



Alternative Energy Report

Despite Leaner, More Efficient Government, Fiscal Outlook is Worrisome

Despite a “leaner and more efficient government”, the state’s fiscal outlook continues to draw skepticism and promises of more difficult budget discussions to come, not only this year, but into the future.

The Governor and his staff this week said they would have to revisit their budget proposal, and look to refine it by as much as \$800 million in anticipation of dismal April tax collections.

Budget Secretary Charles Zogby said that a number of “headwinds” are in play, noting the underperforming state tax collections, federal tax impacts, Obamacare healthcare costs, and a generally weak economy. Pennsylvania has experienced three-straight months – through March - of under-performing tax collections and April’s tax revenues are reported to be \$477 million short. The Independent Fiscal Office is set to release its fiscal year 2014-15 revenue projections, and updated 2013-14 revenue collections data, Thursday afternoon.

Corbett had proposed a \$925 million spending increase in February, but that was assuming a revenue total of \$30.3 billion. Zogby said it’s up to the governor and the Legislature to come up with how to address the issue.

This week Governor Corbett and several of cabinet secretaries announced that the state had successfully saved nearly \$650 million from innovations and commonsense solutions over the past three years that Corbett has been in office. While this is a big chunk of change – the numbers for April undermine those benefits.

Corbett also addressed questions about recent news that Standard and Poor’s might downgrade the state’s credit rating. S&P cited the state’s pension issue, and how the government chooses to address it, is a major sticking point in determining the state’s rating.

“We’re always concerned with our credit rating and we will continue to try and work to get our credit rating where it needs to be,” the governor said. “I will say that we know, and I know, pension reform can be important, very helpful in the credit rating, so I’ve had discussions again about pension reform with the legislature.”

While it has been well known for years that the state's pension system was in desperate need of reform, the administration and General Assembly appear to be far apart on a viable and lasting solution.

Senate Republicans Seek Different Rules for Conventional, Non-Conventional Wells

Conventional and unconventional oil and gas wells are currently treated the same under state law, despite their considerable differences. However, the recently enacted Marcellus Shale legislation (Act 13 of 2012) "created new and vigorous standards for unconventional gas well which are largely not applicable to conventional oil and gas wells."

For this reason, Sen. Joe Scarnati (R-Jefferson) has circulated a co-sponsorship memo to colleagues announcing his intent to introduce legislation that would direct the Environmental Quality Board to adopt separate regulations for conventional and unconventional drilling in the future.

Whereas both types can be "fracked", the cosponsor memo stress that the legislation "would not relieve the conventional oil and gas industry from any existing or future health or safety regulations which may be appropriate or necessary. Rather, it would ensure that both industries continue to be held to the highest standards while not burdening the small shallow well drillers with regulatory requirements which are neither feasible nor affordable for their industry."

PA Energy Development Authority to Accept Applications for Project Funding

During the PA Energy Development Authority's (PEDA) April board meeting, the entity discussed opening a grant application period, possibly starting this June. That would mark the first time PEDA has accepted applications for project funding since 2010, with the last award being made in 2011.

An estimated \$12.5 million remains in the fund, pulling from the Energy Development Fund and Growing Greener funds earmarked for energy projects that would result in watershed benefits.

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Historically, PEDA funds are available to a variety of private businesses, as well as municipalities, schools or universities, and non-profit corporations that have planned alternative energy projects which deploy: solar, wind, low-impact hydropower, geothermal, biologically derived methane gas including landfill gas, biomass, fuel cells, coal-mine methane, waste coal, integrated gasification combined cycle, demand management measures including recycled energy, energy recovery, combined heat and power, energy efficiency, and load management/building controls.

Eligible project types typically include manufacturing of alternative energy or energy efficiency equipment or materials, the development of new energy and energy efficiency technologies, generation and use of alternative energy for the production of alternative fuels, and the implementation of energy efficiency or demand side projects.

The funding timeline and parameters have not yet been announced, PEDA generally has a 60-day window for application submissions. ERG will keep you updated as more information becomes available.

Natural Gas Industry Concerned about Efforts to Increase Taxes, Overhaul Regulations

Representatives of the oil and gas industry held a press conference in Harrisburg this week to discuss bipartisan discussions in the General Assembly to enact a severance tax on natural gas production in an effort to plug leaks in the state budget. Beyond select legislators, all four Democratic candidates for Governor are also suggesting a severance tax to help fund schools and other state necessities, with State Treasurer McCord doubling down proposing a 10% tax.

