



CHESAPEAKE BAY COMMISSION

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2014 General Assembly Session Maryland, Virginia and Pennsylvania

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MARYLAND

Chesapeake Bay Related Legislation

Bay Restoration Fund

House Bill 11- Gives local governments more flexibility in using Septics Account funds to address their septic system needs. The Act expands the uses of the Septics Account by (1) providing grants or loans for connecting a property served by an onsite sewage disposal (septic) system to an existing biological nutrient removal facility; (2) covering the cost of the principal on debt issued by a local government for specified sewer connection projects; and (3) providing assistance for specified sewer connection projects located outside of a priority funding area.

House Bill 12 - Requires that up to 10% of the funds in the Septics Account be distributed to the local public entities delegated administration authority by MDE in order to cover reasonable administrative costs. In 2010, MDE phased out its administration of septic system grants, leaving administration of the program to local governments. Regulations adopted in 2012 required BAT for additional septic systems and required that such systems be maintained and operated for the life of the system. This bill alleviates some of the burden on local governments for the additional plan review, construction inspection, and operation and maintenance tracking duties.

Water Pollution Enforcement

Senate Bill 564/House Bill 834- Increases the maximum administrative penalty for violations of the water pollution control laws, or any regulation, order, or permit issued under these laws. The fine is increased from \$5,000 to \$10,000 per violation and the maximum total penalty is increased from \$50,000 to \$100,000. Each day a violation occurs is a separate violation.

Manure Transportation Project

Senate Bill 127- Alters the 50-50 match requirement to give MDA discretion to determine the amount of funding provided to match funding contributed by the commercial poultry producer industry and repeals the \$10 per ton limit for poultry manure. The Act also modifies the limitation on funding provided for the transportation of livestock manure by eliminating the \$20 per ton limit but retaining the limit of 87.5% of eligible costs.

Natural Resources- Wildlands and Public Recreation

Senate Bill 336/House Bill 296- Expands 14 wildland areas and adds 9 new wildland areas under the State wildlands preservation system, resulting in an increase of approximately 21,887 acres. Prior to passage of this bill there were 29 separate wildlands designated in statute, consisting of approximately 44,000 acres. “Wildlands” are limited areas of land or water which have either (1) retained their wilderness character, although not necessarily completely natural and undisturbed; (2) have rare or vanishing species of plant or animal life; or (3) similar features of interest worthy of preservation for use by present and future residents of the State. Generally, the wildland areas must be devoted to public purposes for recreational, scenic, scientific, educational, conservation, and historical use.

House Bill 1312- Authorizes DNR to use Program Open Space acquisition funds to *enhance public access* to existing recreational areas and open space and modifies the authorized uses of the Bay Access Areas Fund to allow DNR to use the fund to provide or enhance public access to acquired and existing recreational areas and open space. (Previously POS funds could be used only to purchase public access sites.)

Fisheries

House Bill 1148- Requires DNR to conduct a study on methods of obtaining more accurate harvest data for the recreational striped bass fishery. Among other things, the study must examine the benefits that more accurate harvest data for the recreational striped bass fishery would have on the scientific and management capabilities of DNR with respect to the entire striped bass fishery.

House Bill 1153- expands existing provisions of law protecting agricultural and silvicultural operations from nuisance actions to also apply to commercial fishing and seafood operations. The bill also generally excludes conditions resulting from a commercial fishing and seafood operation from a definition of “nuisance” under provisions authorizing or requiring actions to be taken by the Secretary of the Department of Health and Mental Hygiene and local health officers to control and abate nuisances.

Fisheries Regulations- Interim Study

The Department of Legislative Services raised concern about whether fisheries regulations that authorized DNR to make certain fisheries management changes (including changes to fishing seasons and catch limits) by public notice rather than by regulation were consistent with statute. Counsel to the General Assembly viewed the proposed regulations in question as legally sufficient, but suggested that the General Assembly consider clarifying DNR’s authority to adopt these regulations.

Senate Bill 145/House Bill 145 (both failed) would have provided such clarification by authorizing DNR to adopt regulations allowing certain fisheries management changes to be made by public notice, consistent with current practice. The issue was referred to **Interim Study** by the House Environmental Matters Committee.

