

# ENVIRONMENTAL SYNOPSIS

## The Chairman's Corner

Rep. Scott E. Hutchinson, Chairman



Last month I promised to provide some examples of interesting and fun heritage-based outings you and your family can take right here in Pennsylvania. Faithful readers may recall that I made that promise as a follow-up to my article about Pennsylvania's 11 Heritage Areas.

Michael DiBerardinis, secretary of the Department of Conservation and Natural Resources (DCNR), which oversees Pennsylvania's Heritage Areas, noted their importance when he said (at the committee's March Environmental Issues Forum), "...heritage...resources within a community contribute to quality of life for its citizens."

Our Heritage Areas continue to make innovative advancements, and as travel season comes upon us in the Commonwealth, they provide attractive destinations for families and vacationers. Here's some of what you can expect to find if you visit Pennsylvania's Heritage Areas.

In my own home district just last month, I was pleased to assist at the dedication and ribbon-cutting of the Oil Heritage Region's first Visitors' Center, located in the Crawford Center in Emlenton, the southern gateway to the "valley that changed the world". Don't forget the Emlenton Walking Tour and the newly opened Pumping Jack Museum next door to the Visitors' Center, too. I am also excited by the region's quest to attain National Heritage Area designation, an endeavor the Joint Committee has been helping with. Success in this effort could mean significant new funding and improve-

ments for the region. For more information on happenings in the Oil Heritage Region, visit [www.oilregiontourist.com](http://www.oilregiontourist.com).

It's anniversary time in the National Road Heritage Corridor (NRHC) in Southwest Pennsylvania. The 250<sup>th</sup> anniversary of the French and Indian War, to be precise. The first battle of the war was fought at the Fort Necessity National Battlefield, on the National Road. One of the highlights of the commemoration is a free battlefield concert by the Pittsburgh Symphony on July 1. For more information, e-mail NRHC at [info@nationalroadpa.org](mailto:info@nationalroadpa.org) or visit [www.nationalroadpa.org](http://www.nationalroadpa.org).

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A Legislative Service Agency of the Pennsylvania General Assembly

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# NOTES FROM THE DIRECTOR

CRAIG D. BROOKS, DIRECTOR

It's fast approaching that time of year when Pennsylvania's rivers receive special attention in a month-long celebration. Throughout the month of June, folks across the state can celebrate our river resources by getting involved in a number of river related activities. Pennsylvania's more than 83,000 miles of permanently flowing rivers and streams are a valuable natural and cultural resource, forming a central part of our rich natural heritage.

Rivers throughout the Commonwealth not only support ecological functions and provide essential fish and wildlife habitat, but they also provide drinking water, flood channels and transportation services for goods, as well as turn turbines, supply industries, produce food, and offer quality recreational opportunities for residents and visitors. It is for these reasons that Governor Tom Ridge designated June as Rivers Month in Pennsylvania.

Each year, the Pennsylvania Department of Conservation and Natural Resources (DCNR) features a "River of the Year" that highlights a particular waterway's natural beauty and ecological importance. Recently, DCNR Secretary Michael DiBerardinis designated the North Branch of the Susquehanna River as 2004's River of the Year. In his words, "The North Branch is a gem that is appreciated by those who enjoy its scenic beauty and recreational values." We couldn't agree more.

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**What is a river "sojourn?"**  
**Try one on the Susquehanna's North Branch in June**

