



Fresh Air Newsletter



THE COUNCIL’S GREENFEST PHILLY CELEBRATES 12 YEARS OF SUSTAINABILITY AND FUN



Presented by Toyota Hybrids | Sunday, September 10, 2017 | 10:00 a.m. to 4:00 p.m.

For the last 12 years the Clean Air Council has brought you the Philadelphia Region’s largest outdoor green festival Greenfest Philly. Toyota Hybrids is partnering with us for the second year in a row to help bring Greenfest Philly to life on Sunday, September 10th.

If you’re a Greenfest veteran, then you’re likely accustomed to our home at Headhouse Square. With a massive construction effort planned there over the next year, we’re moving the festival just a couple blocks away to Bainbridge Green (Bainbridge St between 3rd and 5th). This new location offers lots of tree cover and more open space

Greenfest opens at 10am, with fun-filled programming throughout the day until 4pm. From 10am to 11am, prominent local yoga teacher Justine Bacon from Philly Yoga Factory will be opening the festival with a FREE outdoor yoga class for all ages and skill levels at the main stage. The area’s best up and coming musicians take over the main stage from 11am to the close of the festival at 4pm. Music lovers 21+ can enjoy the tunes from

the sustainable beer garden located right by the stage and features some of the best local ales and lagers available.

Back for a second year are our exciting vegetarian cooking demos featuring Philly’s most exciting chefs. Last year we had tasty demonstrations by Miss Rachel’s Kitchen, P’unk Burger, and Revolution Taco.

Still, the heart of Greenfest will always be the 100+ sustainable organizations at the festival. We’re welcoming back the fan favorites like Toyota Hybrids’ test drives, BugYum sampling of edible insects, family-friendly activities at MOM’s Organic Market Kids’ Corner, Rest and Recharge made possible by City CoHo and Joe Coffee, Franklin Institute’s Climate City, and Philly Swap for gently used clothing, home goods, books, and toys. We’re also excited to have new partners like Park(ing) Day, Energy Co-op, Philly Homebrew Club, and more! Speaking of new, the Philadelphia Sustainable Film Festival will be screening shorts from their inaugural festival this past April.

For more information about Greenfest Philly, the businesses you’ll find there this year, and a schedule of programming, see www.greenfestphilly.org. You can also find the event on Facebook, with real-time information on this year’s Greenfest as it unfolds.

For more information on sponsoring or having a booth contact events@cleanair.org.

the event

WHEN: Sunday, September 10, 2017
WHERE: Bainbridge Street, between 3rd and 5th Street
TIME: 10:00 a.m. — 4:00 p.m.

Greenfest Philly is the largest environmental festival in the Philadelphia area.

LEARN MORE:
www.cleanair.org/greenfest

Council Continues Push to Improve the Public Participation Process in Air Permitting in Allegheny County

In June, the Council filed an appeal with the Allegheny County Court of Common Pleas to improve the public participation process in the Allegheny County Health Department’s air permitting process for industrial facilities in Pittsburgh and Allegheny County.

The court case arises out of the Council’s request for an extension of time for public comment on a proposed Title V permit for the Allegheny Ludlum facility in Brackenridge, Pennsylvania. The facility is a steelmaking facility with two electric arc furnaces. With very large emissions of air pollutants, the facility is a major source. Under

the Clean Air Act, major sources are required to obtain Title V operating permits, which are renewable every five years. After receiving an initial application or renewal application, the Department is required to provide public notice and an opportunity to comment on a proposed permit.

In this case, the Department has never made a decision on the facility’s Title V permit application, which was filed in 1995. Last year, the Department published notice of a proposed Title V permit, allowing public comment for only 30 days, the minimum period of time required by law. Given the accumulation of significant require-

ments and documents over the course of twenty years, the Council made a reasonable request for an extension of an additional 60 days. The Department denied the request, stating it was disinclined to grant an extension for any reason. Following a hearing in March, a hearing officer of the Department affirmed the denial of the extension request. The Council’s action in the Court of Common Pleas is an appeal of that decision.

