

Joe's Corner

I have been working at Clean Air Council for 35 of its 50 years. It has been a remarkable journey — with many ups and downs. I have seen growing consensus in the United States on the importance of protecting the environment, protecting public health, protecting fragile ecosystems, and a growing demand to address climate change.

Yet I cannot remember a period of time when I have been so concerned about our government's commitment to protecting public and environmental health at the state and national levels. Somehow, seemingly overnight, protecting America's public and environmental health has become radical, anti-jobs, and almost un-American.

Certainly over the years different administrations at the state and federal levels have had different priorities on environmental protection and the role of government in addressing specific environmental issues. But I have never witnessed a federal administration so openly hostile to environmental protection and so determined to disregard the urgent need to address climate change.

Even though we are still in the early days of the Trump administration, the appointment of Scott Pruitt as EPA Administrator is not reassuring. As attorney general of Oklahoma, Pruitt led the assault on many of the Obama administration's environmental initiatives. President Trump has committed to undoing climate change regulations, walking away from international environmental agreements, limiting policies that impact the fossil fuel industry, and defunding clean energy research.

Indeed these last few months have been surreal. We are living through a new political reality. Facts are no longer facts but statements one can disagree with by merely putting forward alternative facts. Science and opinion are being treated as equally valid. The old “jobs versus the environment” dichotomy is again being stated as legitimate. Climate-change deniers are in positions of authority at both the state and federal levels. Party loyalty prevents bipartisan compromises. Who is left to defend everyone's right to a healthy environment?

The Council has fought for public health for the last 50 years, and we continue gearing up to meet our mission of protecting everyone's right to breathe clean air. All of our work and everything we accomplish is possible only with the help of you, our members.

Joe Minott is the Executive Director and Chief Counsel of the Clean Air Council

the Council

Executive Director and Chief Counsel
Joseph Otis Minott, Esq.

Board of Directors:
Jeffrey J. Aldi, Treasurer
Russ Allen, President
Patrick J. Feeley, MBA, CFRE,
Vice President
Renee Glinger, Secretary
Louise C. Giugliano
Jessica Bender Krow, Vice President
Neeti Bathala
Eric Langenmayr, Ph.D.
Mary Josephine Maricle, Esq.

Full-time Staff
Christopher Ahlers, Esq.
Kamali Busch
Matt Bradwell
Carter Brown
Alex Bomstein, Esq.
Thurman Brendlinger
Eric Cheung, Esq.
Katie Edwards
Will Fraser
Karl Koerner
Deirdre Lally
Duc Anh Le
John Lee, MPH

Volunteers, Interns & Part-time Staff
Paul Cohen, Esq.
Devon DelVecchio
Norm Feldman
Dorothy Ann Hyman
Mervyn Kline, Ph.D.
Akela Marsh

Canvass Staff
Victor Fuller
Anna Grant



For five decades, members of Clean Air Council have made a difference in Pennsylvania and Delaware, helping everyone to breathe a little easier. Members receive quarterly issues of Fresh Air, action alerts, invitations to special events and the annual 5K Run. Please send your comments to Joe Minott, Executive Director and Chief Counsel.

NONPROFIT
U.S. POSTAGE
PAID
PHILADELPHIA, PA
PERMIT NO. 6602



SCAN / VISIT
www.cleanair.org

GoPhillyGo's trip-planning website is now available for mobile

GoPhillyGo.org, the free online mapping site for the greater Philadelphia area from Clean Air Council, has now released a mobile version for use on all devices. Designed to make getting around without a car both easy and fun, the power of GoPhillyGo's mapping technology will now be available on the go. You'll be able to take the ultimate trip-planning tool for biking, walking and public transit with you—anywhere you go, any time you need it.

“Using GoPhillyGo on your mobile phone is a very exciting advancement for the website,” says Joe Minott, Executive Director of the Clean Air Council. “Obviously that is how so many people are accessing transportation information today, and I'm excited that planning non-car trips just became easier for people in Southeastern Pennsylvania. GoPhillyGo users can now explore some of the region's most interesting nature-oriented destinations and quickly plan how they'll get there on bike, foot, public transportation, or any combination.”

