

**MINUTES  
CITIZENS ADVISORY COUNCIL MEETING  
JUNE 19, 2018**

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

Cynthia Carrow, Allegheny County  
Mark Caskey, Washington County  
Terry Dayton, Greene County  
Duane Mowery, Cumberland County  
Jim Sandoe, Lancaster County  
James Schmid, Delaware County  
Thad Stevens, Tioga County  
Don Welsh, Chester County  
Jim Welty, Cumberland County

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

John St. Clair, Indiana County

**NON-CAC MEMBERS PRESENT VIA PHONE:**

Roberta Winters

**CALL TO ORDER:**

Chairman Don Welsh called the meeting to order at 10:05 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum.

**DEP REPORT:**

Secretary McDonnell attended a brief Environmental Quality Board meeting just prior to the Citizens Advisory Council meeting at which Radiation Protection rulemaking packages for Radiological Health and NRC Consistency were discussed.

The Secretary then provided a brief update on the following:

*GP-5 and GP-5A*

The Air Program's GP-5 and GP-5A general permits became available on June 9 and will go into effect in 60 days. The permits are a key component of Governor Wolf's Methane Reduction Strategy and are among the first in the nation to establish a threshold for methane emissions from unconventional natural gas wells and infrastructure. E-permits in development include Oil and Gas Drill & Operate well permits, Oil and Gas ESCGP-3, Waterways Engineering and Wetlands Chapter 105 general permits, GP-1 through GP-15, Clean Water Chapter 102 permits, Storage Tank Registration, Mining Bonding Enhancements, and Clean Water PAG-10.

*MS4 Outreach*

DEP is working hard to help MS4 communities navigate the latest round of permitting. DEP recognizes the complexity of the permit, as well as the fact that a large number of municipalities are dealing with this permit for the very first time. DEP's outreach efforts include hosting a webinar to address the most frequent questions from municipalities, legislators, consultants, and

the public relating to recent permit applications. A specific date has not been set for the webinar, but will occur soon. The Department is working with the EPA to resolve the remaining details for MS4s to meet pollutant load reduction requirements. DEP staff are working on online training to address the comments the Department has received from permittees and consultants with respect to the mapping requirements contained in MS4 permit applications. Issues associated with mapping typically include properly delineating the areas for which a municipality is responsible.

#### *Chesapeake Bay Update*

The Phase 3 Watershed Implementation Plan (WIP) Steering Committee has approved the format for the Local Planning Process Toolbox and the Guidelines for the Planning Process for the development of countywide action plans. This planning process will be piloted in four counties over the summer, including Lancaster, York, Franklin and Adams County. The Department is also in the process of finalizing scoping scenarios to define the initial estimates of nutrient reductions that can be achieved from statewide technical and financial assistance and outreach initiatives. These will be combined with the permitting, compliance and enforcement estimates already reviewed by the Steering Committee. The estimates will serve as the starting point for the countywide action plans and the rest of the watershed until the countywide action plans can be completed.

#### *PFOA Petition*

The EPA is looking at regulatory thresholds for different PFAS compounds, and held a summit to which DEP staff were invited. The Environmental Quality Board also received a petition to initiate rulemaking on PFOA compounds. DEP will need more time to review the petition and hopes to work with a Department of Health toxicologist, but the details of that collaboration have not been finalized. DEP is waiting on updated toxicological data expected from EPA/ATSDR and has submitted a Freedom of Information Act (FOIA) request to obtain that information, but have not yet received a response.

#### *State Budget Update*

The Governor's Executive Budget proposed an increase to DEP's General Fund appropriation from the current year by \$8.3 million, which includes \$2.5 million for additional positions to be added in strategic areas within the Department. An alternative version was put forward by Republican legislators that represents a middle ground – an increase of a few million over the current year, but not as favorable to DEP as the Governor's proposal. The biggest difference between the two is the treatment of the river basin commissions. The Republican proposals hold the interstate river basin commissions at level funding, which is 25% of what they received a few years back. The Democrat proposals double that funding, which would return the river basin commissions to 50% of what they used to receive.

#### **PRESENTATION:**

Julie Lalo, DEP's Communications Director, provided an in-depth presentation regarding the Department's public engagement and outreach, including:

- Cabinet in Your Community run by the Governor's regional offices. Four or five Cabinet Secretaries attend hosted events, lasting two hours, to have dialog with community leaders and citizens. The Secretaries provide a brief introduction and then take questions

from residents. Citizens are asked to register in advance. So far there have been 20 Cabinet in Your Community events and more are scheduled.

- DEP Connect, a reimagining of DEP's regional roundtables, is an outreach to increase understanding, improve relations, and receive input. This is an opportunity for DEP staff, community leaders (local government officials, nonprofits, the regulated industry), and citizens to have a conversation about issues identified as subjects to really delve into. The format might be an Open House with various stations, tours of industry a region would like to know more about, panels of speakers, or dialogue on a particular topic. DEP has Community Relations Coordinators in each of the six regions primarily focused on community engagement and communications who want to make sure the Department has legitimate and interactive dialogue with the citizens. A form can be found on DEP's website to sign up for the DEP Connect events. The press release on DEP Connect was released on June 5, with several hundred individuals having already signed up.
- Secretary's regional visits allow the Secretary to work intimately with the Regional Directors and regional staff to learn about that particular region. The goal is to get to each region once or twice a year, to tour regulated industry facilities, have conversations with stakeholders, have a happy hour or donuts and coffee so the Secretary can learn more about the 2,500 people who report to him. At least one or two of the regional visits will include media activities, either a visit with an editorial board or an organized media event.

