surface land owners and tenants for damages caused by oil and gas activities operators.	Provides compensation to surface land owners and tenants for damages caused by oil and gas activities operators.
SB 783 Boscola	SB 783 Boscola	Amends Act 101 to provide a definition for an “affected municipality,” a requirement for a community health study prior to permit issuance for siting, operating or expanding a municipal waste landfill and other permitting requirements.
SB 785 Boscola	SB 785 Boscola	Doubles fines for overweight trucks hauling municipal solid waste.
SB 790 Greenleaf	SB 790 Greenleaf	Provides funding for natural gas drilling health research.
SB 823 Brewster	SB 823 Brewster	Establishes and funds a Student Performance Advisory Commission.
SB 857 Waugh	Provides for water testing option for property owners neighboring lands used for sewage sludge application.	Referred to ER & E, Apr. 16, 2013.
SB 941 Yudichak	Would require a public hearing before leasing state land.	Referred to ER& E, May 15, 2013.
SB 946 Baker	Amends Act 537for On-lot Anti-degradation.	Re-Referred to Appropriations, June 19, 2013.
SB 988 Waugh	Amends Dam Safety and Encroachments Act to include certain hazard potential.	Referred to ER& E, June 4, 2013.
SB 1015 Folmer	Amends the Tier I alternative energy source definitions to include existing waste-to-energy facilities and municipal solid waste in that definition..	Referred to ER & E, June 17, 2013.
SB 1037* Vogel	Repeals Summer RVP Gas or gasoline volatility requirements	Re-Referred to Appropriations, Dec. 4, 2013.

See “Legislative” on page 29

“Legislative” continued from page 28

BILL #	Description	Status
SB 1077* Argall	Railroad material and lading added to definitions of Scrap Metal Theft Prevention Act.	Referred to Commerce (House) Dec. 9, 2013.
SB 1080 Leach	Provides for a \$.02 plastic bag fee charged by the retailer.	Referred to finance, Sept. 16, 2013.
SB 1100* Ferlo	Provides for a state-wide natural gas drilling moratorium and establishment of a Well Drilling Study Commission.	Referred to ER & E, Sept. 23, 2013. Senate Journal remarks Oct. 1, 2013.
SB 1119** Hutchinson	Provides for conspicuous marking of PADEP vehicles used in oil and gas inspections and field work.	Referred to ER & E, Oct. 7, 2013.
SB 1155** Scarnati	Provides for an Aggregate (mining) Advisory Board under the Surface Mining Conservation and Reclamation Act.	Referred to ER & E, Oct. 25, 2013.
SB1171** Leach	Alternative Energy Portfolio Standards Amendments.	Referred to ER & E, Nov. 15, 2013.
SB 1174** Hutchinson	Prohibits remote surveillance by PADEP.	Referred to ER & E, Nov. 15, 2013.
HB 33 Kula	Provides for oil and natural gas wells to be subject to separate municipal and school district real estate taxes.	Referred to ER & E, Jan. 9, 2013.
HB 34 Harper	Requires design, construction renovation of certain State owned or leased buildings to comply with specific energy and environmental building standards.	Laid on table in Senate, June 27, 2013.
HB 45 Scavello	Establishes fines and penalties for littering.	Referred to Transportation, Jan. 9, 2013.
HB 80 Metcalfe	Prescribes fines and penalties for the theft of secondary metals such as wire, pipe or cable owned by communications, gas and electrical utilities and railroads and mass transit or commuter rail agencies.	Referred to Judiciary (Senate), June 28, 2013.
HB 96 Godshall	Establishes a trust fund for unknown or unlocatable owners of oil and gas interests.	Referred to ER & E, Jan. 14, 2013.
HB 183 Quinn	Provides for the inclusion of fluorescent lamps and tubes in municipal recycling programs.	Referred to ER & E, Jan. 22, 2013.
HB 200 Vitali	Establishes a Pennsylvania Sunshine Solar Program with funds from the Marcellus Shale Legacy Fund.	Referred to ER & E, Feb. 13, 2013.
HB 301* Saylor	Provides for gas fleet vehicle tax credit for purchase or conversion to vehicles fueled by compressed or liquid natural gas.	Re-Referred to Finance, April 24, 2013 (Senate).
HB 302* Moul	Provides for an inter-fund transfer to PADEP for a grant program for the transition of small business bus fleets to compressed natural gas.	Laid on table, Dec. 18, 2013.