“Incorporating Indego bike share is the other big advancement we are excited about,” explains Nick

Rogers, Transportation Program Director for the Clean Air Council. “This really makes planning trips with bike share much easier, and encourages people to use Indego as a transportation mode and not just a recreation activity.” Point-to-point Indego directions, dock locations, and bike availability are now included in the map, helping you get around by bike, even if you don't own one.

“As a Philadelphia company dedicated to a positive civic and social impact, Azavea is thrilled to partner with the Clean Air Council to promote walking, biking, and riding public transit to our local institutions, parks, and other natural resources,” says Robert Cheetham of Azavea. “Now that GoPhillyGo has gone mobile, anyone in Philadelphia can easily explore the variety of destinations accessible to them. As a company full of bike enthusiasts, we are especially excited about the inclusion of Indego bike share locations into GoPhillyGo biking directions.”

For more information on GoPhillyGo, contact Transportation Project Director Nick Rogers: nrogers@cleanair.org

New features include:

DRAG AND DROP PINS ON THE MAP

If you're testing out what routes are best for your starting and end locations, simply drag and drop the points on the map and let GoPhillyGo do the work for you. Also, turn on "bike routes" and use this feature to drag your route to the closest Circuit Trail.

INDEGO DIRECTIONS WITH GOPHILLYGO

With GoPhillyGo.org, never worry about where to pick up or drop off your Indego bike again. Turn on Indego directions in settings to incorporate biking, walking, or public transit directions to and from any Indego station.



Fresh Air Newsletter



We hope to see you at the starting line for the 2017 Run for Clean Air.

RUN FOR CLEAN AIR

Sunday, April 9, 2017 | 7:30 am to 10:30 am

If you've been following the news lately, it's clear that public health and the environment are under attack on all fronts. Instead of despair, this is an opportunity to come together. Clean Air Council urges you to celebrate this year's Earth Day early and run, walk, or cheer at the 2017 Run for Clean Air on April 9th. Since 1981, the Run for Clean Air has rallied thousands as one of the region's oldest charity races. The Run is Philadelphia's largest Earth Day event, and is the Council's biggest fundraising event of the year. Now with Toyota Hybrids backing the event, the Run for Clean Air is bigger and better than ever.

Located on the banks of the Schuylkill River, the race course shows off the beauty of our local environment as it winds through the serene West Fairmount Park. The Run for Clean Air has an event and distance for everyone! Runners can enjoy everyone's favorite 5K course along the Schuylkill River or the more challenging 10K course that goes out twice as far along MLK Drive. If those seem daunting, there's a 3K Walk that's literally just a stroll in the park. Being a family-friendly event, young environmentalists can even participate in a 1/2 mile or 250 yard Kids' Fun Run.

the event

WHEN: Sunday, April 9, 2017

WHERE: Begins at the Philadelphia Museum of Art

TIME: 7:30 a.m. — 10:30 a.m.

FUN FOR ALL AGES: 10k run, 5k run, 3k walk, and two Kids' Fun Runs!

REGISTER NOW:

www.cleanair.org/runforcleanair

Join the thousands and show your support for the environment at this year's Run for Clean Air!

If you have any questions about the run, please reach out to Bobby Szafranski, rszafranski@cleanair.org.



Here's a taste of how the Council is celebrating turning 50!

The Clean Air Council is turning 50 this year! Since our founding in 1967, we have become one of the oldest and most effective environmental organizations in Pennsylvania. We are also pleased to be celebrating not only the anniversary of the Council, but the 35th year of indispensable work by the Council's Executive Director and Chief Counsel, Joe Minott. Joe joined the Council in 1982 as a staff attorney and five years later became the Executive Director. As Executive Director, Joe grew the Council from just a handful of people to a committed staff of over 30 employees including lawyers, engineers, community organizers, and advocates working towards the common goal of clean air for all.

In honor of 50 years of fighting for clean air, we're hosting a celebration this November. More details will be announced in the near future, but the Council will be incorporating 50th anniversary festivities into nearly everything we do this year.

Additionally, we are launching our biggest ever fundraising campaign, which we will complete by the end of the year. We aim to raise \$50,000 in honor of the Council's 50 years of service and put it to use bolstering the resources of our legal team. Given all that has happened in recent months and the explicit threats to public health and the environment, enhancing the resources needed to support our first-rate legal team MUST be our top priority. This **Legal Victory Fund** is already a donation option on our website and will be featured in upcoming campaigns from the Council.