Public participation is important. When an administrative agency fails to provide adequate procedures under the law, it is up to the courts to properly apply the law.

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THE COUNCIL TURNS 50

Save the Date for the Council’s Big Celebration

Earlier this year, Clean Air Council announced on its blog and through its social media that 2017 is the Council’s 50th anniversary year. In that blog, we promised that details of our celebration in November would be coming at a later date. That time is now!

The Council formally invites you, our members and friends, to mark your calendars for Thursday, November 9th from 6-9 pm to attend a celebration of our 50th anniversary as well as the Council’s Executive Director and Chief Counsel Joe Minott’s 35 years of work at the Council. The anniversary celebration will take place in the private rooms of the restaurant R2L on the 37th floor of 2 Liberty Place in Center City Philadelphia. More details will follow early this fall when we open up the sale of tickets to the event.

The anti-environmental policies and regulatory changes that we are seeing from the Trump Administration and the increasing hostility to environmental protection coming from the Pennsylvania Legislature convinced us to increase our fundraising efforts to support our legal team. We are proud and humbled by the response of our members so far in supporting the newly created Legal Victory Fund. Our goal is to raise \$50,000 dedicated to bolstering the resources needed to ensure our legal team has what it needs. This is the largest fundraising campaign the Council has ever done and to date, the Council has raised more than half of the goal! Support of this special campaign has been inspiring but we need your help to reach the goal by November 9th. To support the Legal Victory Fund, visit cleanair.org/donate/ and when you make your gift, select the option to apply your gift to the Legal Victory Fund.

If you have any questions about the Council’s 50th anniversary event or the Legal Victory Fund, reach out to Membership Coordinator Carter Brown [✉ cbrown@cleanair.org](mailto:cbrown@cleanair.org) or 215-567-4004 ext 133.



the event

WHEN: Thursday, November 9, 2017
WHERE: R2L at 2 Liberty Place
TIME: 6:00 p.m. — 9:00 p.m.
LEARN MORE:
cleanair.org/event-s/50th-anniversary

Council’s Fight to Cut Methane Continues

Pennsylvania sits atop the Marcellus Shale, the largest U.S. natural gas field, and is the country’s second-largest producer of natural gas, behind only Texas. Methane, the principal component of natural gas, has been identified by the Environmental Protection Agency (EPA) as the second most prevalent greenhouse gas emitted in the U.S. from human activities. Although methane persists in the atmosphere for less time than carbon dioxide, methane is 86 times more powerful than CO2 at warming our atmosphere over a 20-year period. More troubling still, methane leaks at almost every stage of the natural gas supply chain and carries with it a number of other harmful pollutants. The most recent data from Pennsylvania’s Department of Environmental Protection (DEP) shows that methane emissions from the natural gas industry continue to rise, even outpacing the increase in production.

Acknowledging the significance of Pennsylvania’s methane problem, Clean Air Council has met repeatedly with DEP and Governor Wolf’s office to advocate for the strongest possible methane protections. The Council’s legal team looked to other states that have implemented methane standards in recent years, as well as the Obama EPA and leading methane mitigation vendors,

to propose model language and cost-effective, technologically-feasible controls. In January 2016, Governor Wolf announced he would put forward a strategy to reduce methane emissions from the oil and gas industry. Governor Wolf tasked DEP with developing standards to reduce methane pollution from new sources (facilities not yet built), modified sources, and existing sources.

Thanks to the Council’s persistent outreach, in February 2017, DEP published proposed general permits to control pollution from new and modified sources in the unconventional natural gas industry. These permits will reduce emissions of harmful pollutants and will, for the first time, establish standards to directly control methane. The proposed permits include many requirements that the Council advocated for, including: (1) 98% control of emissions from select equipment; (2) coverage of previously uncontrolled sources such as liquids unloading and pigging operations; and (3) a quarterly inspection frequency to detect and repair leaks. The Council coordinated with six other environmental organizations to submit detailed technical comments on the permits during the public comment period. The Council looks forward to these permits being finalized soon.

