

ENVIRONMENTAL SYNOPSIS

The Chairman's Corner

Rep. Scott E. Hutchinson, Chairman



Pennsylvania has long been a participant in North America's Sustainable Forestry Initiative (SFI). The Joint Legislative Air and Water Pollution Control and Conservation Committee (Committee) has historically worked closely with SFI on a number of projects, and SFI is an active member of the Committee's Legislative Forestry Task Force.

SFI Inc. recently released a progress report on the programs it administers entitled *"The Bigger Picture: Conservation. Integrity. Community."* The report highlights contributions made by the SFI program and its partners in 2010 and early 2011.

The report was reviewed by the SFI External Review Panel, an independent expert panel that advises the SFI board of directors. The review panel concluded that the SFI program is "...substantially improving the quality of forests and forestry in North America."

SFI Inc. is an independent 501 (c) (3) non-profit organization solely responsible for maintaining, overseeing and improving the internationally recognized SFI program. Across North America, more than 180 million acres are certified to the SFI forest management standard, making it the largest single forest standard in the world. SFI Inc. is governed by a three-chamber board of directors representing environmental, social and economic sectors.

In addition to its certification standard, SFI seeks to improve forest practices through conservation research, community partnerships, logger training and landowner outreach.

The progress report touches on a number of areas. Among the areas examined and the findings are the following:

■ **Conservation research** – In 2010, SFI program participants invested \$81.4 million in research activities. Since 1995, they have invested more than \$1.2 billion.

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NOTES FROM THE DIRECTOR

CRAIG D. BROOKS, EXECUTIVE DIRECTOR



The House Natural Resources Committee approved legislation this summer (H.R. 258) that would require the White House Office of Management and Budget to prepare an interagency budget for the restoration efforts in the Chesapeake Bay watershed, and would also require the Environmental Protection Agency (EPA) to develop an “adaptive management” plan.

The Chesapeake Bay Accountability and Recovery Act of 2011 was introduced in January of this year in an effort to better monitor and coordinate the bay restoration efforts of the federal government and the six states and 1,000 localities surrounding the Chesapeake Bay. More than 150 rivers and streams flow into the bay from the six states – New York, Pennsylvania, Delaware, Maryland, Virginia and West Virginia – as well as the District of Columbia.

The sponsor of the bill, Representative Bob Wittman (R-VA) suggested that the complexity of the intersecting federal and state programs, as well as the involvement of many localities and multiple nongovernmental organizations, has resulted in a muddled effort.

Adaptive management is defined in the bill as a type of natural resource management in which project and program descriptions are made as part of an ongoing science-based process. Results of the plan, which would have to be updated every two years, would be used to monitor management practices, policies and programs.

The adaptive management plan would have to include the following: a process for stakeholder participation, monitoring, research and evaluation; a process for modifying restoration activities that have not attained specific measurable objectives; and a process for prioritizing restoration programs.

The budget required under the bill would have to describe federal restoration projects with funding amounts of at least \$100,000 and state restoration projects with funding of at least \$50,000.

Adaptive management - a type of natural resource management in which project and program descriptions are made as part of an ongoing science-based process, as defined in the Chesapeake Bay Accountability and Recovery Act

The interagency budget would have to include proposed funding for federal restoration to be carried out in the succeeding fiscal year for each federal agency involved. It would also have to include

estimated funding for state restoration projects and activities, and all expenditures for all federal and state activities for each of the federal agencies involved.

H.R. 258 would require that an independent evaluator be appointed by the EPA administrator from among nominees submitted to the Chesapeake Bay Executive Council. The evaluator would have to update the adaptive management plan every two years.

Language in the bill would require EPA to ensure that the bay’s required annual action plan and annual progress report include the adaptive management plan. The bill also requires EPA to send Congress an annual report on implementation of the adaptive management plan.

The Chesapeake Bay Accountability and Recovery Act of 2011 is available at: <http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.258>.