For more information on the Council's activities for our 50th, please reach out to Membership Coordinator Carter Brown at cbrown@cleanair.org or call him at 215-567-4004 x 133.

in this issue

01

This year's Run for Clean Air

Here's a taste of how the Council is celebrating turning 50!

02

Legal Update

Featured Article: Tree Philly

03

Council Takes Action on Inadequate Administration of Title V Program in Allegheny County

Citizen advocacy on Methane ramps up

Staff Profile: John Lee

04

Joe's Corner

GoPhillyGo's trip-planning website is now available for mobile



A key component in Sunoco's Mariner East plans, the Marcus Hook Industrial Complex is an international hub of natural gas liquids from Western Pa's Marcellus Shale. © AP/DAN GLEITER



A natural gas pipeline explosion in Salem, Pennsylvania scorched 40 acres of land and destroyed a home. © AP/KEITH SRAKOCICV

Support the legal team

Contact Joe Minott for more information: [✉ joe_minott@cleanair.org](mailto:joe_minott@cleanair.org).

To learn how to directly support the legal team through the Council's new **Legal Victory Fund**:

Contact Carter Brown: [✉ cbrown@cleanair.org](mailto:cbrown@cleanair.org) or at 215-567-4004 x133

THE COUNCIL'S LEGAL TEAM IS BUSIER THAN EVER.

As the Council's legal practice expands, the Council's ability to act on its mission to protect everyone's right to breathe clean air improves.

Council attorneys are currently litigating seven cases that address issues — and will have impacts — across the Commonwealth and, potentially, nationwide. These cases range from appeals of air permits to pipeline and zoning challenges to state constitutional claims. In addition, the legal team remains highly engaged on policy and regulatory matters, working to hold executive agencies accountable to the public and fighting to ensure our elected officials protect everyone's right to breathe clean air.

In December 2016, Council attorneys represented the Council in a six-day trial before the Environmental Hearing Board in Erie, PA. The case challenged the Department of Environmental Protection's (DEP's) decision to issue permits to drill disruptive fracking wells, on a property located less than a half-mile from several schools and dozens of homes. The property is located about 30 minutes north of Pittsburgh in Middlesex Township. Council attorneys brought multiple witnesses to the trial and made clear to the Board that DEP did not have adequate information to comply with its legal obligations under state law in approving these permits. In essence, DEP permitted an experiment, one that will expose children and families to toxins and air pollutants with dangerous impacts to human health in countless different ways for decades. Because this was a bench trial (no jury), the parties are in the process of drafting "Post-Hearing Briefs," setting out proposed Findings of Fact and Conclusions of Law for the Board in light of the evidence and testimony submitted at trial. The Council anticipates a final

ruling from the Board sometime in the spring of 2017.

The Council is also taking the lead on a legal challenge with incredibly high stakes — litigation against Sunoco's proposed Mariner East II pipeline. There continues to be a rush to build new pipelines in Pennsylvania and Mariner East II would span the entire Commonwealth. Pipelines like this are used to move gas and gas liquids from out-of-state through Pennsylvania to coastal markets for sale abroad. The existence of these pipelines encourages and facilitates more fracking, an activity that increases local air pollution and contributes significantly to climate change. The pipelines themselves cut through public and private property, cause irreversible damage to forests and wetlands, and present unacceptable risks of catastrophic incidents such as explosions and fires. On February 13, 2017, DEP issued a total of twenty permits to Sunoco that authorized the beginning of construction on Mariner East II; the Council acted immediately and petitioned the Board to halt all construction while the substantive appeal challenging these permits — filed by the Council that same day — winds its way through the courts. There will be a great deal of action in this case in the coming months.

On the regulatory front, the legal team, along with other Council staff, has worked tirelessly to hold Governor Wolf accountable to his commitment to reduce methane emissions in Pennsylvania. Thanks in part to our efforts, DEP introduced in February a set of General Permits to control methane leaks from new and modified

Council attorneys are currently litigating seven cases that address issues — and will have impacts — across the Commonwealth and, potentially, nationwide.

sources of fracking infrastructure in the state. Despite opposition and lobbying from the oil and gas industry, these new permits (GP-5 and GP-5A) incorporate many of the commonsense standards that the Council pushed for, and they represent a significant improvement over the status quo. The legal team continued to push for improvements to the permits — and fought back against attempts to weaken them — during the 45-day public comment period that ran through March 21, 2017. Council attorneys used this momentum to continue demonstrating to DEP the need to control methane emissions from all existing sources in the state.