Pennsylvania sits atop the Marcellus Shale, the largest U.S. natural gas field, and is the country’s second-largest producer of natural gas, behind only Texas.

Despite this important step, Governor Wolf has yet to propose a strategy to deal with methane emissions from existing sources in the industry, which are currently polluting our air every day. The Council’s legal team, in partnership with other attorneys and scientists, has looked to other states to propose model language and cost-effective controls on existing sources. The Council will continue to meet with Governor Wolf’s office and DEP to discuss the push for stringent standards and reiterate the urgency of addressing existing source pollution.

For more information on the Council’s methane regulatory work contact Robert Routh at 215-567-4004 ext 132 or [✉ rrouth@cleanair.org](mailto:rrouth@cleanair.org)

Summer Heat Workshops Help Seniors Avoid Health Hazards

Almost every program the Council is involved in addresses the threat of climate change. The issue is one of the Council’s highest priorities. Climate change is part of the Council’s sustainable energy and transportation work, it is a major part of the Council’s outreach, and it is a top priority in its environmental justice work.

Underserved neighborhoods of color are already the communities being most harmed by climate change. The Council is partnering with the City of Philadelphia’s health department and Drexel University for a number of workshops in Environmental Justice (EJ) communities entitled: *Staying Cool in a Changing Climate*”.

The first workshop was held July 28th on North 41st and Poplar streets, and was attended by 50 community residents. The project is aimed at older residents that are the demographic hardest hit by climate change’s impact on urban areas. The workshops discuss the issue of climate change, how residents can keep their homes cooler, and how to utilize free or low cost resources that are available to them.

Drexel University and the Council will be conducting post-workshop interviews after to assess the project’s efficacy and look for paths forward. Please let us know if you have a Philadelphia climate change story.



Council staff (right) at the first Summer Heat Workshop

For more information on the workshops and the Council’s outreach around climate change please contact Russell Zerbo [✉ rzerbo@cleanair.org](mailto:rzerbo@cleanair.org) or 215.567.4004 x130.

AN UPDATE FROM THE COUNCIL’S LAWYERS

Construction of Sunoco’s Mariner East 2 and Mariner East 2x natural gas liquids pipelines are underway, and residents along the routes are already feeling the impacts. The pipelines are cutting through over 300 miles of Pennsylvania -- trampling private property rights, trenching through hundreds of wetlands and streams, and spewing hazardous volatile organic compounds along the way. The Council continues to use education, outreach, and advocacy to protect the environment and the rights of Pennsylvanians as construction progresses. That by itself has not been enough though. That is where the lawyers come in. The Council’s legal team is fully engaged in challenging this dangerous and destructive project on multiple fronts. 2017 has been an intensely busy year for Mariner East litigation.

The water permits that were issued by the Pennsylvania Department of Environmental Protection in February of this year utterly fail to protect the environment and the Council appealed the permits to the Environmental Hearing Board. In March, Council attorneys presented evidence of the imminent environmental harm posed by the project at a three day hearing and requested that the permits be suspended while they are reviewed by the court. The court declined to temporarily suspend the permits, and the Council is continuing toward trial.

In the Council’s challenge of Sunoco’s use of eminent domain to construct the Mariner East pipelines, the Council enjoyed an important victory against Sunoco when the Philadelphia Court of

Common Pleas rejected Sunoco’s attempt to have the Council’s claims dismissed. Sunoco is using the power of eminent domain to condemn Pennsylvanian’s land for the Mariner East pipelines despite those pipelines being used to transport local natural gas liquids for export to overseas markets, not for the primary purpose of serving Pennsylvanians. The Court recognized that the Council’s concerns regarding the constitutional rights of Pennsylvanians have not yet been addressed in a court of law and should proceed to trial. Sunoco is seeking an appeal of that decision to the Commonwealth Court.