See “Legislative” on page 30

“Legislative” continued from page 29

BILL #	Description	Status
HB 303* Watson	Provides for an inter-fund transfer to PADEP for a grant program for the transition of large mass transit bus fleets to compressed natural gas.	Laid on table, Dec. 18, 2013.
HB 305* Denlinger	Provides for a natural gas corridor tax credit.	Referred to Finance, April 24, 2013 (Senate).
HB 306* Pickett	Establishes an Alternative Fuels Incentive Fund to provide grants to retrofit vehicles of certain entities to operate as either bi-duel, dual-fuel, hybrid or dedicated vehicle.	Laid on table, Dec. 18, 2013..
HB 307 Evankovich	Eliminates duplicity of the CARB certification for natural gas vehicles.	Referred to ER & E Apr. 26, 2013 (Senate).
HB 308* Saylor	Requires a portion of the financial resources in the Clean Air Fund to be used for grants for natural gas vehicles.	Laid on table, Dec. 18, 2013.
HB 309 Grove	Provides 3-year Natural Gas Vehicle Tax Credit to provide incentives for PA businesses to purchase heavy-duty natural gas vehicles.	Referred to Finance April 24, 2013(Senate).
HB 444 Causer	Provides for distribution of timber, wood products and gas and oil rentals and royalties.	Referred to ER & E, Jan. 30, 2013.
HB 453 Harper	Increases the maximum amount for grants to counties with populations over 250,000 from \$100,000 to \$150,000 primarily for household hazardous waste collection programs.	Referred to ER & E, Jan. 30, 2013.
HB 540 Kortz	Establishes the Pharmaceutical Stewardship Act to provide for the collection and disposal of leftover and expired medicines.	Referred to Health, Feb. 6, 2013.
HB 661 Milne	Provides for least oil and gas well casing specs and measures to prevent blowouts and wireless multi-frequency communications with PEMA.	Referred to ER & E, Feb. 11, 2013.
HB 800 Mundy	Restricts location of oil and gas wells, including horizontal drilling, to areas at least 2,500 feet away from specified water supplies.	Referred to ER & E, Feb. 25, 2013.
HB 801 Mundy	Provides for tracking of Marcellus Shale mining wastewater.	Referred to ER & E, Feb. 25, 2013.
HB 856 Davis	Provides for transparency in purchases of wetlands.	Referred to ER & E, Mar. 11, 2013.
HB 880 Conklin	Provides for public notice of natural gas permit applications.	Referred to ER & E, Mar. 11, 2013.
HB 881 Conklin	Provides for toll free telephone response number to PADEP to report suspected violations of oil and gas laws.	Referred to ER & E, Mar. 11, 2013.

See “Legislative” on page 31

“Legislative” continued from page 30

BILL #	Description	Status
HB 950 Vitali	Establishes a moratorium on leasing lands owned and managed by DCNR for oil and gas development.	Establishes a moratorium on leasing lands owned and managed by DCNR for oil and gas development.
HB 986 Everett	Provides for private and public water supply analysis results obtained by an oil or gas well operator to be provided to the PADEP and for the PADEP to provide it to the land owner or water purveyor.	Provides for private and public water supply analysis results obtained by an oil or gas well operator to be provided to the PADEP and for the PADEP to provide it to the land owner or water purveyor.
HB 994 Petri	HB 994 Petri	Provides for gas transmission line fees and fee arrangements when using PA Turnpike Commission right-of-ways.
HB 1058 Goodman	HB 1058 Goodman	Prohibits new landfills within one mile of a reservoir serving as a public water supply.
HB 1137 Gabler	HB 1137 Gabler	Provides for withholding of funds to municipalities that fail to comply with stormwater management regulations within 180 days of notices of violation. Also provides right of municipalities to appeal.
HB 1151 Miller	HB 1151 Miller	Moves Waste-to-Energy from Tier II to Tier I in the Alternative Energy Portfolio Standard.
HB 1171 Dunbar	HB 1171 Dunbar	Repeals certain provisions to the Alternative Energy Investment Act pertaining to the Alternative Energy Production tax Credit Program.