As the Council's legal practice expands, the Council's ability to act on its mission to protect everyone's right to breathe clean air improves. While the Council always begins with education and advocacy, the credible threat of litigation is a necessary means to ensure that environmental laws are followed and constitutional protections are respected. It is a comprehensive approach that takes advantage of all the tools at the Council's disposal.

Free Yard Trees for Philadelphia Residents

When one of the Council's Board members arranged an opportunity to work with local Philadelphia organization Tree Philly, the Council jumped at the chance. Our budding partnership includes trading articles in our respective newsletters promoting upcoming events. Below is what TreePhilly wrote for Fresh Air:

Did you know that two mature trees provide enough oxygen for one person to breathe over the course of a year? Did you ALSO know that Philadelphia property owners can get up to two free trees from TreePhilly this spring?! Choose from 12 different types of trees, including flowering and fruit trees, and pick them up at a location near

you. According to American Forests, neighborhoods with more tree canopy cover have as much as 15% better air quality than neighborhoods without — so what are you waiting for? Sign up for your trees now at treephilly.org/free-trees/ and extend the forest into YOUR neighborhood.

DID YOU KNOW?

2 MATURE TREES
provide enough oxygen for

1 ONE PERSON
to breathe over the course of a year?



Two participants pose with their new Smoketree at the Fall 2016 Whitman Tree Giveaway in South Philly

Council Takes Action on Inadequate Administration of Title V Program in Allegheny County

In Allegheny County, (which includes the City of Pittsburgh), the Allegheny County Health Department is the agency that reviews and issues permits for industrial plants. Federal law requires Title V permits for major sources, which are industrial plants that emit large amounts of air pollutants. These permits must be reviewed and re-approved every 5 years. Title V permits are important to the public because they pull together in one document all the applicable requirements for the plant making it much easier for the impacted public to review all the information at once. This is particularly important for metropolitan areas like Pittsburgh, which have a number of older major sources. While federal law requires the processing of these permit applications within eighteen months, the Department faces a long backlog, with some applications pending for as long as twenty years. For example, the Allegheny Ludlum Corporation facility in Brackenridge, Pennsylvania filed its application in 1995, and this application has never been approved or disapproved.

To address this serious problem, the Council submitted to the U.S. Environmental Protection Agency a petition for a Notice of Deficiency on October 20, 2016. The Council asked EPA to publish a notice in the Federal Register stating that the Department is not adequately implementing the Title V program, because of the backlog. Such a notice would start the clock for the imposition of sanctions against the Department for failure to address this problem. The EPA has not yet made a decision on the petition.

Before the filing of the Council's petition, the Department had published notice of a draft permit for Allegheny Ludlum Corporation on September 30, 2016. Given the need to review a large number of documents and regulatory requirements that had accumulated over the course of twenty years, the Council made a request for an extension of the

30-day period to submit comments. The Department quickly denied that request. On October 28, 2016, the Council filed a Notice of Appeal challenging the Department's refusal to provide more time for the public to review and comment on the permit. Despite the inadequate timeframe and difficulty in getting the needed documents to review, the Council submitted comments, and appeared at the public hearing on October 31, 2016.

The Title V program should be made more accessible and transparent to the public. Often critics assert that these permits only memorialize requirements that already apply to an industrial facility, and that this program is not a high priority. But it matters a lot. The program imposes its own independent monitoring requirements, separate from those of particular regulations. In addition, it provides an opportunity for residents and communities to review and evaluate technical and legal developments relating to permits. This is particularly important because residents and communities do not have the same access to documents relating to industrial plants as their owners and operators. Therefore, the Council continues to work to improve the administration of this program in Allegheny County.

Recently, the Department, under pressure from environmental health advocates like the Clean Air Council, has made some progress in making the program more accessible and transparent to the public. On December 13, 2016, it published a notice of draft permits for facilities operated by Bay Valley Foods, NRG Energy Center Pittsburgh, and AKJ Clairton. The Council submitted comments on the draft permits and appeared at the public hearing on January 18, 2017. On December 16, 2016, the Department published a spreadsheet listing the status of pending Title V applications. Still, much more work remains to be done.