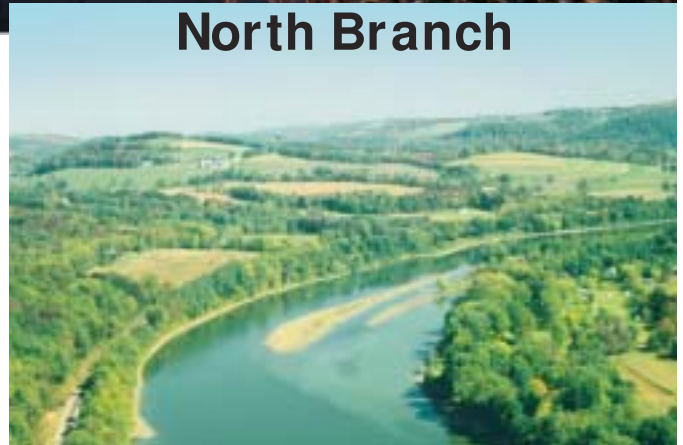
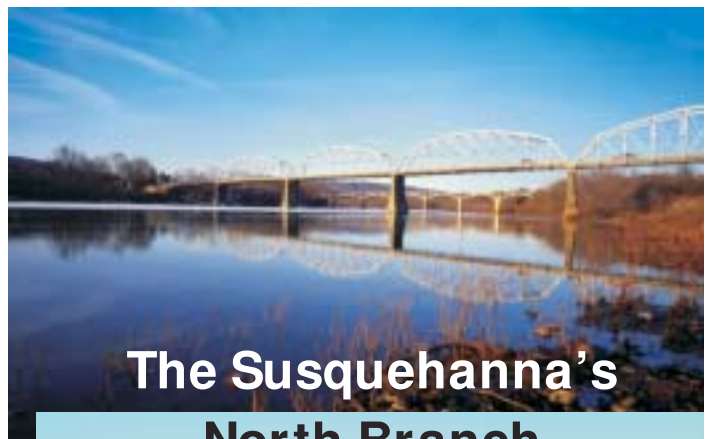
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If you haven't had the opportunity to participate in Rivers Month activities, here's your chance. There's lots to do. Activities include a variety of festivals, river seminars, concerts and river sojourns.

You may ask, "What is a sojourn?" A sojourn is a canoe or float trip along one of Pennsylvania's scenic waterways that lets people learn more about the Commonwealth's rivers, wildlife and heritage. They often cover hundreds of miles with activities including bird watching, geologic and natural history studies...not to mention offering a whole lot of fun! They are also an opportunity for local communities and watershed organizations to recognize the important work and accomplishments that have been made in protecting and conserving water resources.

If you haven't yet discovered the North Branch of the Susquehanna, make sure you mark your calendars for June 23. As Pennsylvania's featured waterway, the North Branch will be the subject of the 2004 June Rivers Month Sojourn, which will run from June 23rd through June 30th. The headwaters of the North Branch begin in New York and enter Pennsylvania in Bradford County. The river continues through Wyoming County, then joins the Susquehanna near Pittston and West Pittston in Luzerne County. This 100-mile stretch of the North Branch runs through the Endless Mountains Heritage Region, one of Pennsylvania's 11 Heritage Parks (see the Chairman's Corner for more on them). The Susquehanna Sojourn will begin in Sayre, PA and end in Pittston/West Pittston, PA, a few miles upstream from Wilkes-Barre.

I hope you take the opportunity to celebrate the beginning of summer by planning to take some time and appreciate our wonderful rivers. For more information on this year's Rivers Month, visit DCNR's website at <http://www.dcnr.state.pa.us> (click on "Pennsylvania Rivers").



# RESEARCH BRIEFS

Each month, the committee's staff researches and prepares a number of "briefs" on several topics relevant to the Joint Conservation Committee's mission. Very often, these briefs include references to reports and further research on the topics so that readers may pursue issues on their own.

## GAO Report Urges Munitions Cleanup on Military Bases

—Tony M. Guerrieri, Research Analyst

A U.S. Department of Defense (DOD) program to identify, assess, and clean up sites that may be contaminated with military munitions has made little progress, with as many as 1,387 sites still needing initial evaluation to determine whether any action is warranted, according to a report by the U.S. General Accounting Office (GAO).

The report, lengthily titled *"Military Munitions: DOD Needs to Develop a Comprehensive Approach for Cleaning Up Contaminated Sites"*, recommends the department establish deadlines for completing site inventory and initial evaluations and reassess the timetable proposed for completing necessary risk assessment reevaluations.

