



West Virginia Environmental Council's

GREEN Legislative Update

Published Weekly during West Virginia's Legislative Session

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Breaking News . . .

Chemical Spill Creates Federal Disaster Emergency Declaration

Hundreds of Thousands Without Water in Nine Counties

Legislators Sent Home Until Further Notice

By Vickie Wolfe
WVEC Lobbyist

In case you haven't heard, a chemical spill into the Elk River on Thursday resulted in the declaration of a state of emergency in nine counties. Residents were advised not to use their tap water for anything beyond flushing toilets and putting out fires. Schools closed. Businesses closed. The Legislature closed. The number of people affected was estimated at about 300,000. In a mad rush, store shelves were quickly denuded of bottled water. The National Guard is distributing emergency water.

According to a news release, the chemical leak into the Elk River happened at Freedom Industries in Charleston, which is just upstream from WV American Water's treatment plant. The leaked product is 4-methylcyclohexane methanol, which is used in the process of coal washing and preparation.

In no uncertain terms we were reminded that without potable water, "normal" life grinds to a halt. We hope this serves as a reminder to our state government that clean, potable water is a *precious* resource, and that they will think twice before giving in to industry's pleas to relax water quality standards.



Under the Dome

By Donald S. Garvin, Jr.
WVEC Legislative Coordinator

Week 1 – The Garden State??

“Mary, Mary, quite contrary,
How does your garden grow?
With silver bells, and cockle shells,
And ethane crackers and plastics plants all in a row.”

In his State of the State Address Wednesday evening, Governor Earl Ray Tomblin compared governing the state to growing a garden.

“I’ve been a gardener all my life,” he said.

“In our home,” the Governor said, “we didn’t always have what we wanted, but we always had what we needed, especially at the table because of our garden. We took care of that garden – prepping the soil, planting the seeds in perfect rows and making sure it received enough water.”

“Governing, like gardening, takes planning, patience and foresight,” he added.

So what exactly is the Governor planning for the state’s “garden”?

More of the same, sad to say.

More coal mining. “To keep our coal industry alive and well – and I promise you we will – we must continue to seek out new markets and uses for it, while doing what we can to help the industry reduce costs, and be more productive, efficient, safe and environmentally friendly,” the Governor said.

More “environmentally friendly”? Well, Governor, you could start by ending the destructive practice of mountaintop removal coal mining.

More horizontal drilling and hydraulic fracturing for oil and natural gas. The Governor actually touted the Horizontal Well Control Act passed by the Legislature in 2011, legislation that he watered down significantly on behalf of the industry.

And tops on his agenda for West Virginia’s “garden” is an ethane “cracker” plant using the wet gas produced from shale drilling. He called the possible location of a cracker in WV, “a defining moment for economic development in the Mountain State.” And he added that Odebrecht, the company considering the project, “believes Wood County is the best location for the potential development of an ethane cracker and three polyethylene plants.”

So there you have it. That's this Governor's vision of West Virginia's "garden."

I found it interesting that never once in his 44-minute address did the Governor mention the natural beauty of this great state, our hills, our valleys, our forests, our rivers and streams.

Nurturing and appreciating those resources apparently takes a different kind of gardener.

And, if you haven't noticed, it is definitely winter out there, so please remember to keep your birdfeeders full.

Committee Approves Weaker Aluminum Standards

By Donald S. Garvin, Jr.
WVEC Legislative Coordinator

In what felt like a marathon regular session late night committee meeting, the Legislative Rulemaking Review Committee debated the proposed aluminum provisions of the Water Quality Standards rule (47CSR2) at the November interim meetings.

Despite our best efforts, the committee ultimately decided to approve the rule, which drastically weakens the aquatic life water quality standard for toxic aluminum in almost all waters of the state.

The rule change, proposed by the West Virginia Department of Environmental Protection's Division of Water and Waste Management, requires the calculation of aluminum criteria based on the "hardness" of the stream. The new equation in the rule would significantly weaken protections, as compared to the existing rule. The revisions are drastic and equate to greater than a 13-fold and 46-fold increase over the current criteria for acute and chronic aluminum toxicity to aquatic life respectively.

The rule would weaken the current criterion for trout waters at all hardness values. In any but the most pristine streams, the rule would weaken the existing aluminum criteria.