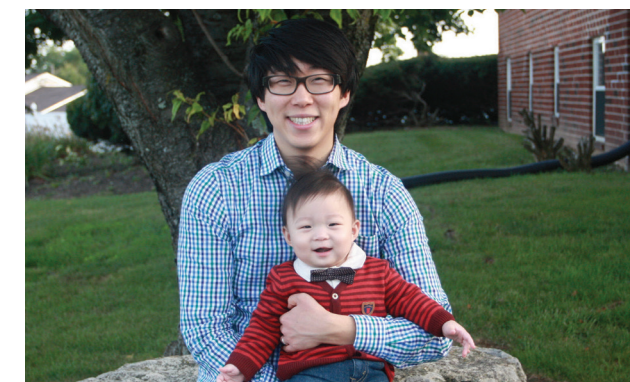
For more information, contact Joe Minott: [✉ joe_minott@cleanair.org](mailto:joe_minott@cleanair.org).

Staff Profile: JOHN LEE

John Lee started at the Council in 2010 as a graduate public health intern. John became a full-time staff member in 2011 as the Community and Environmental Health Director. He oversees the Council's public health programs; conducts Health Impact Assessments; promotes environmental justice programs; and works together with the Council's Engineering and Technical Coordinator on citizen air monitoring projects in Philadelphia. John is currently heavily involved working with local residents around the proposed ethane cracker plant in Potter Township by educating the residents about the public health impacts of the proposed plant and how they can get involved.

John Lee hails from Seattle, Washington where he enjoyed hiking (especially in the Cascades), fishing, tinkering around with the guitar, and of

course brewing and drinking coffee. When not in the office, you can find him spending time with his wife and playing Legos with his toddler son. He also spends a lot of time with his church where he leads small bible study groups for young adults and high schoolers.



John Lee with his son, Yoel.



CAC staff interviews residents about their experiences living near natural gas facilities.

CITIZEN ADVOCACY ON METHANE RAMPS UP

In 2017, Clean Air Council is kicking into high gear its campaign for the Wolf Administration to cut methane pollution from natural gas facilities. With a new presidential administration that has made no secret of its opposition to health and environmental protections, state action on air pollution has never been more important.

One week after the inauguration, we hosted an event in Southwestern Pennsylvania where community members gathered to share their stories and concerns about living near natural gas facilities; gain access to new tools for understanding the problem and taking action; and listen to experts discuss prioritizing community health when making policy decisions related to natural gas. At the event we collected dozens of stories on film, which we will be sharing in the coming weeks and months with decision makers and the general public.

Meanwhile, all across the state we've been organizing meetings between state legislators and members like you to educate legislators about methane pollution, and to call on them to support strong action on methane in Pennsylvania. There are few more powerful ways to make constituent voices heard in Harrisburg than through in-person meetings, and we're proud to say that Clean Air Council members' passion for and commitment to clean air has made a strong impression.

As we move forward, we will also be focusing on the two General Permits for natural gas facilities recently proposed by the Department of Environmental Protection — the first half of Governor Wolf's plan to reduce methane pollution — and ramping up the pressure for the speedy completion of the rest of the Governor's plan. The permits are currently open for public comment, so be sure to check your email for opportunities to submit comments through the Council.

If you'd like to participate in a meeting with your legislator, contact Justin Wassser: [✉ jwasser@cleanair.org](mailto:jwasser@cleanair.org).

staying social @cleanaircouncil

FACEBOOK

DIRTY ENERGY:
/protectRchildren
SUSTAINABLE
TRANSPORTATION
@CleanerCommute
@FeetFirstPhilly
@GoPhillyGo

/CLEANAIRCOUNCIL

EVENTS:
/DineOutfortheEnvironment
/GreenPestPhilly
/RunforCleanAir

TWITTER

DIRTY ENERGY:
@ISeeSmokePA
SUSTAINABLE
TRANSPORTATION
@CleanerCommute
@FeetFirstPhilly
@GoPhillyGo

@CLEANAIRCOUNCIL

EVENTS:
@GreenFestPhilly
@RunforCleanAir

INSTAGRAM

DIRTY ENERGY:
@ISeeSmokePA
SUSTAINABLE
TRANSPORTATION
@FeetFirstPhilly
@GoPhillyGo

@CLEANAIRCOUNCIL