According to the GAO report, more than 15 million acres in the United States are known to be or are suspected to be contaminated with military munitions, which include unexploded ordnance, discarded military munitions, and munitions constituents such as propellants or other chemicals. These contaminants are found at sites that are no longer in use, including closed ranges on active installations, ranges on installations that are being closed, and formerly used defense sites. Many have been redeveloped into parks, farms, schools and residential areas. For example, homes, farms, parks and a wildlife refuge now occupy 8,810 acres on what was the former Baywood Park Training Area near San Luis Obispo, California.

In September 2001, the U.S. Environmental Protection Agency (EPA) used military data to identify 126 incidents of civilian exposure to unexploded ordnance, accounting for 65 fatalities and 131 injuries. The GAO report suggests that the number of accidents was likely to increase as the department closed military installations and allowed land to be sold and developed.

As of September 2002, the DOD had identified 2,307 potentially contaminated sites, but officials said they continue to identify additional sites and are not likely to have a firm inventory of contaminated sites until 2012. Although every state contains at least a handful of such sites, the states with the most are California

(376), New Mexico (160), Florida (148), and Texas (139). Pennsylvania has 30 sites, Maryland 61, and New Jersey 33.

Over 360 of those sites identified were initially determined to need no further action, but the department has determined that because some of those sites were formerly used defense sites and were not assessed in as much detail as some others, they need to be reassessed, the GAO found.

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There are more than 15 million acres in the U.S. known or suspected to be contaminated with military munitions

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Assessments at 558 sites have been completed, and of those, 475 required no cleanup actions. The remaining 83 sites required some cleanup action, of which the DOD has completed 23, the report said.

The biggest contaminants that have been found are TNT, RDX, and HMX explosives, perchlorate used in rocket fuel and white phosphorus.

For 1,387 sites, the DOD has either not begun or not completed its initial evaluation nor determined whether further study is needed. According to the GAO, the DOD does not yet have a complete and viable plan for cleaning up its munitions sites.

The GAO urged the department to develop a plan that has established deadlines for meeting goals and suggested that cleanup alternatives could include removing the military munitions, limiting public contact with the sites through signs and fences, or determining that no further action is warranted.

According to the report, department estimates indicate that cleanup completion could cost up to \$35 billion. At the current rate of spending - \$106 million per year on ridding the closed ranges of bombs, shells, mines and other waste - the GAO report suggests that the hazards could be there for as long as 330 years.

The report (GAO-04-147) is available on the GAO's website at <http://www.gao.gov/cgi-bin/getrpt?GAO-04-147>.



## Study: More Highways = More Traffic, More Pollution

—Jason H. Gross, Research Analyst

The U.S. PIRG (Public Interest Resource Group) just released a report entitled “*More Highways, More Pollution*” on the effects of road building on air pollution in urban areas. According to the report, a growing body of evidence suggests that the expansion of the nation’s highway network has helped increase driving, triggering changes in driver behavior and land use that spurs additional vehicle travel.

To examine the links between air pollution and highways, the report analyzed data on highway capacity and vehicle emissions for 314 metropolitan areas. According to the report, cities with more major highway capacity have higher per capita levels of air pollution from vehicles. The link between highway capacity and air pollution is strongest in larger cities with at least one million people.

Vehicles traversing the network of roads and highways remain a leading source of air pollution in urban areas despite tighter emissions standards. Tailpipe emissions include volatile organic compounds (VOCs) that result from fuel evaporation and incomplete fuel combustion. VOCs are a precursor to ozone, a serious air pollutant in cities across the U.S. Nitrogen Oxides (NO<sub>x</sub>) form when fuel burns at high temperatures and reacts with VOCs in sunlight to form ground-level ozone.

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Vehicle miles traveled on America’s roads over the last 30 years are up from 1.1 trillion to 2.887 trillion miles

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Children, people with lung diseases, and people who work outside and exercise are particularly susceptible to the adverse effects of smog. Such adverse effects include damage to lung tissue and reduced lung function. Particulate matter in the form of very tiny particles can reach the deepest regions of the lungs and pass from the lung into the blood. Particulate pollution is the deadliest pollutant contributing to thousands of premature deaths each year as well as asthma and other respiratory problems.