Recycling and Composting

Generally recognized benefits of composting include diverting waste from landfills; reducing emissions of methane, a greenhouse gas; and providing an inexpensive source of natural fertilizer.

House Bill 878- Establishes the use of compost and compost-based products in highway construction projects in the State as a best management practice for erosion and sediment control, as well as postconstruction stormwater management. The bill requires the State highway Administration to establish a specification for acquiring and using compost and compost-based products for (1) erosion and sediment control practices identified in the most recent Maryland Standards and Specifications for Soil Erosion and Sediment Control developed by MDE and (2) postconstruction stormwater management practices identified in MDE’s most recent Maryland Stormwater Design Manual.

Climate Change- Coast Smart Construction and Ocean Acidification

House Bill 615- Establishes a Coast Smart Council within DNR and, among other things, requires the council to develop specified “Coast Smart” siting and design criteria to address sea level rise and coastal flood impacts on capital projects. Beginning July 1, 2015, if a State capital project includes the construction of a structure or the reconstruction of a structure with substantial damage, the structure must be constructed or reconstructed in compliance with those siting and design criteria.

House Bill 118- Establishes the Task Force to Study the Impact of Ocean Acidification on State Waters. Less is understood about acidification of estuaries such as the Chesapeake Bay than about ocean acidification. This task force must analyze the best available science regarding ocean acidification and the potential effects of acidification on the ecology of State waters and fisheries and make recommendations regarding potential strategies to mitigate the effects of acidification.

Fertilizer Content, Labeling, and Application

Senate Bill 70 - Changes the definitions of “guaranteed analysis” and “organic fertilizer” under the Maryland Commercial Fertilizer Law to make the Maryland definitions consistent with uniform standards established through the Association of American Plant Food Control Officials. The Act also modifies the definition of “soil conditioner” to include soil conditioner that is distributed, as well as intended or offered for sale, to reflect MDA’s practice of registering products that are transferred from commercial processors to commercial farms where no sale actually occurs. In addition, the Act clarifies provisions of the Fertilizer Use Act of 2011 restricting the types and amounts of nitrogen application that may result from fertilizer application to turf.

Renewable Energy Generation Facilities on Easement Properties

Generally, MALPF easement properties may not be used for any commercial, industrial, or residential purpose unless otherwise provided by law.

Senate Bill 259/House Bill 861- Authorizes MALPF to approve the use of land subject to an agricultural easement for generation of electricity by a facility using an “authorized renewable energy source” if, among other things, the facility occupies no more than 5% or five acres, whichever is less, of the land subject to the easement. An “authorized renewable energy source” is defined as solar, wind, or anaerobic digestion of poultry litter or livestock manure if placed on fallow land. This bill sunsets on June 30, 2019.

Pesticide Reporting

The January 2014 Interim Report of the Pesticide Information and Reporting Workgroup, recommended that MDA contract with the U.S. Department of Agriculture’s National Agricultural Statistics Service, as it has in the past, to undertake a redeveloped statewide survey relating to

pesticide use for the years 2014 and 2015. The workgroup's interim report also recommended increasing the annual registration fee for pesticides by \$10, with the additional funds to be used exclusively to fund surveys and data collection on pesticide use.

Senate Bill 700/House Bill 621- Increases the annual registration fee for pesticides from \$100 to \$110. The bills also increase the terminal registration fee for discontinued pesticides from \$100 to \$110. At least \$10 of each annual registration fee and each terminal registration fee must be used only for MDA activities relating to the collection, analysis, and reporting of data on pesticide use in the State.

Local Stormwater Remediation Fees

Legislation passed in 2012 required Baltimore City and nine of the largest counties to charge a stormwater remediation fee and establish a dedicated fund for the fees by July 1, 2013, and begin implementing watershed protection and restoration projects supported by the new fee. The fees attracted significant controversy and led to the introduction of fourteen bills this session to repeal or establish exemptions or modifications to the fees. The MD CBC Delegation opposed these bills. Although none of the bills to repeal or exempt counties from the stormwater fee/fund passed, the legislature included a provision in the Budget that made a slight change to the stormwater law.