The industry said it feels it is paying its fair share and the additional taxes or fees would have a severe impact. The Associated Petroleum Industries of PA said that natural gas drilling and production companies have already paid \$2.1 billion in state and local taxes since 2007 and another \$630 million in Act 13 drilling impact fees since 2013.

There is a question of how much longer and at what rate drilling will continue in Pennsylvania. Louis D. D'Amico, President & Executive Director of the PA Independent Oil and Gas Association, said that the number of drilling rigs now in Pennsylvania has been reduced significantly, from 111 in 2011 to just 56. Gas companies are moving rigs west to Ohio where there is a better tax structure and the potential to produce oil and other valuable liquids, he said.

The Supreme Court's ruling on Act 13 of 2012 leaves many holes to be filled, and one of many pieces of legislation introduced to date is Senate Bill 1359, sponsored by Sen. Jim Ferlo (D-Allegheny). Ferlo's bill would overhaul key requirements of the statute which regulates oil and gas drilling under Act 13. The proposal would include imposing a Marcellus Shale severance tax, strengthening environmental and health protections, protecting the restoration of local zoning powers, and a two year moratorium on additional leasing of state forests for drilling.

"Act 13 of 2012 has numerous shortcomings, some of which have recently been successfully challenged in court, and my bill hopes to right some of these wrongs," Ferlo said. "The current law fails to protect public health and safety, falls short on covering the actual costs of drilling, and undervalues the natural gas the Commonwealth can produce; all issues that my bill addresses."

Ferlo went on to explain that his legislation would "bring in \$775 million in badly needed revenue, estimated based on the Commonwealth's natural gas production numbers from last year."

Coal Caucus Touts Viability of Coal

The House and Senate Coal Caucus and industry leaders held a press conference to highlight a new study showing coal to be a vital source of energy and jobs in Pennsylvania.

According to the report, which was conducted by the Pennsylvania Economy League and was commissioned by the Pennsylvania Coal Alliance, the coal industry supports more than 36,000 jobs across all sectors of the

state's economy and contributes more than \$4 billion per year to the state's economy.

The report was commissioned at a time when the federal government is proposing stricter emission standards for new and existing coal-fired power plants that would force the shutdown many of the country's 600 plants.

"The economic impact of the coal industry in Pennsylvania reaches far beyond the industry itself by generating jobs across all sectors of the economy," said alliance CEO John Pippy. "It's important for residents and legislators to be made aware these effects, especially in the midst of pressure to eliminate coal from our nation's energy mix."

Pippy noted that the coal alliance has been pushing for a collaborative solution, similar to that employed by federal regulators in working with the auto industry to tighten federal mileage standards, thus saving the U.S. auto industry.

Related News: Corbett: Coal is working

States and the energy industry should work together to improve carbon-capturing technology to save coal-burning power plants and coal-related jobs threatened by federal clean air regulations, Gov. Tom Corbett said on Tuesday.

Speaking at a coal industry conference at Nemaquin Woodlands Resort in Fayette County, the Shaler Republican joined a chorus of voices complaining that environmental regulations will push coal out as an electricity source.

"If you take one energy source out of the mix, you just know the cost of electricity will go up," Corbett told about 100 people at the Nemaquin Energy Institute gathering.

He later announced he would work with Wyoming Gov. Matthew H. Mead and other coal-producing states on research and eventually build a joint testing center for affordable emission-control technology. [More...](#)

Former Democratic Chair of Senate Environmental Committee Mourned

ERG sends its condolences to the family of former Senator Raphael Musto of Luzerne County who passed away April 24 at his home in Pittston. Musto was a long-time Democratic Chair of the Senate Environmental Resources & Energy Committee. Musto was a consistent voice for environmental issues in Harrisburg, and had been involved in the passage of major environmental initiative for the past 30 years, including Growing Greener, Chesapeake Bay agreements, several recycling programs, water and wastewater infrastructure improvements, water resources, hazardous sites cleanup, and the Key '93 program.

