

**MINUTES**  
**CITIZENS ADVISORY COUNCIL MEETING**  
**February 20, 2018**

**CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:**

Terry Dayton, Greene County  
Bill Fink, Bedford County  
Duane Mowery, Cumberland County  
Jim Sandoe, Lancaster County  
John St. Clair, Indiana County  
James Schmid, Delaware County  
Jerome Shabazz, Philadelphia County  
Thad Stevens, Tioga County  
John Walliser, Allegheny County  
Don Welsh, Chester County  
Jim Welty, Cumberland County  
Tim Weston, Cumberland County

**CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT VIA PHONE:**

Mark Caskey, Washington County  
David Dunphy, Philadelphia County

**CITIZENS ADVISORY COUNCIL STAFF PRESENT:**

Lee Ann Murray, Executive Director

**CALL TO ORDER:**

Chairman Don Welsh called the meeting to order at 10:00 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum.

**APPROVAL OF JANUARY 16, 2018 MEETING MINUTES:**

Chairman Welsh solicited additions or corrections to the January 16, 2018 Minutes. Hearing none, Chairman Welsh requested a motion to adopt the Minutes.

**Tim Weston moved to approve the January 16, 2018 meeting Minutes.**  
**James Schmid seconded the motion, which was unanimously approved.**

John Walliser abstained.

**CHAIRMAN'S REPORT:**

Chairman Welsh encouraged the CAC members to complete the survey forms provided for feedback to the Executive Director related to content of the meetings and conduct for future meetings.

In preparing for the April 2018 CAC meeting, letters will be sent to the Chairs of the Environmental Resources and Energy Committees extending an invitation to attend the CAC's April 17 meeting to provide an overview of the legislative agenda for the coming year.

Chairman Welsh requested that updated bios be sent to the Executive Director for updating the CAC website.

The Executive Director previously drafted a letter to the Senate on HB 1486, high tunnels. The draft letter was circulated to the membership via email, and the CAC members indicated their concurrence via email. A quorum of the membership concurred, with no non-concurrence, so the letter was sent. Chairman Welsh requested a motion to ratify the email concurrence in open session.

**Jim Sando moved to ratify the email concurrence of CAC's comment letter on HB 1486. Jerome Shabazz seconded the motion, which was unanimously approved.**

**DEP REPORT:**

In the Secretary's absence, Katie Hetherington Cunfer provided a brief update on the following:

*DEP Managers*

Aneca Atkinson is the new Director of the Office of Program Integration. Aneca will be working on program efficiencies, coordination between regional offices and programs, and ensuring consistency.

Domenic Rocco is the new Acting Program Manager of the new Regional Permit Coordination Office. Domenic will be coordinating multi-regional projects, especially those focused on pipelines, 102 and 105 coordination, and developing ways to make those programs more efficient.

*Budget*

A DEP Special Funds hearing was held on January 25. Secretary McDonnell testified before the House Appropriations Committee on DEP's fiscal support through special funds. The focus of DEP's special funds hearing was a handful of funds that the legislature had recognized within the last budget cycle as having additional money that could be placed into the General Fund. DEP consistently argued against that position from the standpoint that those funds are committed for future use. The Independent Fiscal Office recently released a report on the Environmental Special Funds identified by the legislature and reiterated that there is not "extra money" residing in the funds, that the funds are committed while they have yet to be spent.

The Governor released his Executive Budget proposal for fiscal year 2018-19 on February 7. Appropriations to DEP from the General Fund are proposed to increase from the previous year by \$8.13 million, a 5.6% increase.

State funds earmarked for the interstate commissions were cut by 50% last year. This year those levels have been placed back to the historic normal. A large increase of \$1.6 million was given to Agriculture from the state budget and \$17.5 million from federal funds for the spotted lanternfly. While DEP does not receive any of that money, the Department is committed to partnering with Agriculture for surveillance and reporting. Gov. Wolf added \$2.5 million to the Department of Health budget for Lyme Disease, which will include staff, education, and likely resources for DEP because the Department's inspectors are so heavily affected by Lyme Disease.

### *Federal Budget*

On February 12, President Trump released the 2019 budget proposal, which contains massive cuts to the EPA by 33.7%, Energy by 3.4%, Interior by 16.8%, Agriculture by 16.4%, and the Army Corps of Engineers by 22.2%. The only major departments without cuts were Commerce, Defense, Homeland Security, and Veterans Affairs.