Senate Bill 172, The Budget Reconciliation and Financing Act of 2014, authorizes Carroll and Frederick counties to enter into a MOU with the Maryland Department of the Environment (MDE) to develop an alternative source of financing, instead of a stormwater fee, to meet their federal MS4 stormwater permit obligations.

BUDGET ACTIONS:

Capital Budget

- 2010 Trust Fund (funds non-point reduction projects)– **25 million** (GO Bonds)
- Program Open Space Stateside- **22.8 million** (GO Bonds, Special and Federal funds)
- Program Open Space Local- **22.7 million** (GO Bonds)
- Rural Legacy- **16 million** (GO Bond, Special Funds)
- DNR Oyster Restoration Program- **7.6 million** (GO Bonds)
- Md. Agricultural Land Preservation Program- **24.8 million** (GO Bonds, Special Funds)
- Md. Agricultural Cost Share Program- **6.2 million** (Go Bonds)
- Md. Dept. of Environment Septic System Upgrade Program- **15 million** (Special Funds)
- MDE Enhanced Nutrient Removal Program- **81 million** (Special Funds)
- MDE Biological Nutrient Removal Program – **21.2 million** (GO Bonds)
- Maryland Department of Transportation, Chesapeake Bay Restoration Plan, State Highway Administration State Highway Project- **45 million** (GO bonds)

Budget Reconciliation and Financing Act, BRFA

Program Open Space

BRFA of 2014 redirects \$69.1 million in transfer tax funding for land preservation programs (Program Open Space – State, Program Open Space – Local, the Rural Legacy Program, and the Maryland Agricultural Land Preservation Program) to the general fund in fiscal 2015. In combination with actions

taken in the BRFA of 2013, Chapter 425, a total of \$144.2 million in transfer tax funding is redirected to the general fund in fiscal 2015 in order to support the operating budget.

Chesapeake and Atlantic Coastal Bays 2010 Trust Fund

The BRFA of 2014 redirects \$8.0 million of short-term vehicle rental revenues from the trust fund to the general fund in fiscal 2014 and an additional \$6.2 million in fiscal 2015, and transfers \$2.4 million of the balance in the Trust Fund to the general fund in fiscal 2014. In combination with actions taken in the BRFA of 2011, Chapter 397, a total of \$21.9 million in fiscal 2014 and \$14.3 million in fiscal 2015 Trust Fund money is either redirected or transferred to the general fund in order to support the operating budget.

Phosphorus Management Tool

Modification of the state's P-Site index is part of the phase II WIP plan to meet the TMDL. MDA introduced regulations to update the PMT but withdrew them in Nov. 2013 due to concerns raised during public comment. Several bills were introduced to require an economic impact study and to delay adoption of the regulations until after the 2015 session. In lieu of proposed bills, the fiscal 2015 budget includes language requiring MDA to submit a full economic analysis on the impact of the proposed regulations to the House and Senate Environment and Budget Committees before re-introducing the regulations for approval.

VIRGINIA

Chesapeake Bay Related Legislation (GA passed and Governor approved)

Stormwater Management

HB 1173 Hodges & SB 423 Hanger: Stormwater management programs; State Water Control Board to establish procedures and regulations, water management programs; optional for some localities. Requires the Department of Environmental Quality to establish a Virginia Stormwater Management Program (VSMP) for any locality that neither opts to establish its own program nor operates a municipal separate storm sewer system (MS4). The bill defers the VSMP requirement for six months for certain recent MS4 localities. The bill alters the permitting appeals process and allows for an agreement in lieu of a stormwater management plan, and it directs the State Water Control Board to adopt regulations relating to the issuance of permits for parcels in subdivisions, the registration of single-family residences, and the reciprocity given by Virginia for proprietary Best Management Practices established elsewhere. The bill exempts single-family residences from payment of the Department's portion of the fee for the state general permit. Finally, the bill provides that the consolidation of state post-construction requirements into Virginia's General Permit shall not modify the scope of enforcement of the federal Clean Water Act and exempts from most requirements of the Administrative Process Act those regulations of the State Water Control Board that will be necessary to implement the act. This bill incorporates **HB 58**, **HB 649**, and **HB 261** and contains an emergency clause.