Tougher tailpipe emissions standards have had limited results since their beginning in the early 1960s when California first required pollution controls on vehicles. Cars and trucks remain leading sources of air pollution despite tighter standards on tailpipe pollution

because of the dramatic growth on the number of miles traveled in motor vehicles in the U.S. The number of vehicle miles traveled on America’s roads has increased over the last 30 years from 1.1 trillion miles to 2.887 trillion miles, and has shown that limitations on tailpipe emissions are not enough to resolve the problem of vehicular air pollution.

The report states that the answer to traffic congestion is not to build more roads at the expense of mass transit and alternative forms of transportation. The report espouses a theory of “generated traffic”, which states that as road capacity increases, demand will increase proportionately to fill the new capacity. By maintaining current road sizes while investing the saved money in mass transit we can incentivize mass transit while diminishing the use of the overcrowded road system. According to the report, new transportation capacity induces increased travel in the short run and changes in land use development patterns long term.

The report concludes that new highway capacity brings the risk of generated traffic and increased vehicular pollution, will do little to alleviate congestion in the long run, and will likely exacerbate already severe air pollution problems in metropolitan areas. To prevent increased vehicular air pollution, transportation planners must consider the air pollution impacts of transportation decisions.

The report recommends that planners pursue transportation alternatives such as mass transit and a shift to cleaner functioning hybrid vehicles. At the state level, transportation planners should undertake projects to reduce vehicle travel and promote alternative modes of transportation by working with federal government funding programs such as TEA-21.

For more information and a copy of the full report visit U.S. PIRG’s website at: <http://www.transact.org/nrdc/ozone.htm>.

### News to Use in the Environmental Synopsis... share it with a friend

The *Environmental Synopsis* is issued monthly. The newsletter examines timely issues concerning environmental protection and natural resources.

If someone you know would like to receive a copy of the *Synopsis* each month, please contact the committee office at 717-787-7570.



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## Report Describes Federal Activities on Behalf of Small Businesses

—Tony M. Guerrieri, Research Analyst

Small business owners pay hundreds of billions of dollars each year in federal regulatory compliance costs. Too often, enforcement and compliance activities have bewildered, frustrated, and angered small business owners who struggle to comply. The Office of Advocacy of the U.S. Small Business Administration (SBA) reports that due to its efforts, American small businesses enjoyed \$6.3 billion in cost savings last year.

The Office of Advocacy detailed 2003 savings in its annual report to the President and Congress on the Regulatory Flexibility Act (RFA) of 1980. The report describes how the office works to encourage the U.S. Environmental Protection Agency (EPA) and other federal agencies to minimize regulatory burdens on small businesses.

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**The SBA Office of Advocacy reports that its efforts saved American small businesses \$6.3 billion in 2003**

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The report contains four main sections. Section one provides a brief overview of the RFA. Regulatory costs for small businesses have increased over the past decade. In fact, studies show that small firms pay a disproportionately higher share of the federal regulatory burden. To help address this disproportionate impact, the RFA requires federal regulatory agencies to determine the impact of their rules on small businesses, consider effective alternatives, and seek public comment on their analyses. The RFA was strengthened in August 2002 by Executive Order 13272, which requires agencies to establish written procedures and policies on how they consider the impact of their regulatory proposals on small businesses.

Section two details the role of the Office of Advocacy and how it works with regulatory agencies during the rulemaking process to encourage them to minimize the burden of their rules on small businesses. This section also shows breakdowns of the Office of Advocacy regulatory actions by agency and type of comment and cost savings for fiscal year 2003.

