

**MINUTES
CITIZENS ADVISORY COUNCIL MEETING
March 21, 2017**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Cynthia Carrow, Allegheny County
William Fink, Bedford County
Walter Heine, Cumberland County
John Hines, Lebanon County
Jim Sandoe, Lancaster County
John St. Clair, Indiana County
Thaddeus Stevens, Tioga County
John Walliser, Allegheny County
Donald Welsh, Chester County
Tim Weston, Cumberland County

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS VIA WEBEX:

Mark Caskey, Washington County
Terry Dayton, Greene County

CITIZENS ADVISORY COUNCIL STAFF PRESENT:

Katherine Hetherington Cunfer, Acting Executive Director

CALL TO ORDER:

Chairman Fink called the meeting to order at 10:00 a.m. in the Delaware Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum. The meeting was also broadcast via Webex for the public.

CAC NEWEST MEMBER:

John St. Clair briefly introduced himself. John is from Indiana County, Brush Valley Township. He has a lot of history in mining and has a degree in environmental geology. John worked on a dairy farm for many years and put himself through college working on the farm. He has lived in the same area, same township, all his life.

APPROVAL OF FEBRUARY 21, 2017 MEETING MINUTES:

Chairman Fink requested any additions or corrections to the February 21, 2017 Council meeting Minutes. Hearing none, Chairman Fink asked for a motion to adopt the Minutes.

**Cynthia Carrow moved to approve the February 21, 2017 meeting Minutes.
Jim Sandoe seconded the motion, which was unanimously approved.**

EQB VACANCY:

With the resignation of Burt Waite, Chairman Bill Fink solicited the names of members who would be interested in serving on the EQB. Jim Welty previously expressed interest in serving, but has now indicated that he will continue to serve as an alternate. Walter Heine and Jim Sandoe both previously expressed interest in serving on the EQB. Chairman Fink requested a motion to close the nominations.

Tim Weston moved to close the nominations, which was seconded by John Hines.

Chairman Fink requested that Council members vote on paper. The votes were tallied, and Walter Heine was selected as Burt Waite's replacement on the EQB. Jim Sandoe will continue as an alternate.

Chairman Fink requested a motion to approve the appointment of Walter Heine as a member to the EQB, with Jim Welty and Jim Sandoe as alternates.

Thad Stevens moved to approve the appointment of Walter Heine as a member of the EQB. Joi Spraggins seconded the motion, which was unanimously approved.

DEP REPORT:

Acting Secretary McConnell provided the following updates:

Budget Preparations and Hearings

The Department's budget hearings with the House of Representatives and the Senate were held on February 27 and March 9. There was a lot of focus on DEP's resources, particularly around drinking water, fee packages, stormwater requirements, methane permits, nutrient reductions in the Chesapeake Bay, and abandoned mine reclamation projects.

Proposed Federal Budget Cuts

The President's proposed FY18 budget includes a 31% reduction for the EPA, including a 1/5 staffing reduction, a 42% cut to the EPA's Office of Research and Development, and a 44% cut to State Categorical Grants.

Some of the largest proposed cuts eliminate project grants to clean up Superfund sites, a national electronic manifest system for hazardous waste, environmental justice programs, an Energy Star energy efficiency program, and climate change initiatives. The cuts include complete elimination of Chesapeake Bay funding and complete elimination of the Great Lakes restoration funding. Acting Secretary McDonnell sent a letter to the Administrator expressing disappointment.

Methane General Permit GP-5/5A

The Department is accepting comments on the Proposed General Operating Permit GP-5/5A. The comment period was extended to run for 120 days, ending on June 5. There has been good discussion on everything from regulatory authority to the movement of permits. The Department will respond to the comments as they are received.

Pennsylvania's Solar Future Kick-Off Event

On March 2, DEP's Office of Pollution Prevention and Energy Assistance, with the U.S. Department of Energy and the Citizens for Pennsylvania's Future, hosted a Stakeholder Kickoff meeting to begin a 30-month collaborative process for Pennsylvania's Solar Future. The goal of the planning and modeling is to reach 20 times increase in solar deployment in Pennsylvania by

2030. Over 100 stakeholders from across the state attended the event. Attendees received information about the technical assistance and analysis which will be provided throughout the project. Project participants were asked to serve on three individual workgroups that will meet regularly throughout 2017 and 2018 to help shape the PASF Plan.

Environmental Justice Listening Sessions

A series of Environmental Justice Listening Sessions will run from April 12 through May 9. Nine sessions will be held across the state to engage communities with respect to the issue of environmental justice, which concerns are most pressing to the communities, whether the environmental justice definition is sufficient, and what type of resources the communities need. Additional information will be available on DEP's Office of Environmental Justice webpage.

Great American Cleanup of PA

The Great American Cleanup of PA began on March 1 and will run through May 31. Last year 158,000 volunteers cleaned up 5 million pounds of trash. As part of the event, DEP will be sponsoring 'Let's Pick It Up PA' every day from April 18 through May 8. Those interested in registering or joining an event should visit gaofpa.org.

SAFE DRINKING WATER UPDATE:

Lisa Daniels, Director of the Safe Drinking Water program, discussed the fee package and where it is in the process.