Fisheries Management

HB 655 Scott & SB 49 Stuart: Menhaden fishery; extends sunset provision for management of fishery. Extends the sunset date for management of the menhaden fishery by VMRC from January 1, 2015, to July 1, 2016. The bill also allows any person purchasing more than one of the licenses for the same vessel to catch menhaden with a purse net to pay a fee equal to that for a single license.

HB 1092 Ransone & SB 603 Stuart Oyster grounds; condemnation of oyster grounds.

Prohibits localities from exercising the right of eminent domain to condemn privately leased riparian and general oyster planting grounds. These planting grounds are assigned to persons under a lease agreement approved by the Virginia Marine Resources Commission. An exception to the condemnation prohibition is made for permitted water-dependent linear wastewater projects where there is no practical alternative.

HB 648 Ransone: Oyster measures; reduces minimum size of container by which oysters in shell may be bought or sold.

Reduces from 2,800 cubic inches to 2,500 cubic inches the minimum size of the container that is one of the measures by which oysters in the shell may be bought or sold.

Sea-level Rise & Recurrent Flooding

HJ 16 Solle & SJ 3 Locke: Recurrent flooding; joint subcommittee established to study and formulate recommendations to address and report.

Establishes an 11-member joint subcommittee to formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. The joint subcommittee must submit its report to the Governor and the 2016 Regular Session of the General Assembly.

Shoreline Management

HB 911 Knight & SB 569 Stuart: Living shorelines projects; issuance of general permits.

Requires regulations for the issuance of general permits for living shoreline projects to include an expedited review process. The bill allows construction of such projects under the local wetlands and coastal primary sand dunes ordinances. A living shoreline is a shoreline management practice that provides erosion control and water quality benefits; protects, restores, or enhances natural shoreline habitat; and maintains coastal processes through the strategic placement of plants, stone, and fill.

Renewable Energy

HB 1025 Ingram: Biofuels Production Incentive Grant Program; eligibility for grants. This is legislation targeted to help the reopening of the barley-based ethanol plant in Hopewell, VA. Changes the amount of the grant for biofuels produced in the Commonwealth from \$0.10 for each gallon produced and subsequently sold to (i) \$0.04 for each gallon sold in calendar year 2014, (ii) \$0.03 for each gallon sold in calendar year 2015, and (iii) \$0.025 for each gallon sold in calendar year 2016 and during the period January 1, 2017, through June 30, 2017. Each producer applying for a grant for 2015 production of biofuels is required to make a good faith effort to produce such biofuels using feedstock that is not derived from corn or the corn kernel, stalk, or any other part of the plant. No grant will be awarded for biofuels produced in 2016 or thereafter using feedstock derived from corn or the corn kernel, stalk, or any other part of the plant. The bill provides for a maximum of \$1.5 million in grants to be awarded in each of fiscal years 2014-2015, 2015-2016, and 2016-2017. The bill changes current law that provides for no grant to be awarded for sales of biofuels made subsequent to December 31, 2016.

SB 418 Hanger: Real and personal property taxes; exemption for solar energy equipment, facilities, or devices. Certified pollution control equipment and facilities; solar equipment. Exempts from real and personal property tax business-owned or business-operated solar energy equipment, facilities, or devices that collect, generate, transfer, or store thermal or electric energy. 03/17/14 Governor: Acts of Assembly Chapter text (CHAP0259)

Miscellaneous

HB 131 Lingamfelter & SB 414 Hanger: Chesapeake Bay; voluntary tax contributions for restoration, tracking grants and report. This was a VA Delegation supported bill. Requires the Secretary of Natural Resources to submit a report to the committees of oversight and the Virginia delegation to the Chesapeake Bay Commission by November 1 of each year describing how the moneys from the voluntary income tax check-off for Chesapeake Bay restoration activities were expended. The bill requires the report to be posted on a website maintained by the Secretary of Natural Resources, along with a cumulative listing of previous grants, beginning with awards granted on or after July 1, 2014.