And in high-hardness conditions witnessed typically in streams that are impacted by coal mining and quarrying, the rule represents a significant weakening of the existing criteria. And, as hardness increases, it will become increasingly less stringent, allowing more of the toxic metal to be dumped into our rivers and streams.

So why is this important?

It's important to us because dissolved aluminum kills fish and other aquatic life. It has been shown to bind with other compounds in the water to coat the gills of fish, causing

suffocation, death, stunting of growth and decrease in reproduction. Total aluminum (dissolved and un-dissolved) can leave a white coating on the streambed, smothering all stream life.

It's important to us because the proposed rule fails to protect the "designated use" of WV streams as required under the federal Clean Water Act. West Virginia's rivers and streams are an invaluable resource and asset to the State.

It's important to DEP, apparently, because under the current criteria there is a large number of streams that are "impaired" due to aluminum pollution. If a stream is listed as "impaired", DEP is required to come up with a clean-up plan to remove the pollutant. This takes care of that problem: simply weaken the water quality standard and the impairment goes away.

In fact, since 1986 DEP and the Legislature have relaxed the aluminum standards three times, in 1998, 2000, and 2004.

And of course, it's important to the coal industry because it does not want to pay to treat its pollution. Weaken the water quality standard and the obligation to treat goes away. This was an industry proposal to DEP in the first place.

But let's be clear: the proposed rule fails to protect the public's interest, rather than the interests of a small number of polluters.

So at the Legislative Rulemaking Review Committee meeting I presented comments opposing the rule on behalf of the West Virginia Environmental Council, as did Evan Hansen of Downstream Strategies. Evan was particularly effective, and his comments and analysis generated much of the debate.

As the debate ended, Delegate Barbara Fleischauer (D-Monongalia) offered an amendment removing the aluminum changes from the proposed rule, but her amendment was defeated by voice vote. Senator Ron Miller (D-Greenbrier) was the only other committee member who voted for the amendment.

So the rule will now go to the full Legislature for consideration in the upcoming 2014 session, and the WVEC lobby team will continue to oppose this rule change as it moves through the legislative process.

Proposed Bill Aims To Manage Water Resources

By David Beard
The Dominion Post (Morgantown)

CHARLESTON – An interim committee originated a bill Tuesday intended to promote management of the state's water resources and ultimately aid economic development.

The draft bill, to be introduced after the session begins, comes from the Joint Legislative Oversight Commission on State Water Resources. It amends the Water Resources Protection Act.

Committee co-chairman and chief author Sen. John Unger, D-Berkeley, told The Dominion Post it marks the third and final step in a process: The state claimed surface and groundwater, inventoried them, and now adopts a plan to manage them.

Many neighboring states are drying out, Unger said, while “West Virginia is blessed with abundant water resources.” This plan would not only serve the environment, but can ultimately leverage business opportunities by drawing water-dependent industries here, to our well-managed and plentiful supply.

While the water use of the natural gas industry immediately comes to mind, Unger said the bill and the plan can apply to any industry that uses a lot of water.

Co-chairman Del. Mike Manypenny, D-Taylor, agreed with Unger’s thoughts and said he’s encouraged by these proposals to improve water monitoring. He’s been concerned for a long time about the possibility of extracting large amounts of groundwater depleting the supply.

“By improving the monitoring of these wells, it can give us a better idea of the impact that may be occurring, or not occurring,” he said.

The bill’s provisions:

It changes the definition of a “large quantity user” from one that withdraws more than 750,000 gallons per calendar month to one that withdraws more than 300,000 gallons in any 30-day period.

It adds wells drilled in support of horizontal well operations to the list of commercial wells. Delegate Bill Hamilton, R-Upshur, proposed this amendment, and won unanimous approval.

It requires annual registry with the Department of Environmental Protection (DEP) for every large quantity user.

Drilling contractors must report depth to groundwater on their drilling reports to the DEP.

It adopts the state Water Resources Management Plan – a bound document about 3 inches thick that’s been in the works for several years.

It tightens the reporting requirements for large quantity users’ water withdrawals. Committee attorney Jay Lazell told members that code requires any monthly withdrawal that results from altering a location or intake site and varies plus or minus 10 percent of

an established baseline average to be reported. The bill requires an exact amount, with an annual report of monthly withdrawals.