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.

Please Note: The information and opinions expressed in the Research Brief articles do not necessarily represent the opinions or positions of the Joint Legislative Air and Water Pollution Control and Conservation Committee, nor those of the Pennsylvania General Assembly.

Dollar Bills and Receipts Tainted with Bisphenol A

-- Tony M. Guerrieri, Research Analyst

There is a new reason other than fear of germs to wash one's hands after handling paper money or thermal paper used to print cash register, gas-pump and ATM receipts. Fifty percent of thermal paper receipts and most dollar bills tested contain traces of bisphenol A (BPA), according to a report by the Washington Toxics Coalition.

The report, *"On the Money: BPA on Dollar Bills and Receipts"*, highlights the extent to which thermal receipt paper containing BPA has permeated the market, and examines whether the chemical is escaping onto the money that lies close to these receipts in people's wallets. BPA on receipt paper is attracting new interest as a possible source of exposure to the chemical, which has been linked to cancer, infertility and other health issues.

According to the report, half of the thermal paper receipts tested had large quantities of BPA, while 95 percent of the dollar bills tested positive for lower amounts. Unlike BPA in baby bottles and the linings of food cans, BPA on thermal paper used in receipts is not chemically bound in any way – it is a powdery film on the surface of receipts and is easy to identify because of its distinctive light sheen. The report suggests that this chemical does not, in fact, stay on the paper, but rather easily transfers to human skin and likely to other items that it rubs against.

About half of thermal paper receipts are made with large quantities of unbound BPA. Receipts made with thermal paper were collected from 22 randomly selected retailers in 10 states and Washington, D.C. Tests found BPA in large quantities in 11 of the 22 receipts.

The report said the receipt that tested highest in BPA was from a Safeway store in California. It constituted a 2.2 percent BPA content by weight. The second highest BPA content was found in a receipt from the Meijer supermarket chain in Michigan, registering 1.9 percent BPA by weight.

Not all receipts contain BPA. Receipts from a Trader Joe's in California, a Costco in Washington, an Albertson's in Montana, a Target in Minnesota, a Home Depot in Michigan and a Wal-Mart in Ohio found no detectable levels of the chemical.

About 50 percent of thermal paper receipts are made with large quantities of unbound BPA... And tests found large quantities of BPA on 50 percent of receipts

The report indicates that BPA transfers easily from thermal paper receipts to human skin. In tests mimicking typical handling of receipts, just ten seconds of holding a receipt transferred up to 2.5 micrograms from receipts to fingers, and rubbing receipts transferred much higher amounts (about 15 times as much).

Receipts are not the only source of BPA. Of the 22 dollar bills tested, 21 tested positive for BPA, but at lower levels than thermal paper receipts. The only bill without any was relatively new. The report attributed BPA on dollar bills to a handful of possible sources, including thermal receipts rubbing dollar bills in wallets or from handling by receipt-tainted fingers.

Concentrations found on bills were low, from 0.12 to 11 parts per million. Dollar bills with the highest incidence came from personal wallets in Massachusetts, Arizona and Washington, D.C.

The U.S. Environmental Protection Agency had identified 13 other chemicals that could be used in thermal paper receipts other than BPA, the report said.

The report was conducted in partnership with "Safer Chemicals, Healthy Families", a coalition of parents, health professionals, environmentalists and businesses concerned with toxic chemicals. The report is available at http://www.saferchemicals.org/PDF/reports/OnTheMoneyReport_Final2.pdf.

Strategy on E-waste Requires Federal Agencies to Buy Energy-Efficient Items, Use Recyclers

-- Craig D. Brooks, Executive Director

The federal government will require electronics purchased under information technology (IT) contracts to meet energy efficiency standards, require agencies to use certified recyclers and include more manufacturer collection program agreements in contracts under a new electronics stewardship strategy. The government will also track the movement of used electronics in the United States and abroad to increase safe handling and reduce potential harm from U.S. exports of e-waste.

