

Citizens Advisory Council

July 17th, 2012

Room 105, Rachel Carson State Office Building, Harrisburg, PA

Members in Attendance:

Cynthia Carrow	Richard Manfredi
Gail Conner	Nancy Perkins
Walter Heine	Thaddeus Stevens
Janet Keim	Burt Waite

Call Meeting to Order - Vice-Chairman Burt Waite called the meeting to order at 10 am. He noted that letters were sent to the Senate (there are two vacancies to be appointed) and House (there is one vacancy to be appointed) to remind them of reappointments needed for the Council.

Chair's Report -Due to the lack of quorum, Council did not take action on the May minutes, and delayed the elections for Chair and Vice Chair until the September meeting.

Public Comment - Burt Waite opened the floor for public comment. There were no public comments.

Water/Wastewater Infrastructure Background -Veronica Kasi, DEP Program Manager with the Bureau of Point and NonPoint Source Management, presented information on the draft Water and Waste Water Infrastructure legislation and provided details on the DEP program design. She gave an overview and discussed implementation of asset management.

Water and Waste Water Infrastructure CAC Draft Position Paper - Burt Waite noted that a draft position paper had been distributed to Council members. It was prepared based on prior positions and generally supports the concept of sustainable infrastructure. He asked members to review and indicated it would be discussed further at future meetings. Gail Conner encouraged Council to be open to considering all Commonwealth assets and not to rely on rate payers alone. Janet Keim asked Council to focus on how this draft legislation can be crafted to truly provide sustainable infrastructure. Richard Manfredi clarified that this document is a first draft for the Council's discussion.

Infectious and Chemotherapeutic Waste Proposed Revisions within the Municipal and Residual Waste Regulations- Ali Tarquino Morris, DEP Environmental Group Manager (Bureau of Waste Management) reviewed revisions previously discussed with the Solid Waste Advisory Committee and currently in the review approval process to go to EQB. She explained two major changes proposed- a global change of the term “Infectious” Waste to “Regulated Medical” Waste to better describe this type of waste and to reflect the term used in federal regulations. The second proposed revision would allow for the use of standard business forms/practices to track the waste, including databases, and company forms rather than the current requirement for paper manifests that must be handwritten or typed. In response to a question from Council, she noted that the proposed regulations would impact only currently regulated entities and that the DEP regional program has seen the proposed revisions and will receive training once it is final.

Department Report – Special Deputy for External Affairs, Alisa Harris gave the Council the Department Report. She announced that Marcus Kohl is the new Regional Director in the Northcentral Region, Cosmo Servidio is now officially the Regional Director for the Southeast Region, Jim Wentzel is the Acting Assistant Regional Director in Southeast, Lynn Langer is the new Regional Director for Southcentral, Eric Cavazza is the new Bureau Director for Bureau of Abandoned Mine Reclamation, and Hayley Book is the Acting Director for the Program Integration Office. She noted that Nora Carreras has accepted a position outside the Department. She thanked Council for their comments on the Act 54 report and noted that the department is developing a response. Ms. Harris also discussed the Departments review of the permitting process and that she would have more details at the next meeting.

Dan Lapato, Deputy Director for External Affairs joined the meeting and confirmed that the State Budget was passed with 8.7 % reduction from last year. He noted that the Alternate Fuels Incentive Grant (AFIG) program will be funded for this year. Mr. Lapato also covered the Act 13 implementation update, policies and regulations.

Ms. Harris provided an introduction to the Council about the Spark! Program and explained that it encourages DEP employees to offer program improvement ideas and recommendations. She also discussed the DEP@Home Webex series.

Gail Conner announced that she will be teaching six courses on Marcellus Shale focusing on property law and invited Ms. Harris to attend the courses.

Thad Stevens asked about the recent gas well blowout in Union Township, Tioga County. Ms. Harris indicated that the situation is under control, but because it is with legal counsel she

cannot get into specifics. When she is able to provide more information, she indicated that she would do so.

Council member Walter Heine asked about the ongoing Susquehanna River water quality discussion and the Department's strategy. Ms. Harris said the department is having ongoing conversations with the Fish & Boat Commission and hopes to be in a position to discuss the path forward at the September Council meeting.

CAC Director's Report - Marjorie Hughes offered Council copies of the six- month regulatory agenda with includes all state agencies. She noted that Mr. Michael Jacoby who spoke to Council in April about site location inaccuracies in the EPA FSR locational information database has met with the department multiple times and all participants agreed that the responsibility for accurate locational data rests with the local officials. Ms. Hughes reported that she has been contacted by a person who testified to Council in 1999. They have indicated that the issues they identified still remain. She has contacted the program and has requested information on actions that have been taken.

Because Marge was serving as a judge at the Cannon Envirothon, Sue Wilson represented Council at the DCNR Citizens Advisory Council July meeting and provided information on the DEP CAC's comments on Act 54.

Marge listed for the members the upcoming council and board meeting dates.

2011 CAC Draft Annual Report – A draft report was distributed to Council members on July 6th and Council members were asked to send comments or edits by e-mail.

Pennsylvania's Watershed Implementation Plan (WIP) -Andy Zemba, Director of DEP Interstate Waters Offices, provided some history and an overview of the WIP along with EPA's review. Council asked about the WIPs for the other Bay states & Andy offered that they were all keeping pace with PA, but New York is not as active. Walter Heine expressed concern that some small municipalities may need to upgrade their systems unnecessarily and asked if there was national oversight of the Bay program. Pat Buckley, Interstate Waters Office, explained the reviews done by the Scientific Review Committee model evaluation, the National Academy of Sciences, Government Accounting Office analysis and the Chesapeake Bay Foundation. In response to a question, Mr. Zemba noted that there has been some improvement in the Bay "dead zones".

Lee Ann Murray, Chesapeake Bay Foundation (CBF) Attorney, explained the structure and programs of the Foundation including their work with local partners and the Foundation's involvement with the WIP. She noted that it was helpful that DEP developed county target numbers. Ms. Murray discussed the letter CBF wrote to EPA to have the Susquehanna listed as impaired. She emphasized it is important to have the river listed for access to increased funding.

Committee Reports

No EQB meeting took place in August.

For the MRAB update, Burt Waite reviewed the meeting topics and the value of the field trip.

Adjourn

The meeting was adjourned at 2:30.