The DEP must report annually to the commission on its implementation of the Management Plan.

(From the DOMINION POST, Wednesday 8 January 2014).

Former Lobby Team Member Returns

Rejoining the WVEC lobby team this session is Dr. Vickie Wolfe. Vickie moved to West Virginia in 2003 and over a period of nine years, taught biology and environmental science at the University of Charleston, Marshall University and West Virginia State. She was a WVEC lobby team member during the 2008 session. Here's what she has to say about lobbying:

“Initially I was apprehensive about being a lobbyist because, for a very long time, I'd been really cynical about government. This was (and is) due primarily to my perception that we have government of, by and for corporations rather than of, by and for 'the people.' I was concerned that watching the sausage-making up close might make me even more cynical.

“So I am happy to report that, for the most part, it actually had the opposite effect and turned out to be a positive experience. I saw that there really are some good people in the legislature, folks who have integrity and who are doing it for the right reasons. I am looking forward to working with those folks again this year to help protect the health and well being of West Virginia's citizens and ecosystems.”

Power Play

By Vickie Wolfe
WVEC Lobbyist

On Thursday, I watched delegates debate a rule change on the floor of the House. First, a little background:

Once a bill has passed the major and minor committees to which it has been assigned, its final stop before going to the floor for a vote is the “Rules” committee, which decides when/whether to put it on the House calendar for a vote. During the second half of the 60-day session, the House uses two calendars. Bills to be acted on that day are placed on the “active” calendar, while other bills may be “parked” on the “inactive” calendar and may never be considered again. This system allows House leaders to avoid being swamped on any one day, particularly in the last days of the session.

Under Thursday's rule change, adopted on a partisan 53-45 vote, the House will have the two-calendar system for the entire regular session this year. According to the *Gazette's* Phil Kabler, House Minority Leader Tim Armstead (R-Kanawha) said he "believes the rule change is partially an election-year ploy, allowing delegates to tell constituents they voted for their bills in committee while knowing those bills were never going to come up for passage votes on the floor."

I don't know whether Leader Armstead is correct, but assuming he is, here's the take-home message: delegates assume you are watching and are going to hold them accountable. Be sure they're right about that! Via the legislature's website, it's easy to see how your Delegates and Senators voted, what legislation they sponsored, etc. Their contact information is also available via the website. Let them know how you feel!

West Virginia Environmental Council Sets Legislative Priorities

By Donald S. Garvin, Jr.
WVEC Legislative Coordinator

Improving regulation of Marcellus Shale gas drilling operations, opposing the weakening of state water quality standards for toxic aluminum, and renewing the residential solar energy installation tax credit are the top legislative priorities for the West Virginia Environmental Council for 2014.

These priorities were adopted by the WVEC Board of Directors in December. They were selected from a long list of issues submitted by individuals and member organizations at the WVEC fall conference in October.

Improving regulation of Marcellus Shale gas drilling operations was at the top of almost everyone's list. It was also a hot topic at several legislative interim committee meetings. However, it now appears that those committees will not be sponsoring any related legislation for the upcoming session.

So WVEC will be supporting legislation that:

- Establishes a new setback distance – 1,500 feet from a home to the edge (or limit) of disturbance, instead of 625 feet to the center of the well pad; requires monitoring of air, noise, dust and VOCs (Volatile Organic Compounds); establishes best available control technologies that can be adjusted for geography and weather conditions; and funds long-term health studies of area residents.
- Requires drillers to use "closed loop" drilling systems, where all materials and wastes are hauled in and out by truck. This eliminates the need for any waste pits, and is a common practice throughout the nation.
- Requires the disposal of drilling mud and drill cuttings in special landfills paid for by the drilling companies; monitoring of that waste for radioactive elements; and the restoration of the tonnage caps for our solid waste landfills.

WVEC will support legislation renewing the Solar Energy Tax Credit passed by the legislature in 2009. That legislation provided a state personal income tax credit of up to \$2,000 for the installation of a residential solar energy system, and required a “net metering” credit for any excess electricity generated. The legislation expired on July 1 this year.