See “Legislative” on page 32

“Legislative” continued from page 31

BILL #	Description	Status
HB 1188 Payne	HB 1188 Payne	Amends natural gas choice and competition. Act regarding refunds to and recoveries from customers.
HB 1212 Malone	HB 1212 Malone	Prohibits PADEP from imposing anti-degradation requirements on on-lot sewer systems in conjunction with planning or permitting.
HB 1325 Act 41 Mahoney	Amends Act 537 to require that on lot systems approved by DEP meet anti-degradation provisions.	Approved by Governor, July 2, 2013. ACT 41
HB 1339 Galloway	Reintroduction of HB 1667 – Property Assessed Clean Energy (PACE) program authorizing municipalities and municipal authorities to provide clean energy financing to residential and commercial property owners.	Referred to ER & E, May 7, 2013.
HB 1442 White	Regulates terms and conditions of certain natural gas and oil leases pertaining to royalties and payment information.	Referred to ER & E, May 28, 2013.
HB 1443 White	Requires a mandatory Pugh Clause to protect Marcellus / Utica Shale lease holders.	Referred to ER & E, May 28, 2013.
HB 1444 White	Reintroduction of the Title to Mineral Rights Act.	Referred to ER & E, May 28, 2013.
HB 1527 Evan-Kovich	Provides for beneficial re-use of blast furnace slag for road construction.	Referred to State Government, Oct. 16, 2013.
HB 1542 White	Bans disposal of hazardous wastewater from Marcellus Shale Drilling in “Open Air Impoundments.”	Referred to ER & E, June 17, 2013
HB 1546 Boback	Prohibits use of open impoundments for storage of produced liquids, treated water, hydraulic, fracturing, fluid, or industrial waste.	Referred to ER & E, June 18, 2013.
HB 1563 Gibbons	Provides funding for certain high hazard dams.	Referred to ER & E, June 20, 2013.
HB 1565 Hahn	Amends Clean Streams Law to make riparian buffers and riparian forest buffers best management practices rather than requirements.	Referred to ER & E, June 20, 2013.
HB 1566 Gabler	Establishes restrictions for oil and natural gas disposal wells.	Referred to ER & E, June 20, 2013.

See “Legislative” on page 33

“Legislative” continued from page 32

BILL #	Description	Status
HB 1579 Vitali	Establishes the Marcellus Shale Public Health Protection Act including Health Department duties.	Referred to ER & E, June 24, 2013.
HB 1650 White	Prohibits “Post-Production” cost deductions from oil and gas royalty payments to leaseholders.	Referred to ER & E, Sept. 16, 2013.
HB 1672 Miller	Provides for testing of new environmentally beneficial and energy efficient technologies within various State agencies.	Referred to State Government Oct. 30, 2013 (Senate).
HB 1681 Saccone	Provides for repair of weight restricted bridges with proceeds from oil and gas exploration on certain state lands.	Referred to ER & E, Sept. 9, 2013.
HB 1684 Everett	Amends Oil and Gas Act to prohibit certain deductions from royalties.	Referred to ER & E, Sept. 16, 2013.
HB 1699 Ross	Provides for the regulation of certain non-emergency internal combustion generators including registration and reporting requirements.	Referred to ER & E, Sept. 25, 2013.
HB 1700 White	Amends Oil and Gas Act to allow for multiple contiguous leases and to repeal apportionment provisions.	Referred to ER & E, Sept. 16, 2013.
HB 1709 Pickett	Amends Oil and Gas Act to provide for additional well reporting requirements.	Referred to ER & E, Sept. 26, 2013.
HB 1731** Brooks	Oil and Gas Conservation and Apportionment Repeals.	Referred to ER & E, Sept. 30, 2013.
HB 1732 Brooks	Amends Oil and Gas Act further providing for royalty guarantees and prohibiting certain deductions.	Referred to ER & E, Sept. 30, 2013.
HB 1854** Hanna	Legislation regarding small projects in floodways.	Referred to ER & E, Nov. 25, 2013.
HB 1866** Knowles	Provides for municipal regulation of bio-solids disposal or deposition.	Referred to ER & E, Dec. 9, 2013.
HB1914** Sankey	Requires PADEP to submit annual reports relating to certain restricted accounts in the State Treasury.	Referred to ER & E, Dec. 12, 2013.
House Resolution #	Description	Description
HR 425 Miller	Celebrates 25 years of successful recycling in Pennsylvania and urges PADEP to review its recycling programs and report any recommendations for improvements.	Adopted, Oct. 16, 2013 (House).