Finally, the Council’s appeal of the air permits issued for the Marcus Hook terminal facility, which processes and exports the natural gas liquids being shipping on the Mariner East pipelines, is also proceeding toward trial. The Council is seeking to hold Sunoco accountable for abusing the permitting process to evade regulation of the facility’s dangerous emissions.

The Council’s legal team, while small, has gotten attention across the state for bringing important environmental and public health concerns to light, and for demanding accountability from those who seek to threaten our right to clean air and water. We have mentioned that this year is the Council’s busiest ever in terms of the workload of the legal team and we were not kidding!

Over the coming months, stay tuned to the Council’s website for updates on these cases and the Council’s other litigation and feel free to contact Joe Minott [✉ joe_minott@cleanair.org](mailto:joe_minott@cleanair.org) with questions.



Summer of Maps intern Jianting Zhao at a bike station in Philly

SUMMER OF MAPS

The Council was awarded a summer fellow through the 2017 Azavea Summer of Maps program. Summer of Maps is a three-month long fellowship giving Geographic Information System (GIS) students the opportunity to perform geospatial data analysis for local and national non-profit organizations. The Council’s Summer of Maps fellow, Jianting Zhao, is working with the Council’s Sustainable Transportation Team to help visualize bike parking demand in Philadelphia based on relevant factors such as employment, land use and transportation infrastructure. Prior to the Summer of Maps fellowship, Zhao studied at the School of Design at University of Pennsylvania and researched urban bikeability with a focus on Philadelphia.

In Center City, from Vine Street to South Street and from the Schuylkill River to the Delaware River, Zhao is working on a study that looks at where bike racks already exist, how much they are being used, where unofficial bike parking is happening, and then to ultimately design a way to predict how many bike parking spaces per employee or customer are needed in different areas of the city. The result will be a report outlining gaps in bicycle parking infrastructure, recommendations for locations of bike rack installation in high demand areas, and a formula as a guide to the City and private businesses recommending what bike parking capacity is needed based on conditions such as employment, land use, and transportation. Currently, the bike parking count is underway. Study results should be complete soon.

For additional information or questions about the Summer of Maps project and its ongoing work, contact Erika Morgan [✉ emorgan@cleanair.org](mailto:emorgan@cleanair.org)

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

Staff Profile: ERIC CHEUNG



Deputy Director Eric Cheung

Deputy Director Eric Cheung began working for Clean Air Council as Staff Attorney and Policy Analyst in 2001. Along with Executive Director Joe Minott, Thurm Brendlinger, Katie Edwards, Norm Feldman, Will Fraser, and Dennis Winters, Cheung helped form the largest core group of long-serving staff members the Council has ever seen – each of them having worked more than 10 years.

Cheung’s first project at the Council was leading the Clean Cars Campaign to persuade Pennsylvania to adopt more stringent vehicle emissions standards. He also provided assistance on a lawsuit involving the merger of then utility companies GPU and FirstEnergy. He would go on to serve as the Coordinator of the Philadelphia Clean Cities Program and later the Co-Coordinator of the Philadelphia Diesel Difference Program. Over the next ten years he assumed all adminis-

trative, human resource, and financial responsibilities and ultimately was promoted to Deputy Director of the Council in 2012. Because of his research for the 40th Anniversary presentation, Cheung became known as the unofficial historian for the Council.