According to the strategy, electronic technologies have become critical to our way of life and to our growing economy. With these technologies, however, comes the increasing challenge of protecting human health and the environment for potential harmful effects associated with the improper handling and disposal of these products. Many electronic devices contain substances such as lead, mercury and cadmium, prompting concerns about proper disposal.

Although the new strategy doesn't specifically define the amount of e-waste exported to other countries, the government is concerned that these exports may be mismanaged abroad, causing public health and environmental hazards. It also represents a lost opportunity to recover valuable materials and resources from the discarded e-waste.

The strategy was developed by an interagency working group of officials established in 2010 from the White House Council on Environmental Quality, Environmental Protection Agency (EPA), General Services Administration (GSA), State Department, Department

of Commerce, Office of the U.S. Trade Representative and other federal agencies.

Under the strategy, the GSA will remove products that do not comply with Energy Star or Electronic Product Environmental Assessment Tool (EPEAT) standards from government-wide IT acquisition contracts. Also, GSA will expand its use of manufacturer take-back agreements in procurement contracts, which will serve as a pilot program for the rest of the government. By May 2012, GSA will issue guidance to all federal agencies for incorporating certified recycler requirements into procurement contracts.

Under the strategy, the government will track the movement of used electronics both domestically and abroad and make the information available online. EPA has called the efforts to quantify the movement of used electronics a fundamental first step for addressing the unsafe disposal methods for electronics abroad.

EPA will also propose changes to existing regulations governing cathode ray tubes (CRT) from used computer equipment, monitors, and televisions to better track CRT exports.

The federal government is stepping up its oversight of electronic waste and its tracking of exports of e-waste to increase safe handling and reduce harm

EPA will also launch voluntary partnerships with the electronics industry to encourage the use of certified recyclers and promote the tracking of used electronics. The government will invite electronic product designers, recyclers and environmental organizations to discuss ways to promote green electronics designs and standards.

EPA and others will launch prize competitions to drive innovation in green product design and recycling.

Currently there is no federal law governing management of used electronics. A House bill introduced in June, the Responsible Electronics Recycling Act of 2011 (H.R. 2284), would ban the export of used electronics to developing countries. Similar bills were also introduced in 2009 and 2010.

The *National Strategy for Electronic Stewardship* is available at <http://www.epa.gov/epawaste/conserve/materials/recycling/taskforce/docs/strategy.pdf>.

Report: Federal Agencies Should Track Green IT Initiatives

-- Tony M. Guerrieri, Research Analyst

Federal agencies are taking steps to be more environmentally friendly in the way they buy, use and dispose of information technology (IT), but the effectiveness of those efforts cannot be measured because key performance information is not available, according to a report by the U.S. Government Accountability Office (GAO).

The report, *"Green Information Technology: Agencies Have Taken Steps to Implement Requirements, but Additional Guidance on Measuring Performance Needed"*, concludes that agencies have not established the starting points for the environmental impact of their green IT policies to date, nor have they set well defined goals, making it difficult to judge the effects moving forward.

The greening of information technology (or IT) at the federal level has been governed in general by two executive orders

Green IT is frequently used to describe environmentally sound computing practices. This includes everything from energy-efficient data centers to recycling old or unusable electronics.

The federal government spends about \$79 billion annually on IT, which accounts for a significant part of agency energy use and environmental impacts, the report said. The government buys or leases about one million computers and monitors each year and discards about 75,000 annually.

Two executive orders, one from 2007 and the other from 2009, set general requirements for buying energy-efficient equipment, extending equipment's useful life, and disposing of unusable equipment in an environmentally sound way.

The report reviewed how six agencies complied with those orders: the departments of Agriculture, Commerce, Energy, and Health and Human Services, and the Environmental Protection Agency (EPA) and General Services Administration.