HB 445 Bulova: Administrative Process Act; standard procedures for adoption of waste load allocations by the State Water Control Board.

Establishes minimum procedural requirements for the adoption of all waste load allocations, including public notice, public comment opportunity, a stakeholders advisory group process, agency response to comments, and a public meeting. Historically, waste load allocations were established under various procedures on a case-by-case basis. The bill requires that a comprehensive listing of all total maximum daily load waste load allocations adopted or approved by the State Water Control Board prior to July 1, 2014, be set forth in the Water Quality Management Planning Regulation (9VAC25-720). The bill also provides that any amendment prior to July 1, 2025, of the Water Quality Management Planning Regulation waste load allocations for nitrogen or phosphorus related to chlorophyll-a water quality criteria for multiple James River basin facilities shall be undertaken in accordance with the Administrative Process Act.

HJ 57 Kilgore & SJ 35 Carrico: Selenium; Department of Environmental Quality to review toxicity to aquatic life.

Requests the Department of Environmental Quality to study the toxicity of selenium to aquatic life. Virginia's selenium criteria for the protection of aquatic life are over 25 years old; do not reflect the latest scientific information, including chemical speciation of selenium, exposure, and uptake; and may be unnecessarily stringent to protect aquatic life.

SB 25 Reeves: Offshore natural gas & oil resources; Va. Offshore Energy Emergency Response Fund, established.

Establishes the Virginia Offshore Energy Emergency Response Fund and directs to it the first \$50 million in royalties received by the Commonwealth as the result of offshore natural gas and oil drilling and exploration. Additional revenues and royalties will be applied to maintain the Fund at \$50 million if moneys are withdrawn from the Fund. After the Fund reaches \$50 million, excess revenues and royalties will be transferred to the general fund annually

SB 48 Stuart: Eastern Virginia Groundwater Management Area; prohibition on oil and gas drilling. 02/27/14 House: Tabled in Commerce and Labor

Drilling in the Eastern Virginia Groundwater Management Area. Allows the drilling for oil and gas in the Eastern Virginia Groundwater Management Area if certain Department of Environmental Quality (DEQ) standards for the protection of groundwater and surface water are met. The Department of Mining, Minerals and Energy (DMME) is not authorized to issue a permit to drill in the Eastern Virginia

Groundwater Management Area until DEQ has completed its review of (i) the current surface water and groundwater quality and quantity regulations in the management area and (ii) any amendments to the regulation that are necessary to protect groundwater and surface water. The DEQ review is to be completed by December 1, 2014. The State Water Control Board, as the policy board, is required to use its best efforts to adopt any changes in the regulations by July 1, 2016. The DEQ is also charged with reviewing any criteria and procedures for preparation and evaluation of the environmental impact assessments that the permit applicant is required to submit to DMME. The bill requires the assessment to include the impact of drilling, production, and transportation on surface and groundwater quality and supply. The DEQ shall use its best efforts to review and incorporate any changes to the assessment by October 1, 2015.

Virginia Budget (July 1, 2014 through June 30, 2016)

BUDGET APPROVAL PENDING as of 5-1-2014

Nonpoint Source Pollution Funding. Provides \$23.9 million GF the first year deposited to the WQIF. Of this, \$100,000 is to be used as cost-share for developing nutrient management plans on golf courses (all VA golf courses are required by law to have NMP by 2017). \$250,000 to Department of Forestry for water quality grants; \$800,000 to provide state match for the federal CREP program. Also, \$2.9 million goes to the WQIF reserve fund. The remaining \$18.2 million goes to agricultural BMPs through the cost-share program and \$1.6 million is directed to SWCD technical assistance. An additional \$10 million per year is directed to the agricultural BMP cost-share program from the recordation tax fee, with \$8.8 million for BMPs and \$1.2 million for SWCD technical assistance. TOTAL for Ag BMPS = \$27 M (~\$16.2 in Bay)