In his free time, Cheung competes in road races, plays strategy games, and enjoys spending time with his friends and family, including his cat Ash. He went car-less in 2006, switched to 100% renewable electricity for his home in 2012, and became a vegetarian in 2013.

staying social @cleanaircouncil

OTHER COUNCIL PROGRAMS TO KEEP UP WITH ONLINE

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[/CLEANAIRCOUNCIL](#)

DIRTY ENERGY:
[/protectRchildren](#)

SUSTAINABLE
TRANSPORTATION
[@CleanerCommute](#)
[@FeetFirstPhilly](#)
[@GoPhillyGo](#)

EVENTS:
[/DineOutfortheEnvironment](#)
[/GreenFestPhilly](#)
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DIRTY ENERGY:
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Join us for this year’s Dine Out for the Environment

Thursday, October 12th marks the fourth annual Dine Out for the Environment; a restaurant-based fundraising event celebrating sustainable restaurants all around the region and Clean Air Council’s newest special event introduced in 2014. For the entire day, participating restaurants in the greater Philadelphia area are pledging to donate a percentage of their sales back to Clean Air Council to support our work on air quality issues.

Last year we had 37 restaurants across the Philadelphia region participating in the event. This year, to match our 50th anniversary, we hope to get 50 restaurants serving up their signature dishes and high-lighting their commitment to sustainability.

To be part of Dine Out for the Environment, simply enjoy food and drinks from any of the participating restaurants across the Philadelphia region on Thursday, October 12th. With more restaurants being added daily, visit www.DineOutfortheEnvironment.org to plan your day of dining and stay tuned to the Council’s social media for more information.

the Council

Executive Director and Chief Counsel
Joseph Otis Minott, Esq.

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SCAN / VISIT
www.cleanair.org

Joe’s Corner

I have been at the Clean Air Council since 1982. 35 years at the same organization is a long time. Yet I can not imagine working anywhere else. Being an environmental advocate in Pennsylvania is not for the faint of heart. Overall, Pennsylvania is a conservative state, and protecting public health and the environment are almost never legislative priorities. Indeed, in the last few years I have noticed a substantial increase in the Pennsylvania Legislature’s attempts to weaken or block environmental health protections. Furthermore, the agency that Pennsylvanians need to rely on to protect their health, welfare and quality of life, the Pennsylvania Department of Environmental Protection (DEP), --is so underfunded that its monitoring and enforcement is laughably poor. Too often, DEP succumbs to outside pressures and issues a permit that does not comply with environmental requirements. This situation is compounded by the fact that it is unlikely Pennsylvanians will get any real support from the Trump Administration’s EPA.

Pennsylvania is a state that has always welcomed extractive industries. The first oil well was drilled in Titus Pennsylvania in 1859. Similarly, coal is iconic in Pennsylvania with the first coal mine opening in 1775. Natural gas is but the latest fossil fuel to be welcomed with open arms by Pennsylvania’s political and business leaders, with seemingly little regard or care for its environmental and health impacts. 35 years ago, promoters of natural gas were seeking the support of environmental groups like the Council, arguing that natural gas was a bridge fuel that would help the state and the nation move away from coal to renewable

energy. That was truly a bridge to nowhere. Despite the fact that oil and coal have done irreparable harm to our health, water, air and land, little is being done to prevent the harm being caused by the expansion of natural gas infrastructure in the state.

Other nations and even many states have embraced the jobs as well as the environmental and economic benefits of investing in energy efficiency and renewable energy sources rather than slowing the transition with artificial “bridge” fuels like natural gas. They rightly understand that there is not conflict between jobs and the environment. But Pennsylvania has done little to move the state in that direction despite the efforts of the Council and our allies.

One cannot be an environmental advocate in Pennsylvania without being something of a dreamer. Right now my hopes for Pennsylvania lie with the Pennsylvania Supreme Court’s recent resuscitation of Pennsylvania’s Environmental Rights Amendment. Our state constitution states that “the people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment.” For over 40 years, state courts have deprived this constitutional right of meaning, by holding that agencies fulfill their obligations merely by complying with statutory law. Last month, the Supreme Court of Pennsylvania rejected this approach. The implication is that state courts must now provide a meaningful analysis of whether the state is meeting its constitutional requirements.

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

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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.