It found that each has carried out, or has plans to carry out, the requirements of both orders, with

progress further along on the earlier order than on the latter. The EPA, for example, donates most of its excess electronics to schools, other levels of government, nonprofits or other federal agencies. Similarly, each agency has plans to make its IT use more energy efficient in several ways.

The Federal Electronic Challenge, a partnership of federal agencies, estimates the government saved 500,000 megawatts of power and \$48 million through green IT initiatives in 2009, the latest year for which estimates are available.

However, the six agencies reviewed do not identify their current energy use as a basis for measuring the effects of energy-saving policies and equipment, nor do they define the dollar or energy savings they hope to achieve, the report said. As a result, the agencies "are not positioned to identify benefits from their activities and to use that information to evaluate and prioritize their efforts," the GAO said.

For example, the Agriculture Department had a goal to reduce the number of its data centers by five percent during fiscal 2010, the GAO said. However, it is unclear whether, or by how much, meeting this five percent reduction goal was expected to result in energy dollar savings or other benefits.

The GAO said it can be difficult to track energy use related to specific equipment because many government properties do not have meters capable of differentiating electricity use between IT and non-IT enterprises. But it said that developing such information where possible could help agencies better determine their progress toward meeting targets, and recommended that the administration order agencies to develop baseline figures for energy use.

The GAO report is available at <http://www.gao.gov/new.items/d11638.pdf>.

Utility, State Officials Urge EPA to Consider Improved Technology in Sewer Overflow Rule

-- Craig D. Brooks, Executive Director

Wastewater utility representatives and state officials have urged the Environmental Protection Agency (EPA) to consider advances in technology, including various types of chemical treatment, in crafting a comprehen-

sive rule to deal with sanitary sewer overflows. Using improved chemical treatment techniques or other approaches could achieve the same objectives as more costly secondary treatment methods and would cut costs for cash-strapped municipalities, allowing them to be more innovative in reducing sanitary sewer overflows (SSOs).

State and local officials, along with environmental organizations, were invited by EPA to offer their input during a two-day session this summer on sanitary sewer overflows, including how to address peak wet weather flows under the Clean Water Act.

A debate is underway on the role of advanced technology in the handling of sanitary sewer overflows

The officials urged EPA to move forward in developing a comprehensive rule to provide consistency in how they can best operate publically owned treatment works (POTWs). In 2005, EPA proposed a policy on dealing with peak overflows but the policy was never finalized. The proposed policy was jointly developed by the Natural Resources Defense Council and the National Association of Clean Water Agencies. The 2005 policy, however, was viewed by many as lacking in innovation because advances in physical or chemical treatments are in many cases as strong as the biological treatment used in secondary treatment.

The reason the regulated community is seeking an SSO rule is to establish consistency, ensure that the standards set are appropriate, that investments are meaningful and that water quality is improved.

Since EPA first considered the rule in 2001, many things have changed. Now multiple state and local rules are all over the board.

But with this patchwork has come more information, better assessment tools and improved industry practices. The only thing missing now is the regulatory framework.

It has been suggested that the 2005 policy did not take into account that some chemical treatment or other treatment might have the same result in improving water quality as secondary treatment. And, since then, technology has significantly advanced.

Instead of simply blending and disinfecting overflows that cannot be forwarded for secondary treatment as a last ditch effort, it was suggested that EPA could consider options such as a tiered system or a separate track that takes into account advanced technology to treat infiltration and inflow. Combined sewer systems are designed to collect rainwater runoff, domestic sewage and industrial wastewater in the same pipe.

The big issue is how to deal with peak flows that receive less than full treatment. Blending is not good enough but it would help if water officials could come up with some type of intermittent treatment system in addition to secondary treatment.

EPA's rule at 40 C.F.R. Par 122.41(m) prohibits bypasses except where necessary to assure efficient operation. All other bypasses are subject to enforcement action unless there are no feasible alternatives or to prevent the loss of life, personal injury or severe property damage. Essentially, blending is considered a bypass.