The EPA rulemakings underwent the most scrutiny by the SBA's Office of Advocacy during 2003, making up

almost 25 percent of all Office of Advocacy reviews and more than 26 percent of the savings, a total of \$1.681 billion. For example, in 2003 the EPA signed a final rule on Metal Products and Machinery Effluent Limit guidelines. The final is substantially different from the original proposed rulemaking that would have made wastewater discharge limits 95 percent more stringent for manufacturers and introduced national discharge limits for electronic manufacturing services. According to the report, based on the final rule, small businesses saved more than \$1 billion in avoided compliance costs.

Section three provides a snapshot of several of the rulemakings in which the Office of Advocacy has intervened on behalf of small businesses. Many of the rules demonstrate the Office of Advocacy's achievements with respect to improving agency compliance with the RFA. Other rules underscore the office's concerns relating to specific agency compliance with the RFA.

The fourth section describes key agency rules or activities, Advocacy's actions with respect to the rulemaking, final regulatory actions in response to Advocacy's efforts, and cost savings associated with the agency actions.

The report concludes that \$5.7 billion of the small business savings attributed to agency undertakings also are expected to carry over annually.

In Pennsylvania, more than 98 percent of businesses, over 268,000, are small businesses. The Office of Advocacy of the SBA, the small business watchdog of the government, independently represents the small business agenda to agencies, the courts, Congress and the president.

The annual report, entitled, "*Report on the Regulatory Flexibility Act, FY 2003*", is available for download from the Office of Advocacy web site at [www.sba.gov/advo/laws/flex/03regflx.pdf](http://www.sba.gov/advo/laws/flex/03regflx.pdf).

## Federal Ocean Policy Commission Plans Action

—Jason H. Gross, Research Analyst

A preliminary report by the U.S. Commission on Ocean Policy proposes changes in policy that rectify the under-investment in our marine assets. The goal of the report is to spell out a national policy on ocean health that better balances sustainability and science, assists in decision-making processes, and mandates an ecosystem-based management approach. The report recognizes that oceans affect and sustain all

life on earth. They drive and moderate weather and climate, and provide food, transportation, recreation, pharmaceuticals, and other natural products. The human effect on the oceans through pollution, depletion of fish, habitat destruction, and invasive species introduction has serious consequences for the planet.

The commission has undertaken ocean management responsibilities as an umbrella organization, a task usually dispersed among an array of agencies at the federal, state, and local levels. The commission has done so because natural systems are complex and interconnected decision-making and management systems must address that complexity and interconnectedness.

The commission report offers broad recommendations for reform in an effort to reverse distressing declines in ocean quality and to protect the ocean as an asset for future generations. The report offers suggestions based on three fundamental themes:

- ✓ creating a new national ocean policy framework to improve decision-making;
- ✓ strengthening science and generating high-quality accessible information to inform decision makers;
- ✓ enhancing ocean education to instill future leaders and informed citizens with a stewardship ethic.

The envisioned effective national ocean policy framework is designed to promote high-level leadership and stewardship among the many federal agencies with ocean management responsibilities, in order to strengthen involvement in decision-making at the state, territorial, tribal, and local levels.

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### The report recommends creation of a National Ocean Council

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A central component of the framework is the establishment inside the office of the president of a National Ocean Council composed of all the cabinet secretaries and independent agency directors with ocean-related responsibilities. The council will also consist of non-federal representatives from state, territorial, tribal, and local government entities with ocean interests. The council will ensure a formal structure for non-federal input on ocean and coastal policy matters and provide a venue for discussion of ocean issues.

According to the report, improved federal coordination is necessary to bring about the depth of change needed to modernize ocean governance. Over the long-term, more fundamental changes to the federal agency structure will assist in the recognition of the links

among the ocean, land, and air that support a unified approach to conservation. There will also be improvement in the ability of state, territorial, tribal, and local entities to participate in ocean policy construction and implementation.

Effective policies must be based on unbiased, credible, and up-to-date scientific information. The report says that a significant investment in data collection and management must be made in order to provide high quality accessible information that is critical to making wise decisions about ocean and coastal resources.