Senate President Pro Tempore Joe Scarnati (R-Jefferson) and Senate Majority Leader Dominic Pileggi (R-Delaware) issued this joint statement: "Ray Musto will be remembered as a humble, compassionate and hardworking man who represented northeast Pennsylvania with a genuine desire to help his constituents and the communities they live and work in. During his time in the Senate, Ray was a strong advocate for countless environmental issues and worked effectively with members on both sides of the aisle."

The Luzerne County legislator was first elected to the House in 1971. He was elected to Congress in 1980 and elected to the State Senate in 1982 where he served until his retirement in 2010. Musto was a Korean War veteran, a graduate of King's College in Wilkes-Barre, and holder of Doctorate of Letters degrees from Kings and Wilkes Colleges. Musto has received many awards and honors for his work in the Senate.

Lancaster County Residents Criticize Pipeline Proposal

A proposal to build a natural gas pipeline through Lancaster County is angering many residents. It was standing room only as concerned residents packed a public meeting Wednesday between the Lancaster County Commissioners and the pipeline company, Oklahoma-based Williams Partners.

Williams is seeking to transport natural gas from Pennsylvania's Marcellus Shale to markets along the Eastern Seaboard as part of its \$3 billion Atlantic Sunrise expansion project. There are currently no plans for the

gas to be used within Lancaster County. [More...](#)

U.S. Green Building Council Offers Real-Time Data

According to a new real-time data website created by the U.S. Green Building Council, Pennsylvania has enough square feet of LEED-certified properties to fill 78 Empire State buildings.

The Green Building Council, a the third-party organization responsible for registering and certifying LEED projects, issues market briefs that highlight LEED projects, LEED-credentialed professionals and USGBC membership in each state, which provide a look into LEED's impact within any state.

"Our state-level market briefs demonstrate USGBC's commitment to data and information transparency at an important level of granularity. You can't find this data anywhere else in the market," Mahesh Ramanujam, chief operating officer for USGBC, said in a news release.

"The choice to build green buildings is simple. These state-level data visualizations make it even simpler."

The details on Pennsylvania show how green-building construction has ramped up over the past 10 years. For example, nine projects were LEED certified in the state in 2004, taking the total number in the state since the program started in 1994 to 14. So far this year, 29 projects have been certified, bringing the total to 747.

PUC to Hold Hearing on Combined Heat and Power Technology

The Pennsylvania Public Utility Commission (PUC) will hold an en banc hearing on the use of combined heat and power (CHP) next week in Philadelphia. The purpose of the hearing is to explore current issues and discuss regulatory policies impacting greater adoption of CHP in the Commonwealth. The hearing will feature discussions by CHP experts, project developers, technology vendors and representatives from Philadelphia Gas Works and PECO Energy Company.

"CHP, despite having been used in the U.S. in some form for more than 100 years, is still underutilized," said Chairman Powelson. "With an abundance of natural gas flowing from the Marcellus Shale, examining the role

Pennsylvania CHP systems play in powering our businesses makes real economic sense.”

CHP is an efficient approach to generating electric power and thermal energy from a single fuel source, providing cost-effective energy services to commercial businesses like hotels, universities and hospitals. In addition to benefits like improving manufacturing competitiveness and reducing greenhouse gas emissions, CHP benefits businesses by reducing energy costs and enhancing energy reliability for the user.

Currently, CHP systems generate just 7.2 percent of Pennsylvania’s total electricity, amounting to 2,638 megawatts (MW). The technical potential for additional CHP systems in the Commonwealth, primarily in existing industrial and commercial facilities, is close to 11,000 MW. Click here to view the [full agenda](#).

DEP Accepting Applications for 2013 Pennsylvania State Clean Diesel Grants

The Department of Environmental Protection (DEP) is now accepting applications for the State Clean Diesel Grant Program. School districts, municipal authorities, political subdivisions, state agencies, nonprofit entities, corporations, and limited liability companies or partnerships incorporated or registered in Pennsylvania that operate diesel fleets are eligible to apply.

The clean diesel program’s goal is to improve air quality by decreasing emissions from diesel-powered motor vehicles. The program supports projects that re-power or retrofit fleet vehicles to curb emissions; purchase and install idle-reduction technology; or purchase clean alternative-fuel fleet vehicles.