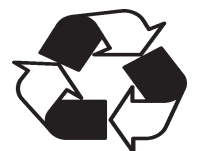
How to best address peak wet-weather flows has stirred debate for more than a decade. EPA announced in May 2010 that it planned to develop a proposed rule to better protect the environment from sewage from SSOs.

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ON THE HORIZON ...

A LOOK AT UPCOMING EVENTS

✓ Monday, October 17, 2011, 12 noon, Room G-50, K. Leroy Irvis Building, Capitol complex, Harrisburg, PA – Environmental Issues Forum.

Reclamere, data security experts from Tyrone, PA, will present a program on the effect of PA's new electronic recycling law on e-recycling and data security, and discuss the proper ways to carry out data destruction and security as old electronic items are replaced and recycled.

Please call the committee office at 717-787-7570 if you plan to attend the Environmental Issues Forum.

And, check the Committee website at <http://jcc.legis.state.pa.us> for events that may be added to the schedule.

A REVIEW OF SOME
MEMORABLE COMMITTEE
EVENTS

COMMITTEE CHRONICLES ...

The Joint Legislative Air and Water Pollution, Control and Conservation Committee (Committee) recently held two public hearings into mandatory trash collection in Pennsylvania. On August 18 and September 13, the Committee received testimony on the advisability of instituting a mandatory trash collection system in Pennsylvania, the pros and cons of such a system, the effect it might have on municipalities, illegal dumping, littering and recycling in Pennsylvania, and what such a system might include.



The first hearing was held in Hamburg, Berks County, and pictured at left at the hearing are (l. to r.): Committee member Sen. David G. Argall, whose district includes Hamburg; Committee Chairman Rep. Scott Hutchinson; and Rep. David Maloney of Berks County.

Pictured at bottom right, is a view of the hearing room as Executive Director Robert Stablum of Schuylkill Keep It Pretty, an anti-littering organization, testifies.



In Hamburg, the Committee heard from a recycler, local government officials (one of whom also serves on the Berks County Solid Waste Authority), and county government officials from Schuylkill County.

Look for photos from the September hearing in next month's *Environmental Synopsis*.

■ **Conservation and Community Partnerships Grant Program** – In 2010-2011, SFI Inc. committed more than \$1.1 million for 24 projects to bring conservation and community partners together in a number of projects intended to build knowledge, support landowner outreach and strengthen global supply chains, among other goals. With partner contributions, the total value of the projects comes to \$4.2 million.

■ **Tribal lands** – More than five million acres held by or managed for tribal communities are certified to the SFI standard.

■ **SFI Implementation Committees** – SFI has 37 grassroots committees involving close to 1,000 people. In 2010, the committees contributed \$3 million to support local programs such as education and training for loggers and foresters, and provide outreach to family forest owners. The committees' total contribution since 1995 is \$55.1 million.

■ **Logger training** – In 2010, 5,584 resource and logging professionals were trained in responsible forestry, bringing the total trained since 1995 to 129,338.

The SFI program also sought to enhance its on-product labeling system to strengthen the link between label claims and definitions in the SFI 2010-2014 Standard, to make it easier for consumers to make informed decisions.

To read the progress report, go to the SFI website at http://www.sfiprogram.org/files/pdf/SFI_ProgressReport2011_FINAL_spreads.pdf.

To learn more about the SFI External Review Panel go to <http://www.sfiprogram.org/sustainable-forestry-initiative/external-review-panel.php>.



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Website visitors will find information such as the Environmental Issues Forums schedule; the *Environmental Synopsis* monthly newsletter; Committee members; current events; Committee reports; staff contact information; Committee history and mission; and links to other helpful sites.

The website address is <http://jcc.legis.state.pa.us>. Stop by the website often to keep up with Committee information and events. We hope you enjoy it.