### *Severance Tax*

An additional piece of the budget included a call for a severance tax. Those details are still being identified. The Governor is requesting that the legislature look into the best way to pull that money forward.

### *Permitting Reform Update*

The Governor held a press conference on January 26 to announce DEP's successful reduction in permit backlogs. Agency-wide, the Department reduced its backlog by more than 6,000 permits.

### *Initiatives Underway*

A notable initiative is the "Pittsburgh 100" program, where the ESCGPs are reviewed within 100 days. Knowledge obtained from that project will be put toward other water-related programs throughout the state.

### *Initiatives Planned*

- ePermitting for Oil & Gas, Air, Rad Protection, AAMO, Storage Tanks, Clean Water, and Waterways & Wetlands
- Improved analytics, with dashboards operational by mid-2018

### *Upcoming Fee Packages*

The Safe Drinking Water program has advanced a rulemaking that includes both substantive updates to the Code and revisions to the fee structure. The rulemaking was published as proposed on August 26, 2017 and is planned to be presented as final to the Environmental Quality Board in April 2018.

### *Falcon Pipeline*

The comment period has been extended for an additional 60 days. There will also be public hearings in Allegheny, Beaver, and Washington Counties. The details are being confirmed and will be in the *Pa Bulletin* when finalized.

### *Manganese ANPR*

Act 40 of 2017 added a section to the Administrative Code of 1929 that directs the EQB to promulgate proposed regulations related to manganese within 90 days of its enactment on October 30, 2017. The comment period is currently open, but closes on February 26.

## **PRESENTATIONS:**

Members of DEP's Radiation Protection Program provided comprehensive presentations on the Radiation Protection program, radiation control, decommissioning and environmental surveillance, radon, nuclear safety, and what the future may look like for Three Mile Island.

## **COMMITTEE REPORTS:**

### **POLICY AND REGULATORY OVERSIGHT COMMITTEE**

The committee was presented with two rulemakings.

The first was a proposed rule to amend the sulfur limits for No. 2 and lighter commercial fuel oil, which is in accordance with efforts by a group of states desiring to lower sulfur dioxide emissions in two stages; first to the current level of 500 parts per million and then to 15 parts per million, with a compliance date of July of 2019. The Policy and Regulatory Oversight Committee recommends that the CAC concur with the proposed rulemaking and has drafted a letter to that effect.

**Tim Weston moved to approve the draft letter of concurrence with the proposed rulemaking. Bill Fink seconded the motion, which was unanimously approved.**

The second rulemaking was a final package for control of VOC emissions from industrial cleaning solvents; general provisions; aerospace manufacturing and rework; and additional RACT requirements for major sources of NOx and VOCs. The Policy and Regulatory Oversight Committee has drafted a letter which would endorse presenting the final rulemaking package to the Environmental Quality Board.

**Tim Weston moved to approve the draft letter endorsing presentation of the final rulemaking package to the Environmental Quality Board. Thad Stevens seconded the motion, which was unanimously approved.**

### **AGGREGATE ADVISORY COMMITTEE**

Tim Weston indicated that one of the notable take-aways from the Aggregate Advisory Committee meeting was the fact that an inventory is building up of unreclaimed non-coal surface mines. The bonds have been forfeited and are inadequate for reclamation.

### **SOLID WASTE ADVISORY COMMITTEE**

The Solid Waste Advisory Committee has begun rewriting Act 101. There is broad agreement across the board on most of the issues, but solutions are difficult. Progress is being made.

## **NEW BUSINESS:**

CAC members Jim Welty, John Walliser, Jim Sandoe, and Don Welsh volunteered to serve on an ad hoc committee on the budget.

**Tim Weston moved to form an ad hoc committee on the budget. Bill Fink seconded the motion, which was unanimously approved.**

**NEXT MEETING:**

The next meeting of the Citizens Advisory Council will be March 20, 2018.

**ADJOURNMENT:**

**With no further business, Chairman Welsh requested a motion for adjournment. Bill Fink moved to adjourn the meeting, which was seconded by John Walliser, and all were in favor. The February 20, 2018 meeting of the CAC was adjourned at 2:00 PM.**