Since the program’s inception in 2008, DEP has awarded more than \$1.9 million in grants. The grant program is funded through an annual allocation from the U.S. Environmental Protection Agency’s State Clean Diesel Program. Applications will be accepted through June 10. To apply for a grant or for more information, visit www.dep.state.pa.us, keyword “Clean Diesel.”

Related News: Global diesel engine sales forecast to rise 7.7 percent a year

Global diesel engine sales are forecast to rise 7.7 percent per year through 2017 to \$248.5 billion, representing a marked acceleration from the 2007-'12 pace. Higher production of medium and heavy trucks and buses and of off-highway machinery will combine with a rebound in light vehicle output in western Europe and the growing popularity of diesel cars in a number of nations, most notably the U.S. and India, to generate increased engine demand. These and other trends are presented in "World Diesel Engines," a new study from The Freedonia Group Inc., a Cleveland, Ohio-based market research firm. [More...](#)

Federal News

Congress to take up Energy Efficiency, Tax Credits?

Congress returned to Washington this week for a lengthy session that promised Senate action on energy efficiency legislation and renewable energy tax credits as well as appropriations and water infrastructure legislation.

ERG was told that action may heat up early next week in the Senate, with both minimum wage legislation and then the bipartisan energy bill sponsored by Sens. Jeanne Shaheen (D-NH) and Rob Portman (R-OH).

Negotiations continue over how to bring that bill to the floor, including what amendments could be offered, but Republicans are expected to use the opportunity to push for controversial votes on the Keystone XL pipeline and other contentious issues, which might present problems for the entire bill.

Senate Majority Leader Harry Reid (D-NV) has said he wants to pass a "tax extenders" bill to renew dozens of expired tax breaks, including the renewable electricity production tax credit (PTC) and several other energy-related incentives. Enacting such a bill is a top priority for Reid and new Finance Chairman Ron Wyden (D-OR), who has said these incentives should be extended one last time - but then be part of a comprehensive tax reform package.

Wyden's bill would extend most of the 50 or so extenders for two years, but in the House, Republicans are looking at identifying a much smaller number to make

permanent, such as the research and development tax credit. House Ways and Means Chairman Dave Camp (R-MI) has proposed eliminating the PTC, and it has encountered much more resistance this year than previous times it was extended, despite still enjoying some bipartisan support.

More than two dozen organizations, including Americans for Prosperity and the American Energy Alliance, sent Camp a letter last week urging him not to extend the credit. Meanwhile, House Majority Leader Eric Cantor (R-VA) last week said a vote on a permanent R&D tax credit could be expected next month.

According to an April 2 Gallup poll, more than 64 percent of Americans favor clean energy over oil, gas and coal. Almost 60 percent believe our country should emphasize conservation to help meet our energy needs. Nearly 70 percent favor spending more government money on developing solar and wind power. Americans want to break our addiction to fossil fuels by investing in the clean technologies of today and tomorrow. Congress, however, continues to hold to decades old subsidies for oil and gas, without leveling the playing field with similar incentives for renewables or alternative energy production sources.

Cantor's memo touted bills that passed the House earlier this year such as a propane transportation bill and a measure requiring regulatory agencies to consider job impacts when writing rules.

The House plans to begin moving appropriations bills this month, the earliest start in 40 years. Bills to fund military construction/veterans affairs and the legislative branch will be among the first considered, but spending bills for energy, environmental and Interior agencies aren't expected until after Memorial Day.

Court Upholds EPA Emission Standards

In a 6-2 decision, the Supreme Court on Tuesday upheld a rule that allows the Environmental Protection Agency (EPA) to regulate air pollution from power plants that crosses state lines. This is seen as a major victory for the Obama administration, which has placed a major focus on reducing greenhouse gases.

"Today's Supreme Court decision is a resounding victory for public health and a key component of EPA's efforts to make sure all Americans have clean air to breathe," EPA chief Gina McCarthy said on Tuesday.

The ruling may embolden the administration to continue without hesitancy on its other rules which seek to limit carbon emissions from new and existing coal-fired power plants. Many Republicans remain at odds with the administration, claiming that increased regulation of coal power plants will drive up energy costs and threaten electric reliability.

Ultimately the rule will require requires 28 states in the East, Midwest, and South to cut back on sulfur and nitrogen emissions from coal-fired power plants that "contribute significantly" to air problems in other states.