WVEC will continue its effort to oppose the weakening of state water quality standards for toxic aluminum. This rule change, proposed by the WV Department of Environmental Protection’s Division of Water and Waste Management, requires the calculation of aluminum criteria based on the “hardness” of the stream. The new rule would significantly weaken current protections, as compared to the existing rule. The revisions are drastic and equate to greater than a 13-fold and 46-fold increase over the current criteria for acute and chronic aluminum toxicity to aquatic life respectively.

But that’s not all your lobby team will be working on in the 2014 legislative session. The WVEC Board also adopted a secondary list of other important issues that the team will work on as opportunity or time affords.

For example we will support Energy Efficiency West Virginia’s efforts to pass legislation establishing energy efficiency resource standards in the state, and require the electric utility industry to utilize integrated resource plans.

We will also work to have legislation reintroduced requiring the Commissioner of the Bureau for Public Health to conduct a public health impact assessment of any changes proposed by the DEP to water or air quality standards (HB 3089 and SB 621 from 2013).

And we will work to have legislation introduced establishing better siting rules for industrial wind farms.

Finally, it is inevitable that there will be “bad” legislation introduced, and unfortunately that always occupies a substantial portion of the lobby team’s time. But that’s the name of the game.



Key Marcellus Study Didn't Test Waste, Researcher Says

By Ken Ward Jr.
The Charleston Gazette

CHARLESTON, W.Va. -- A state-sponsored study meant to examine potential pollution from the boom in natural gas drilling never actually tested key wastes from the Marcellus Shale formation, according to a West Virginia University researcher who led the effort.

Teams performing the legislatively mandated review examined only materials from the vertical portion of wells, not from the horizontal drilling at those same sites, which would have included Marcellus Shale mud and drill cuttings.

The omission is important because researchers believe material from the Marcellus Shale is generally more radioactive, and citizen groups are expressing growing concern about the risks of handling and disposal of radioactive drilling wastes.

And, the report's major weakness is being highlighted just as the Legislature returns to Charleston for its 2014 session, after hearing throughout the year about studies finding flaws in Gov. Earl Ray Tomblin's drilling bill that passed in 2011.

Researchers noted the lack of Marcellus data in a 141-page report last February, and the state Department of Environmental Protection mentioned it in a summary prepared for lawmakers by agency officials.

But the issue had not received much public attention until a legislative briefing during an interim committee meeting held late Sunday afternoon.

"We can't dismiss the potential risks," Paul Ziemkiewicz, director of WVU's Water Research Institute, which coordinated the study, told lawmakers. "We just haven't characterized it."

In a presentation to committee members, Ziemkiewicz said that the DEP had initially arranged for researchers to obtain Marcellus drilling mud from a Stone Energy site in August 2012. When researchers tried to take samples on three different dates, they were told each time that "drilling malfunctions" made it impossible for them to do so.

DEP officials identified a second sampling site operated by Chesapeake Energy, the presentation said. Poor weather related to Superstorm Sandy stopped the drilling there prior to reaching to Marcellus, the presentation said.

"The company indicated it would notify WVDEP and WVU when drilling resumed," the presentation said. "However, when WVDEP followed up with the company after Hurricane Sandy, the agency and WVU were notified that the horizontal leg was completed and no samples were available."

The presentation said that by then, it was early November, and the DEP "had no readily available site and the time required to analyze the samples was between 6 and 8 weeks."

"So, no other sites were selected by WVDEP for solid sampling since it would delay submission of the final report beyond the end of December 2012 -- the point necessary in order to provide recommendations to the Legislature," the presentation said.

Ziemkiewicz recommended that additional work be done to sample drilling mud from the Marcellus formation. He said the data are needed to ensure that drilling wastes are being sent to appropriate types of disposal facilities and being handled properly.

"This stuff isn't just dirt that you can apply somewhere," Ziemkiewicz said in a Monday interview. "You can't go around with the assumption that this stuff is innocuous."

(This article appeared in the January 6 issue of the *Charleston Gazette*, and is reprinted here with their permission).



WVEC's Annual Legislative "Kick-Off Blast" Benefit

**Wednesday, January 15th ~ 6 p.m. till 10 p.m.
Little India Restaurant ~ Upstairs Bar
(Washington Street, Charleston)**

Live Music! Refreshments!