Virginia Farmland Preservation Fund: \$1,000,000 in both FY15 and FY16 is deposited to the Farmland Preservation Fund. A key part of the mission is to work with other governmental and private organizations to help establish local purchase of development rights (PDR) programs by creating model policies and practices, establishing criteria to certify programs as eligible to receive funds from public sources, and determining methods and sources of funding for localities to purchase agricultural conservation easements

Shoreline Erosion Advisory Service: Funds \$100,000 each year and a position to establish technical assistance for shoreline erosion control to reduce impacts of erosion on Virginia rivers and the Bay. Control actions can be reported to the Bay Program to receive reduction credits towards Virginia's WIP commitments.

Restored Full Funding to the Rappahannock River Basin Commission: Restored annual support to \$15,000 (had been reduced to \$8,500 by previous budget reductions)

Rappahannock River Water Quality Gauging: Funds \$40,000 each year for the local share to match federal Army Corps of Engineers funding for the first phase Middle & Upper Rappahannock River Basin Rainfall, Stream and Water Quality Gauging Analysis.

Chesapeake Bay Restoration Fund: Appropriated \$253,750 in special funds from license plate sales for 50 projects with grants ranging from \$500 to \$12,750; support Bay education & clean-up goals.

Augusta County Enhanced Water Quality Monitoring: Funds \$85,000 to match federal USGS funds for enhanced monitoring in two rivers with watersheds in Augusta County. Will more accurately determine nitrogen, phosphorus and sediment loadings and assist remediation efforts. This area has concentrated agriculture including poultry, dairy and cropland.

Interstate Commission on the Potomac River Basin: Reestablishes funding for both years of Virginia's annual membership dues for ICPRB, at \$151,500.

LIDAR Survey of Coastal Areas: Authorized the Department of Environmental Quality to issue a grant for enhanced resolution digital orthography in coastal areas subject to recurrent flooding. Will support local government efforts to respond to recurrent flooding and achieve 60% reductions under Bay clean-up goals.

Increase Marine Police Officers: Provides funding in FY16 to add two additional officers to better enable VMRC to reduce oyster poaching from sanctuaries and public and private oyster grounds and enhance public safety.

Review of Stormwater Management Program Permit Fees: Directs DEQ to review the current permit fee and make a report to the General Assembly by January 1, 2015 with recommendations for revising the fee schedule or eliminating a state mandated fee schedule.

Reporting of Local Use of Stormwater Utility Fees: Each locality with a utility or system of fees to support stormwater management shall provide DEQ by October 1 of each year a report of programs funded by the fees and expected nutrient and sediment reductions.

Oyster Replenishment Funding Sustained: Continued funding each year at \$2,000,000 for oyster replenishment activity.

PENNSYLVANIA

Chesapeake Bay-related legislation as of May 7, 2013 (year 2 of 2013-2014 Session)

Turf Fertilizer

SB 1149 (Brubaker): would restrict the application of nitrogen and phosphorus to turf and establish a certification program for professional applicators. In Senate Appropriations Committee.

BMP Funding

SB 994 (Vogel): would establish a competitive bidding process for publicly-funded BMPs. On the table in Senate.

SB 1259 (Fontana) and HB 704 (Readshaw): would allow public funds to be used for the maintenance of private lateral sewer lines. In the Senate and House Environmental Resources and Energy Committees, respectively.

Water Resource Planning

SB 287 (Erickson): would provide for the development of integrated water resource management plans by municipalities. In Senate Environmental Resources and Energy Committee.

Water Well Construction

HB 343 (R. Miller): would provide for the establishment of water well construction standards. On table in the House.

Flood Mitigation

HB 153 and 154 (Petri): package of bills to assist local governments in preparing for and mitigating flood hazards, including the purchase of land in floodplains. In House Environmental Resources and Energy Committee.

Outdoor Recreation

SB 261 (Greenleaf): would direct DCNR to inventory PA's rivers, streams and lakes to identify boating and other recreational activities. In Senate Environmental Resources and Energy Committee.

SB 494 (Alloway): would limit liability for landowners opening their land for recreational use. In Senate Environmental Resources and Energy Committee.