Under the Clean Air Act, the Good Neighbor provision gives the EPA the authority to regulate interstate pollution that interferes with the country's ability to maintain or achieve national air quality standards, which protect public health.

House Panel OKs Bill to Speed up Gas Exports

The House Energy and Commerce Committee passed a bill Wednesday that would speed up exports of liquefied natural gas. The committee advanced the bill proposed by Rep. Cory Gardner (R-Colo.) in a 33-18 vote, but with significant changes made after a bipartisan agreement was reached Tuesday.

Lawmakers have been clamoring for action on gas exports in response to the conflict in Ukraine, which has brought into sharp relief the dependence of Eastern European countries on Russia for natural gas. The United States, which is experiencing a boom in gas production, could help break that dependency with exports. [More...](#)

Senate Environmental Resources Chair Vows the Push Binding KXL Vote

Senate Energy and Natural Resources Chairwoman Mary Landrieu (D-LA), finding the Keystone pipeline to be of "our national interest and vital to position North

American as an energy powerhouse, intends to “press hard for a vote in the coming weeks to build this pipeline.” Landrieu has been working with Republican Senators, including North Dakota legislator John Hoeven to secure a vote. Senate Majority Leader Harry Reid and other Democratic leaders are considering allowing a vote on the issue.

NRC Accepts Petition to Block Licensing Temporarily

Politico.com: The NRC has agreed to accept a rulemaking petition from several environmental groups who want to block the agency's reactor licensing activities until regulators factor in the environmental impacts of highly packed spent fuel pools. The request to open a rulemaking was accepted, according to a notice in today's [Federal Register](#), but because Diane Curran and the 34 environmental groups she represents have met the NRC's criteria for bringing such measures, the agency said it would address the request to holdup licensing in a separate decision. The groups have argued that the NRC's post-Fukushima activities have yielded "new and significant information" on spent fuel pools that meets the standard necessary to trigger NEPA. Final licensing decisions are already on hold while the NRC attempts to address a 2012 federal court decision that vacated the agency's Waste Confidence rules.

U.S. Continues to Grow Wind Sector

The U.S. added 214 megawatts of wind power in the first quarter, according to the American Wind Energy Association. That's a big increase from the same period in 2013, when just one wind turbine went up in the wake of market uncertainty over the production tax credit, but is still a significant drop-off from previous years' performance. The industry has a record amount of new capacity under construction, more than 13,000 megawatts - but with the PTC once again having expired and an unclear fate for a tax extenders package on the Hill, the industry is relying on "safe harbor" provisions for those projects to qualify for the PTC. That means few to no new projects entering the far end of the pipeline at the moment, and thus, if the PTC remains expired, another drop-off once those projects are online.

DOE Report Finds Major Potential to Grow Clean, Sustainable U.S. Hydropower

The Energy Department and its Oak Ridge National Laboratory released a renewable energy resource assessment detailing the potential to develop new electric power generation in waterways across the United States. The report estimates over 65 gigawatts (GW) of potential new hydropower development across more than three million U.S. rivers and streams – nearly equivalent to the current U.S. hydropower capacity. These findings demonstrate one of the ways the United States can further diversify its energy portfolio with sustainable and clean domestic power generation.

Hydropower makes up seven percent of total U.S. electricity generation and continues to be the United States' largest source of renewable electricity, avoiding over 200 million metric tons of carbon emissions each year. Hydropower also provides reliable baseload power day and night – providing greater flexibility and diversity to the electric grid and allowing utilities to integrate other renewable sources such as wind and solar power.

The New Stream-reach Development Assessment capitalizes on recent advancements in geospatial datasets and represents the most detailed evaluation of U.S. hydropower potential at undeveloped streams and rivers to date. The greatest hydropower potential was found in western U.S. states, including Alaska, California, Colorado, Idaho, Montana, Oregon and Washington. Kansas, Missouri, ***Pennsylvania*** and Wyoming led the rest of the country in new stream-reach hydropower potential. Find the [full stream-reach resource assessment as well as additional maps and data on new hydropower potential](#).

USDA Awards Research Grants to Address the Impact of Climate Change on U.S. Agriculture Production

USDA's National Institute of Food and Agriculture (NIFA) has awarded \$6 million to 10 universities, including the Pennsylvania State University, to study the effects of climate on agriculture production and develop strategies to provide farmers and ranchers with the solutions they need to supply the nation with quality food.