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### Federal funding for ocean research has stagnated over the past 20 years, as has ocean health, states the report

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According to the report, over the past two decades the declining health of our oceans and coasts has become more evident. In the same 20 years, ocean research efforts have stagnated while funding for other scientific programs has increased. Ocean research efforts have fallen from 7 percent of the total federal research budget of 25 years ago to only 3.5 percent today.

The report offers several specific policy changes that should be implemented in order to better organize protection of the ocean:

- enable managers to address the pressures of coastal development to better achieve economic growth and healthy coasts;
- address the proliferation of activities in federal offices to better balance competing opportunities and to safeguard marine and human health;
- reduce water pollution from non-point sources such as nutrient loads in order to improve ocean and coastal water quality and ecosystem health;
- refine the fishery management system by strengthening the use of science and moving toward a more ecosystem-based management approach;
- ratify the United Nations Convention on the Law of the Sea (UNCLOS) in order to strengthen U.S. participation within the international community.

The report notes that there is an exciting opportunity to make positive changes in how ocean and coastal resources are managed. The goal is to create an improved national policy that better balances use with sustainability, is based on sound science, moves toward an ecosystem-based management approach and has a coordinated system of governance. For more information and a copy of the full report please visit <http://www.oceancommission.gov/documents/prelimreport/welcome.html>.



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# ON THE HORIZON . . .

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## A LOOK AT UPCOMING EVENTS

- ✓ **Tuesday, May 25, 8:30 a.m., Room 205, Matthew J. Ryan Building, Capitol complex, Harrisburg, PA - Environmental Issues Forum.** Pennsylvania Department of Environmental Protection (DEP) Secretary **Kathleen A. McGinty** and DEP Deputy Secretary of the Office of Energy and Technology Development **Daniel Desmond** will be the guest speakers. They will discuss the governor's energy initiatives as well as energy price and supply issues.
- ✓ **Monday, June 7, 12 noon, Hearing Room 1, North Office Building, Capitol complex, Harrisburg, PA - Environmental Issues Forum.** Jolene Chinchilli of the Citizens' Advisory Council of the PA Department of Environmental Protection (DEP) and Joel H. Hersh MEd MPA, director of the PA Department of Health's (DOH) Bureau of Epidemiology will discuss a new initiative aimed at utilizing environmental and health data systems to discern links between environmental pollutants and human health.

**Environmental Issues Forums are open to the public.**

**Please call the committee office at (717) 787-7570 if you would like to attend.**

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# COMMITTEE CHRONICLES . . .

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## REVIEW OF SOME MEMORABLE COMMITTEE EVENTS

The new Environmental Education and Visitor Center at the Nescopeck State Park has been named for a long-time supporter of environmental education who just happens to be the vice-chairman of the Joint Conservation Committee — Sen. Raphael J. Musto (D-14). Department of Conservation and Natural Resources (DCNR) Secretary Michael DiBerardinis dedicated the new center in ceremonies at the park on April 28. In his remarks, DiBerardinis paid tribute to Musto's environmental advocacy, noting, "This...is a fitting tribute to a true champion of Pennsylvania's environment."

The center will be the hub of park activities, housing environmental education programs, visitor services and staff offices. Staff will use the center to offer DCNR's Watershed Education Program to area high schools, teachers and other groups. Visitors to the 3,500 acre park will enjoy nine-acre Lake Frances, more than 200 acres of wetlands and the six miles of high quality trout stream that is Nescopeck Creek, as well as 20 miles of hiking and cross-country skiing trails. Visiting biologists, college students and researchers are expected to use the park as a natural outdoor laboratory.

Musto, who has been involved with the park for most of his legislative career and authored the "Environmental Education Act", spoke (see accompanying photo) about the park's importance, "...I have always believed that the future of environmental protection in Pennsylvania will depend on an awareness of the natural world...I am thrilled that hundreds of students and adults will be coming through here to learn about environmental protection and our natural systems."