Event is being dedicated to Kevin Smith

**Featuring local musicians: Andy Park ~ Mike Pushkin ~ Tofujitsu ~
Mike Waldeck, Jr. & Jason Myer!**

**Suggested donation at the door:
\$10 / \$20 (or whatever you can afford)**



Calendar of Events

January 11: [Water Monitoring Volunteer Program](#). 9:00 a.m. - 2:30 p.m. To be held at the New River Baptist Church, 5127 Maple Lane, Fayetteville WV.

The *West Virginia Rivers Coalition* is partnering with *Trout Unlimited* to initiate a [volunteer water quality monitoring program](#). The program will train volunteers to monitor coldwater streams in West Virginia and Virginia facing potential impacts from shale gas development. Trainings will be held throughout West Virginia, with January trainings in [Fayetteville](#) and [Morgantown](#).

For more details and to RSVP contact WV Rivers Coalition at [304-637-7201](tel:304-637-7201)

January 14: [Free movie screening and discussion – "Inequality for All", by Robert Reich](#). From 5:30 – 7:00 p.m., WV Culture Center, Charleston. View clips from this award-winning film and discuss what we can do here to build an economy that supports a strong middle-class and pays a living wage to all. The WV legislature will be in session and we've invited them to join us for this community discussion and work with us to plan a new direction for both our local and state economies. Robert Reich will kick-off the evening via live video link and a panel of local labor,

business and community groups will lead our discussion.

Trailer: www.inequalityforall.com

RSVP: aclements@wvpolicy.org

January 14: Webinar on Marcellus gas boom. 2 p.m. – 3 p.m. Want to know how many new jobs the Marcellus gas boom is bringing to West Virginia and its neighbors? Explore exaggerated figures by the gas industry.

Sponsored by: The WV Center on Budget and Policy.

For more information: www.wvpolicy.org or (304) 720-8682

To join in: <https://attendee.gotowebinar.com/register/3519011508926920450>

January 15: WVEC's Annual "Legislative Kick-Off Blast" Benefit. Little India Restaurant (Upstairs Bar), Washington Street - Charleston. From 6 p.m. – 10 p.m. Join us as we kick off the 2014 legislative session the best way we know how – with great music, friends, food & fun! Featuring great local musicians: Andy Park, Mike Pushkin, Tofujitsu, Mike Waldeck, Jr. & Jason Myer! Refreshments served. Cash bar. Little India can serve dinner from their menu upstairs if you'd like!

WVEC is also dedicating this event to **Kevin Smith**, our Immediate Past President of the Board of Directors who passed away November 22, 2013.

Suggested Donation: \$10 / \$20 at the door, or whatever you can afford. Proceeds go in support of WVEC's legislative efforts.

January 21: (Eastern) Free online training from CHEJ. From 12 noon – 1 p.m. Do you know where fracking is being done, how it works, or what health hazards are associated with fracking? On Tuesday, join CHEJ's special live event and learn about fracking, its associated health hazards, and more. Join our next group training call to learn the many of the issues related to Hydraulic Fracturing from the view point of both a world class microbiologist and scientist, as well as a local native of West Virginia, Dr. Yuri Gorby, PhD. A question and answer session will follow the presentation.

There is no cost to attend the event, but space for the session is limited, so please register as soon as possible to let us know if you'd like to attend. [Register here](#): The presentation will be accessible by telephone; no internet based connection is available to participate.

Yuri Gorby, PhD - is a microbial physiologist and ecologist and currently holds the Howard N. Blitman Chair of Civil and Environmental Engineering at Rensselaer Polytechnic Institute. As Executive Producer for "Fracking Our Future" - he has given a voice to people suffering from chemical exposure who live and work in the gas fields of PA, WV and OH. Dr. Gorby's interdisciplinary research is at the nexus of environmental engineering and biology. An accomplished microbial physiologist and bioprocess engineer, his work embraces the use of controlled cultivation to understand the fundamental properties of bacteria for a range of applications."

January 22: West Virginia Center on Budget & Policy's Budget Breakfast. From 7:30 – 9 a.m., Charleston Marriott. The state budget is the most important bill passed each year by the legislature. It directly impacts all West Virginians – from the quality of our schools and highways, to the cost of college education, to working families' access to affordable child care and health care. [REGISTER TO ATTEND](#)

Although West Virginia is now several years removed from the worst recession in decades, it continues to face significant budget challenges. Last year, the state cut the budget by \$75 million and next year it anticipates a budget gap of \$265 million. In order to make the important public investments that are essential for West Virginia's economy, we need a clear understanding of where we are, how we got here, and how to move forward.