"With longer growing seasons and an increased number of extreme weather events, climate-related changes are increasingly posing new challenges and risks for

America's producers," said USDA Secretary Vilsack. "Every day, farmers and ranchers see the impact that changes in climate patterns have on their operations, and they are contending with drought, floods or extreme temperatures. The discoveries these grants will lead to will be invaluable for American farmers whose livelihoods directly depend on the nation's land and water resources."

Pennsylvania State University was awarded \$750,000 to strengthen farm operators' capacity to manage cropping system's adaptation to climate change by providing real time online decision making tools.

NIFA made the awards through its Agriculture and Food Research Initiative (AFRI) funding opportunity in the Climate Variability and Change challenge area. NIFA's climate work is focused on reducing greenhouse gas emissions and increasing carbon sequestration in agricultural and forest production systems and preparing the nation's agriculture and forests to adapt to changing climates.

Distributed Generation Offers Wide Economic, Environmental Benefits

By 25x25, April 24, 2014

It should come as no surprise that those who would protect their fossil-fuel-based energy interests at any cost have spread their attacks to target not only the Renewable Portfolio Standards (RPS, or renewable energy standards) established in nearly 30 states, but also the policies adopted by more than 40 states promoting distributed electricity generation.

Distributed generation is that electricity produced by users themselves, be it from solar panels or small wind turbines they install on and around their homes or from anaerobic digesters installed on their farms. This small-scale approach has served a critical role in the acceleration of renewable energy development and contributes to the share of clean, sustainable energy required under a state's RPS.

What has come under attack in many states is the practice of utilities paying homeowners for the excess energy they produce that goes back into the grid. Utilities

claim these people are “freeloading” by not contributing to what the utility has to pay to maintain the transmission facilities that serve all of its customers. [More...](#)

Documents Contradict EPA on Climate Rule Delay

Newly released documents are fueling GOP questions about whether EPA put politics ahead of policy by publishing a controversial climate rule so late that it will allow red-state Senate Democrats to dodge a difficult vote.

The records also contradict the congressional testimony of EPA Administrator Gina McCarthy, who told senators early this year that her agency had submitted the rule to the Federal Register “as soon as that proposal was released.”

But in fact, EPA didn’t submit the rule to the Federal Register until Nov. 25, more than two months after the agency released it to the public. And the Federal Register didn’t publish it until Jan. 8. [More...](#)

Forest Service Opens Wood-to-Energy Funding Opportunities

The U.S. Forest Service has announced it is seeking proposals for two separate wood-to-energy funding opportunities, including the Hazardous Fuels Wood-to-Energy (W2E) Grant program and the Statewide Wood Energy Team cooperative agreement program. According to the Forest Service, both funding programs promote use of wood biomass from National Forest System lands and place more emphasis this year on encouraging clustering of projects that improve efficiencies and economies of scale.

Information released by the USDA indicates the Forest Service is expected to provide approximately \$2.8 million through the W2E grant program to help successful applications complete the engineering design work needed to apply for public or private loans for construction and long-term financing of wood energy facilities. An additional \$1.7 million is expected to be made available under the SWET cooperating agreement program inviting public-private teams to seek funding to advance wood energy. Activities may include workshops that provide technical, financial and environmental

information, preliminary engineering assessments, and community outreach needed to support development of wood energy projects.

The Forest Service has also launched a new Wood Energy Financial App for use by community and business leaders seeking to replace fossil fuel with wood energy. The tool allows users to do a simple and quick analysis to see if wood energy is a viable alternative for their community or small business. It can be accessed via the internet or an eBook. The App and eBook were developed through a partnership with Dennis Becker, associate professor, and Steve Taft, extension economist, at the University of Minnesota; Eini Lowell, wood technology specialist at the Pacific Northwest Research Station; Dan Bihn, engineer at Bihn Systems; and Roy Anderson, senior consultant at The Beck Group.

Applications for the SWET cooperative agreement are due May 20. The application deadline for the W2E grant program is June 3. An informational webinars for each program will be held on May 1. Additional information on the funding opportunities is available on the [Federal Register website](#).

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ERG Partners
223 State Street, Harrisburg PA 17101
[\(717\) 233-8606](tel:7172338606) | info@pa-erg.com |
www.pa-erg.com