The Drinking Water program is a large program with plus or minus 8,500 public water systems. That number places Pennsylvania fourth in the nation in terms of workload. The breakdown is:

- 2,000 community water systems (serving residential communities)
- 1,000 non-transient, non-community water systems (businesses, schools, daycare centers, the type of facilities that are generally open Monday-Friday)
- 5,400 transient facilities (restaurants, gas stations)
- 180 BVRB (Bottled, Vended, Retail, and Bulk)

Pennsylvania has been tracking its performance in the Drinking Water program for some time. Since about 2012 detailed assessments have been done of how many inspections are being performed, the rate of returning violations to compliance, and how long it takes to do that. There has been a steady decline in performance, which is directly related to the Department's steady decline in staffing levels. A workload analysis done in 2007 showed that the best number of water systems would be around 100, but no more than 125, per sanitarian. As the workload continues to increase, the Department is now at approximately 158 systems per sanitarian. The EPA is very concerned about the workload of the Department's inspectors and very interested in hearing what the Department is going to do about the issue. Departmental staff have been told that the Department cannot sacrifice quality for quantity. Fewer inspections are being done because of the unwillingness to give up on quality. The Department is prioritizing the highest risk sites, those that have had past compliance issues, and those that serve sensitive populations. There is a lot at risk in the Safe Drinking Water program.

The Department received a letter from the EPA in December. A response went out on February 24, 2017. The response stated that the Department has been working on a fee package since early 2016, which is necessary to fill a funding gap of \$7.5 million. The letter stated what the Department hopes to do if the fee package is promulgated as a final rulemaking and how the monies will be used to improve performance. An additional 33 positions were included in the fee package. The number must be flexible because there is absolutely no guarantee that the Department will not continue to lose positions between now and when the fee package is final. There are currently about seven vacancies. With the complement reduction, the Department must continue to track what happens with vacancies.

The best possibility is getting the final rulemaking out the door and published in April of 2018. The Department fully expects that the water systems will pass the costs along to their consumers as a user fee. The estimates are that about 87% of the revenue will come from community water systems and the remainder will come from non-communities and the BVRBs.

PA IN THE BALANCE:

Matt Royer, Director of Penn State's Agriculture and Environment Center, talked about the conference, *Pennsylvania in the Balance*, which was held in March of 2016 between the College of Agricultural Sciences and other partners. Over 120 diverse stakeholders attended the event, which provided a collaborative forum where motivated leaders in agriculture and the environment identified new, innovative solutions that can help to ensure vibrant, productive agriculture while meeting water quality goals for Pennsylvania's rivers and streams and the Chesapeake Bay. At the end of the conference, clear themes and initial recommendations emerged which, if seized upon, can form the basis of a new consensus based, collaborative strategy to ensure profitable and productive agriculture while achieving water quality goals. The strategy embraces agriculture and its engrained culture of stewardship and looks for leadership from agriculture to be a solution to clean water.

MRAB:

Chairman Fink queried the members for interest in serving on the MRAB as Burt Waite's replacement. John St. Clair expressed interest in serving. Chairman Fink requested a motion to close the nominations.

Thad Stevens moved to close the nominations. Jim Sandoe seconded the motion, which was unanimously approved by Council.

MAAB:

Chairman Fink queried the members for interest in serving on the MAAB as a replacement for Burt Waite.

Chairman Fink requested a motion to reappoint Thad Stevens and Terry Dayton to the MAAB.

Jim Sandoe moved to reappoint Thad Stevens and Terry Dayton to the MAAB. Don Welsh seconded the motion, which was unanimously approved by Council.

SOLID WASTE ADVISORY COMMITTEE:

Acting Director Katherine Hetherington Cunfer has talked to the current chairperson, Michele Nestor, about a joint letter from CAC and SWAC to the legislature regarding the recycling fees sunset issue, as well as restructuring of the program, and a separate a letter to kick start the conversation on the Covered Device Recycling Act. Typically, the Recycling Fund Advisory Committee does not meet until September. Sunset for the recycling program grants is 2020, but DEP would like to encourage the legislature to act on it this year, as opposed to waiting for it to sunset. If SWAC is interested, a joint letter will be composed for review by the legislative committee and then forwarded as a discussion point at CAC's April meeting.

LEGISLATIVE COMMITTEE:

Acting Director Katherine Hetherington Cunfer stated that the budget letter went out last month. It hit the legislators' inboxes at the right time and generated a lot of activity and interest. Much of the letter focused on the EPA letter to the Safe Drinking Water program and the Department's ability to staff that program.

The current Environmental Resources and Energy Chairs have been invited to the April 18 meeting of the CAC to say hello and hopefully discuss their priorities and initiatives. Mike Carroll is the new chair for the House Minority.

Thad Stevens inquired if CAC could again voice support for Senator Yaw's bill dealing with alternative on-lot sewage systems. Senator Yaw has reintroduced the bill as Senate Bill 144. It unanimously passed the Senate last session, but failed to get out of the Committee and the House.

NEXT MEETING

The next meeting will be April 18.

ADJOURNMENT:

With no further business, Chairman Bill Fink requested a motion for adjournment. Don Welsh moved to adjourn the meeting, which was seconded by Joi Spraggins and all were in favor. The March 21, 2017 meeting of the CAC was adjourned at 12:10 PM.