Farmland Preservation

HB 533 (Hickernell): would allow farmland preserved by private land trusts to be eligible for a millage freeze. In House Agriculture and Rural Affairs Committee.

HB 1438 (Maher): would exempt "high tunnel" agricultural structures from assessment by counties as real estate. On the table in Senate.

HB 1439 (Hahn): would exempt "high tunnel agricultural structures from assessment by municipalities as real estate. Act 114.

HB 920 (Sonney): would allow windmills on preserved farms. On the floor in the House.

HB 1200 (Sturla): would require that farms enrolled in the Clean & Green (preferential assessment) program be compliant with erosion & sedimentation control requirements. In House Agriculture and Rural Affairs Committee.

Heritage Areas

SB 1256 (Ward) and HB 2177 (James): would establish funding direction to DCNR under the Heritage Areas Program. In the Senate and House Environmental Resources and Energy Committees, respectively.

Alternative Energy and Energy Efficiency

HB 1672 (R. Miller): would provide for the piloting of energy-efficient technologies by state agencies. On first consideration in the Senate.

SB 1015 (Folmer) and HB 1151 (R. Miller): would reclassify waste-to-energy facilities from Tier II to Tier I of the Alternative Energy Portfolio Standards. In Senate and House Environmental Resources and Energy Committees, respectively.

HB 133 (Petri): would require an increase in energy efficiency within state government operations through use of alternative fuels and adoption of energy-efficient technologies. In House Environmental Resources and Energy Committee.

HB 1324 (Briggs): would establish energy efficiency standards for appliances not already regulated by the U.S. Department of Energy. In House Environmental Resources and Energy Committee.

HB 34 (Harper): would require green building design standards for state-owned and leased buildings. On the table in Senate.

HB 302, 303, 304, 305, 306, 307, 308, and 309: package of bills providing incentives for the purchase of natural gas-fueled vehicles. On the table in the House except for HB 305 and 309 (in Senate Finance Committee) and 307 (in Senate Environmental Resources and Energy Committee).

HB 1699 (Ross): would require demand response power generators to comply with emissions limits. On the floor in House.

Recycling

HB 183 (Quinn): would allow for municipal recycling of fluorescent tubes and bulbs. In House Environmental Resources and Energy Committee.

HB 453 (Harper): would increase funding for household hazardous waste recycling programs in high-population counties. In House Environmental Resources and Energy Committee.

Pharmaceutical Disposal

HB 1194 (O'Brien): would require pharmaceutical retailers to have a system for proper collection and disposal of pharmaceutical drugs. In House Environmental Resources & Energy Committee.

Stream Clean-Up

HB 59 (Sturla): would establish an "Adopt-A-River" program within DCNR (similar to PennDOT's Adopt a Highway program). In House Environmental Resources and Energy Committee.

Marcellus Shale

SB 411 (Kasunic): would limit liability for the use of acid mine drainable for hydraulic fracturing. On table in the Senate.

HB 495 (Boback): would restore participation of county conservation districts in Erosion & Sedimentation oversight of Marcellus Shale-related activities, currently performed solely by DEP. In House Environmental Resources and Energy Committee.

HB 2172 (White): would requirement placement of air quality monitoring stations near all natural gas compressor stations. Data would be publicly accessible on the web. In House Environmental Resources and Energy Committee.

HB 1684 (Everett): would clarify that the deduction of post-production costs from unconventional gas wells may not result in royalty payments less than the statutorily-guaranteed minimum. On the floor in House.

HB 800 (Mundy): would require a 2500' setback of hydraulic fracturing or horizontal drilling from community water systems. In House Environmental Resources and Energy Committee.

HB 801 (Mundy): would create a tracking system for Marcellus Shale wastewater. In House Environmental Resources and Energy Committee.

HB 1542 (White): would prohibit the use of open air impoundments for the storage of hydraulic fracturing wastewater. In House Environmental Resources and Energy Committee.

HB 986 (Everett): would require oil and gas well operators to provide water test results to DEP and for DEP to make results available to landowners and water suppliers. In House Environmental Resources and Energy Committee.