WVCBP Director Ted Boettner will discuss the Governor's proposed FY 2015 state budget, the impact of recent budget and tax decisions, and specific actions we can take to ensure our budget promotes prosperity and security.

January 25: Shirley Schweizer Winter Walk – Kanawha State Forest. 2 p.m. Join Doug Wood for an ecology walk in the woods: "Comparing Kanawha State Forest with Surface Coal Mine". Meet at the swimming pool area. Enjoy hot drinks, hot soup, and snacks. Dress according to weather, especially footwear. Free to all – donations appreciated. For more information: (304) 546-4492 or (304) 558-3500.

January 26: WV Highlands Board of Directors meeting. For more information: Cindy Ellis – cdellis@wildblue.net

January 27: Advocacy Training – Huntington. Memorial Student Center, Marshall University – One John Marshall Drive. 6:00 p.m. – 8:00 p.m. Understand the legislative process. Get tips on speaking with elected officials. Learn about progressive organizations and issues in West Virginia.

(These trainings are free, and everyone welcome to attend. Food & beverages served. Sponsored by: American Civil Liberties Union (ACLU) WV; WV Citizen Action Group (CAG); Direct Action Welfare Group (DAWG); Fairness WV; Healthy Kids & Families Coalition; National Association of Social Workers (NASW) WV; Planned Parenthood; WV Coalition Against Domestic Violence; WV Environmental Council (WVEC) and WV FREE.) For more information: NASW, mail@naswwv.org or 304 345-6279

February 6: PUBLIC HEARING – Water Quality Standards variance. Begins at 6 p.m. in the Coopers Rock Conference Room at the WVDEP Headquarters located at 601 57th St., SE, Charleston, WV. The West Virginia Department of Environmental Protection (WVDEP) will hold a public hearing to receive comments on an application for a variance from water quality standards for dissolved aluminum and pH for an unnamed tributary of Slab Fork and Slab Fork River, a tributary of the Guyandotte River near Maben in Wyoming County, West Virginia. The variance request was submitted by Carbon Resources Development, Inc. Any person wishing to comment on the proposed variance is invited to be present or represented at the hearing. In addition to oral comments provided at the hearing, the agency will accept written comments at any time up to the conclusion of the public hearing. No comments will be accepted after that time. Written comments may be submitted to the following address:

Kevin Coyne
Water Quality Standards Program
WV Department of Environmental Protection
601 57th St., SE
Charleston, WV 25304

Comments may also be e-mailed to dep.comments@wv.gov Copies of all written information pertinent to the proposed variance, including the variance application and the WVDEP's information sheet summarizing the proposed variance may be reviewed by contacting the WVDEP office at 601 57th St., SE, Charleston, WV 25304. Telephone: 304-926-0499 extension 1110; Fax: 304- 926-0496. E-mail: Kevin.R.Coyne@wv.gov Information is [also available here](#).

February 17: WV Environmental Council's Annual "E-Day at the Capitol". WV State Capitol - Senate hallway, Upper Rotunda & alcoves. From 10:00 a.m. – 3:00 p.m. Environmental Groups / Organizations / Projects, Sustainable Businesses, Citizen Lobbying. For group display registration: deniseap@earthlink.net

February 17: WV Environmental Council's Annual "E-Day Benefit Dinner & Awards Ceremony". Woman's Club of Charleston. 5:30 – 9:00 p.m. Full course dinner, cash donation bar. Donation of \$15 per person, or \$25 per couple.
For more information: deniseap@earthlink.net

February 24: WVU Law National Energy Conference 2014. Erickson Alumni Center, WVU. This is a free, one-day conference. Features speakers from air and energy regulatory agencies, electric utilities, energy producers, academic institutions, environmental groups, and public policy organizations to explore legal, policy, economic, and other issues surrounding the new rules, including:

EPA's rule-making process and the likely framework of the EPA rules.

Options available to states for complying with the EPA rules.

Options available to utilities and other energy producers for complying with the EPA rules.

