
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 224 Session of
2008

INTRODUCED BY VANCE, BRUBAKER, CORMAN, M. WHITE, MUSTO,
TOMLINSON, WONDERLING, SCARNATI, ARMSTRONG, BAKER, EARLL,
FERLO, GORDNER, PICCOLA, PUNT, RAFFERTY AND REGOLA,
JANUARY 28, 2008

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 28, 2008

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to study
2 the cost for wastewater treatment plants to comply with
3 Pennsylvania's Chesapeake Bay Tributary Strategy.

4 WHEREAS, The Chesapeake Bay is the nation's largest estuary,
5 with its watershed spanning 64,000 square miles, including parts
6 of six states and the District of Columbia; and

7 WHEREAS, The Environmental Protection Agency (EPA) has found,
8 through numerous studies of the Chesapeake Bay, that excess
9 nutrients from agricultural development, population growth and
10 discharges from wastewater treatment plants, along with
11 overharvesting, habitat loss and disease, have contributed to an
12 overall decline in the aquatic health and environmental quality
13 of the bay; and

14 WHEREAS, Portions of the Chesapeake Bay and its tidal rivers
15 are listed as impaired waters under the Federal Water Pollution
16 Control Act, and the EPA has the authority to set nutrient
17 discharge limits under a cleanup program known as a Total

1 Maximum Daily Load after 2010; and

2 WHEREAS, The environmental status of the Chesapeake Bay has
3 led the Chesapeake Bay Program, consisting of the states of
4 Maryland, Pennsylvania and Virginia, the District of Columbia,
5 the EPA and the Chesapeake Bay Commission, a tri-state
6 legislative commission representing the legislatures of
7 Maryland, Pennsylvania and Virginia, to adopt agreements to
8 restore the environmental integrity of the bay; and

9 WHEREAS, The Commonwealth is a signatory to the Chesapeake
10 2000 agreement that establishes a commitment to set nutrient and
11 sediment cap load allocations necessary to restore the water
12 quality of the bay and remove the bay from the list of impaired
13 waters; and

14 WHEREAS, The Department of Environmental Protection (DEP)
15 released "Pennsylvania's Chesapeake Bay Tributary Strategy" in
16 2005 that calls for the reductions of nitrogen, phosphorus and
17 sediment entering the Susquehanna and Potomac River basins and
18 eventually, the Chesapeake Bay; and

19 WHEREAS, The Tributary Strategy was further discussed and
20 refined throughout 2006 by work groups and a steering committee
21 advising the Secretary of Environmental Protection; and

22 WHEREAS, The DEP released in late 2006 a policy for nutrient
23 credit trading as well as revisions to the implementation of
24 nutrient discharge standards for wastewater treatment plants;
25 and

26 WHEREAS, The DEP has estimated the cost of wastewater
27 treatment plant compliance with the Tributary Strategy to be as
28 low as \$190 million, while municipalities and the municipal
29 authorities operating wastewater treatment plants estimate
30 compliance could cost \$1 billion or more; and

1 WHEREAS, A workable nutrient credit trading program could
2 provide wastewater treatment plants with an alternative to
3 physical upgrades; therefore be it

4 RESOLVED, That the Senate direct the Legislative Budget and
5 Finance Committee to estimate the costs that wastewater
6 treatment plants will incur to comply with the Chesapeake Bay
7 Tributary Strategy; and be it further

8 RESOLVED, That the Legislative Budget and Finance Committee
9 assess the methods by which wastewater treatment plants may
10 achieve compliance with Chesapeake Bay Tributary Strategy,
11 including the purchase of nutrient credits and physical
12 upgrades; and be it further

13 RESOLVED, That the Legislative Budget and Finance Committee
14 identify the financial resources that other states in the
15 Chesapeake Bay Watershed have committed to assist wastewater
16 treatment plants in achieving compliance with applicable
17 standards and the financial resources currently available to
18 wastewater treatment plants in this Commonwealth to meet
19 nutrient load limits under the Chesapeake Bay Tributary
20 Strategy; and be it further

21 RESOLVED, That the Legislative Budget and Finance Committee
22 report its findings and conclusions to the Senate within nine
23 months from the date of adoption.