Speaking of highways, the Lincoln Highway Heritage Corridor – known to many as historic Route 30 – just completed its 90th anniversary year in 2003 and this year is launching its 200-Mile Roadside Museum. In addition to interpretive exhibits and vintage reproduction gas pumps painted by professional artists, what may first catch your eye are the murals. Two – one in Everett and another in Greensburg – of a planned nine are completed and a third in Schellsburg, Bedford County is starting this month. Mid-August is the hoped for completion date. Visit [www.lhhc.org](http://www.lhhc.org) for more.

The Lackawanna Heritage Valley (Pennsylvania's first heritage park) in Northeast Pennsylvania recently announced a major riverfront development project known as the Heritage Valley Riverfront Greenway in downtown Scranton. The greenway is expected to provide many new recreational opportunities including picnicking, walking and biking trails and boat launches. See [www.lhva.org](http://www.lhva.org).

The state's second heritage park, the Allegheny Ridge Heritage Area ([www.alleghenyridge.org](http://www.alleghenyridge.org)), is expanding as well. Its Canal Basin Park in the Borough of Hollidaysburg, which interprets the region's Canal Era, won numerous awards in 2003. The area's cultural legacy will be on exhibit as the Altoona Heritage Discovery Center features the Blair County Arts Hall of Fame. Also, look for the Allegheny Ridge to become part of a larger interpretive corridor called the Pittsburgh to Harrisburg Mainline Canal Greenway.

The Rivers of Steel National Heritage Area ([www.riversofsteel.com](http://www.riversofsteel.com)) in Pittsburgh and surrounding counties recently was awarded a \$1 million federal grant. The grant's uses include landings along the Mon River and restoration of the Battle of Homestead site. In addition, Rivers of Steel is seeking federal designation of a Steel Industry National Historic Site within the Heritage Area.

The state's newest Heritage Area, the Lancaster-York Heritage Region ([www.lyhr.org](http://www.lyhr.org)), was presented with a 2004 Pennsylvania Historic Preservation Award on May 4 for its "Growing Traditions in the Lancaster-York Heritage Region", a discovery guide to agriculture in the region. Another major preservation project – the Susquehanna Riverlands Preservation – is underway to preserve more than 750 acres of land. This scenic property includes burial grounds and remnants of the last Susquehannock Indian village dating back to pre-1675.

Another of the newest Heritage Areas, the 15-county Lumber Heritage Region has recently opened an office in Emporium, Cameron County, brought an executive director on board and is online at [www.lumberheritage.org](http://www.lumberheritage.org). Meanwhile, the Lumber Region's neighbor to the east, the Endless Mountains Heritage Region, where "The Possibilities are Endless", lists a calendar of events on its website. Check out [www.endlessmountains.org](http://www.endlessmountains.org) for happenings, routes and destinations. One event traversing the region is the June Rivers Month Sojourn, June 23-30. See Notes From the Director on p.2 for more information.

The Schuylkill River National Heritage Corridor has big trail plans, including expansion of recreational trails, the addition of new landings and other improvements to its water trail, and inclusion of more interpretive trails and a birding trail. There is also a new video developed for the corridor's Visitors' Centers and Gateways. For more information, visit [www.schuylkillriver.org](http://www.schuylkillriver.org).

Although the Delaware and Lehigh National Heritage Corridor would be seemingly hard pressed to top 2003's "Miles of Mules" project, more projects are in the works. (If you missed the mules or wish you could have them back, a commemorative book, pins and t-shirts are available by logging on to [www.delawareandlehigh.org](http://www.delawareandlehigh.org) and clicking on Merchandise.) In the meantime, the corridor's development of its innovative Market Towns project is continuing. Check out [dltowns2@ptd.net](mailto:dltowns2@ptd.net) for more.

Pennsylvania's Heritage Areas present unique ways to learn more about Pennsylvania's history and communities and have fun, too. For an overall look at the state Heritage Park program, visit DCNR's website at [www.dcnr.state.pa.us/brc/heritageparks](http://www.dcnr.state.pa.us/brc/heritageparks).



## How to Contact The Joint Conservation Committee

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