Socio-economic implications for coal dependent states.

Flexibility and the Path Forward for Coal Dependent States

Coal fired power plants supply approximately 40 percent of the electricity generated in the United States, but also contribute 80 percent of the power sector's carbon dioxide (CO₂) emissions.

In June 2013 President Obama directed EPA to complete CO₂ emission standards for new and existing power plants by June 1, 2015. In September, 2013 EPA proposed standards for new power plants under Section 111(b) of the Clean Air Act. In June 2014, EPA is expected to propose standards and guidelines for existing power plants under Section 111(d) of the Clean Air Act, which will become effective one year later, in June 2015.

Major coal producing regions of the country and states served by electric utilities relying heavily on coal fired generation potentially will bear disproportionate adverse impacts from the EPA's regulation of CO₂ emissions. At the same time, EPA's rules are expected to provide a number of compliance options for states in achieving the CO₂ emission standards. This conference will examine pending EPA regulation under section 111(d) of the Clean Air Act and explore the policy frameworks available to states for developing CO₂ emission reduction strategies for existing power plants.

Panelists will discuss compliance options likely to be made available to states, potential impacts on the power sector as well as the broader economic implications of the EPA regulations for coal-producing regions.

U.S. Senator **Joe Manchin** (D-W.Va.) has been invited to give the keynote address.

The luncheon speaker will be **Charles Patton**, President and Chief Operating Officer of Appalachian Power.

PRESENTED BY STEPTOE & JOHNSON PLLC

Feb 27 - March 1: Dimensions of Political Ecology Conference. To be held at the University of Kentucky, Lexington.

For more information: www.politicecology.org

March 9 – 16: Mountain Justice Spring Break. North central West Virginia - focused on coal and fracking issues, beautiful location, camping and indoor lodging, all food and programs provided for low cost alternative spring break.

For more information: www.mjsb.org

March 22: WVEC Board of Directors meeting. TBA

June: WVEC Board of Directors June Retreat. TBA

June 21 & 22: 9th Annual Lavender Fair. To be held at the beautiful LaPaix Herb Farm, Alum Bridge WV. Theme: "Choose Love". Tracks: 1) Honoring the Earth. 2) We Are All Connected. 3) Just Herbs. This is a very popular event, so please register early to ensure attendance. Car pooling is encouraged.

Reservations are limited to 100 per day. Cost: \$50 per day per person.

For more information: www.lapaixherbfarm.com

Fall 2014: 25th Annual WVEC Fall Conference! Join us as we celebrate 25 years of protecting West Virginia's environment and being your voice at the WV state capitol! Exact location and plans TBA. Stay tuned!

► To have your event posted, please contact Denise Poole: deniseap@earthlink.net

Legislative Session 2014 Information Sources:

Legislative Reference & Information Center:

MB-27, Bld. 1 - State Capitol Complex, Charleston WV 25305

WV Legislative web-site: www.legis.state.wv.us

(For bill tracking, bulletin board (journals), legislators' e-mails.)

To Call Toll Free: 1-877-565-3447 or local Charleston area: (304) 347-4836

Listen Live: West Virginia Legislature page <http://www.legis.state.wv.us/> and click on "listen live."

WV Environmental Council Web-site: www.wvecouncil.org

WVEC Office: (304) 414-0143

Ohio Valley Environmental Coalition: <http://ohvec.org/news.php>

Every morning, OVEC checks scores of news sources and posts links.

WV Citizen Action Group: [http:// www.wvcag.org](http://www.wvcag.org)

Legislative Update is published by the West Virginia Environmental Council (WVEC) – a statewide organization dedicated to facilitating communication and cooperation among citizens in promoting environmental protection in West Virginia. *Legislative Update* is published weekly during the regular Legislative Session.

We welcome letters, articles, and artwork from readers and reserve the right to edit or reject submissions. Please send materials to Denise Poole, *editor* at deniseap@earthlink.net

Support the West Virginia Environmental Council

P.O. Box 1007, Charleston WV 25324

Phone: (304) 414-0143 www.wvecouncil.org

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Enviro Steward:	_____ \$250	Canopy:	_____ \$500
Old Growth:	_____ \$1,000	Other:	_____

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WVEC Legislative Update Newsletter

January 10, 2014