* Change or Update

** New

SWANA Pennsylvania Keystone Chapter Calendar



For more information, event registrations, and updated information please go to the Keystone Chapter's website:

<http://www.keystoneswana.org/>

Some events to plan for include:

JANUARY 2014

- Email mini-technical seminar announcement
- Email 12th Annual Mid-Atlantic Regional Road-E-O announcement
- Program Committee initiates planning for 16th fall conference

FEBRUARY 2014

- Thursday, 2/6, 9 a.m. **Mini-Technical Seminar/ Marcellus Shale Update and Discussion with PADEP**, Hilton Hotel, Harrisburg
- Thursday, 2/6 **Board Meeting**, immediately following Mini Technical Seminar and Luncheon.
- Distribute winter newsletter via email

MARCH 2014

- Thursday, 3/6, 10 a.m. **Board Meeting Conference Call**
- Mail exhibitors and sponsorship announcement for 16th fall conference
- Program Committee completes planning for fall conference

APRIL 2014

- Thursday, 4/3, 10 a.m., **Board Meeting Conference Call**
-

MAY 2014

- Thursday, 5/1, Scholarship Deadline
- Thursday, 5/10, 10 a.m., **Board Meeting, Modern Landfill, York**
- Announce Chapter Scholarship Awards
- Nominating committee presents slate of Officers and Directors for election.

JUNE 2014

- 6/1, Deadline for submittal of Grant H. Flint Scholarship recommendations
- Thursday, 6/5, 10 a.m., **Board Meeting Conference Call.**
- Email registration announcement for 16th fall conference.
- Review annual budget
- 6/5, Mid-Atlantic Regional ROAD-E-O Reception for Judges, Competitors and Guests
- 6/6. 7 a.m., Mid-Atlantic Road-E-O at MES, Midshore II Facility .

JULY 2014

- **No Activities Planned**

AUGUST 2014

- Thursday, 8/7, 10 a.m., **Board Meeting Conference Call.**
- Program Committee prepares program for the fall conference.
- Submit articles for summer newsletter.



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Waste System Authority of
Eastern Montgomery County

Bob Zorbaugh, Vice President

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Chester County Solid Waste Authority

► This Publication is for the Solid Waste Professionals of the Keystone Chapter of SWANA

The Keystone is published a minimum of three times per year (generally winter, summer, and fall). If you have ideas for future articles, updates, or general suggestions for The Keystone, please contact **Alison L'Hommedieu** at Barton & Loguidice, Newsletter Secretariat Production Services, or any member of the Newsletter Committee listed below:

Kelly Megonnel

Phone: 717-780-6462

Fax: 717-780-6431

kmegonnel@properecycles.org

Alison L'Hommedieu

Phone: 717-737-8326

Fax: 717-737-8328

alhommedieu@bartonandloguidice.com

Judy Archibald, M.Ed.

Phone: 215-269-2107

Fax: 866-220-8408

jarchibald@archibaldassoc.com

Nancy Fromnick

Phone: 610-273-3771

Fax: 610-273-9870

nfromnick@chesteracswa.org

Jen Cristofolletti

Phone: 717-845-1066

Fax: 717-843-1544

j.cristofolletti@ycswa.com

George Barstar

Phone: 856-291-5659

gbarstar@geiconsultants.com

Chapter members: please freely share this info with others that you work with or who have an interest in waste news in PA. **Please remember to send Kay Dougherty, Chapter Secretariat, your current email address** as all future newsletters, as well as informational broadcast faxes and other communications, will only be sent via email. Her email is: kdougherty@keystoneswana.org. If you did not receive your copy of this newsletter emailed from Kay, *you are not on our email list for news.*