**PUBLIC COMMENT:**

Roberta Winters, a resident of Rosemont, Pennsylvania, provided written comment and participated via phone. Roberta offered a number of ways that the CAC might improve its outreach and connect with the public.

**APPROVAL OF MARCH 20, 2018 MEETING MINUTES:**

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

**Thad Stevens moved to approve the May 16, 2018 meeting Minutes. Cynthia Carrow seconded the motion, which was unanimously approved.**

**CHAIRMAN'S REPORT:**

CAC members were previously provided with a final draft of CAC's 2017 Annual Report. Chairman Welsh requested a motion to approve the final draft of the 2017 Annual Report and provide it to members of the legislature.

**Jim Welty moved to approve the final draft of the CAC's 2017 Annual Report and provide it to members of the legislature. Jim Sandoe seconded the motion, which was unanimously approved.**

The 2017 Annual Report will be placed on the CAC webpage and distributed to the Governor and the General Assembly.

The Department has been very helpful in discussing the process for filling the Executive Director vacancy. The Executive Committee of the CAC determined that it would look at the candidates from the prior announcement for the position since that was only one year ago. The applications were re-reviewed and the Executive Committee provided the Department with a list of candidates it would be interested in interviewing. The Department contacted those individuals and determined that several have continued interest in the position. Interviews will be scheduled soon.

CAC held its annual elections. The bylaws require that the election of officers should occur in the month of June, and that a Nominating Committee should be formed at least 60 days before the June meeting. With the cancellation of the April meeting and the subsequent departure of the Executive Director, a Nominating Committee was never formed. Chairman Welsh offered the members an opportunity to indicate a desire to stand for election to the office of Chairman or Vice-Chairman. Hearing none, Chairman Welsh turned the process over to Cynthia Carrow, Chair Pro Tem.

Chair Pro Tem Cynthia Carrow announced the willingness of Don Welsh to stand for re-election. Members of the CAC having a desire to be nominated for the position of Chairman were solicited. Hearing no other nominations, Chair Pro Tem requested a motion to re-elect Don Welsh as Chairman.

**Jim Sandoe moved to approve the re-election of Don Welsh as Chairman of the CAC. Terry Dayton seconded the motion, which was unanimously approved.**

Chair Pro Tem Cynthia Carrow announced the willingness of Jim Sandoe to stand for re-election. Members of the CAC having a desire to be nominated for the position of Vice-Chairman were solicited. Hearing no other nominations, Chair Pro Tem requested a motion to re-elect Jim Sandoe as Vice-Chairman of the CAC.

**James Schmid moved to approve the re-election of Jim Sandoe as Vice-Chairman of the CAC. Thad Stevens seconded the motion, which was unanimously approved.**

#### **PRESENTATIONS:**

David Althoff, Director of the Energy Programs Office, provided an overview of that office, including its purpose, mission, and responsibilities, its structure and budget, funding sources and partners, and an in-depth discussion of the office's programs and projects. Members inquired about which projects the Office decides to fund, the place of natural gas in the portfolio of projects, and how the Office measures its success.

#### **COMMITTEE REPORTS:**

##### **POLICY & REGULATORY OVERSIGHT COMMITTEE**

Tim Weston, via phone, discussed the draft Air Quality final-omitted rulemaking Annex A to amend 25 Pa. Code Chapter 127 relating to general plan approvals and operating permits. The draft Annex A adds a phrase to §127.621, which provides for general plan approvals and general

permits for stationary sources, to allow the Department to accept electronic applications. While the Policy & Regulatory Oversight Committee supports the adoption of language allowing for electronic submission of applications, it recommends that the Department and the Environmental Quality Board consider amending §127.621 to allow for submission of hard copies via reputable express services. A letter to the Secretary had been prepared.

**Tim Weston moved that the CAC recommend the draft final-omitted rulemaking move forward to the Environmental Quality Hearing Board and endorse the letter to Secretary McDonnell. Thad Stevens seconded the motion, which was unanimously approved.**

A conference call on the Air Quality fee package was held on June 15. The call was interrupted by a fire drill in the building and will be reconvened later.

#### **AD HOC BUDGET COMMITTEE**

Chairman Welsh continues to attempt to align pie chart numbers offered by DEP programs with budget numbers provided by DEP's Bureau of Fiscal Management in a budget briefing in November 2017. The goal of the CAC is to be able to think broadly about policy and budget issues and make recommendations to the Department. Chairman Welsh will seek assistance with alignment of the numbers and will schedule a call of the Ad Hoc Budget Committee to work toward making recommendations.

#### **SOLID WASTE ADVISORY COMMITTEE**

Jim Sandoe announced that the Solid Waste Advisory Committee has discussed Act 101 implementation problems since China is not taking any recycling from the United States. Recycling is backing up across the country, so the prices of materials have dropped precipitously. The Committee will continue to work on recycling for the next few months.

#### **NEW BUSINESS/OPEN DISCUSSION**

Chairman Welsh announced that the mining program will provide a presentation in July, and it is the last program on the schedule to speak to the CAC. Other programs the members would be interested in hearing from were solicited. Suggestions included Chapters 102 and 105, water quality, and oil and gas air permits.

A discussion was held regarding the creation of a transition document between now and November 2018. Chairman Welsh asked members to think about issues to be included in the document. The transition document, along with the Issues List, was tabled. Chairman Welsh will reach out via email to solicit thoughts and suggestions.

#### **NEXT MEETING:**

The next meeting of the Citizens Advisory Council will be July 17, 2018.

#### **ADJOURNMENT:**

**With no further business, Chairman Welsh requested a motion for adjournment. Cynthia Carrow moved to adjourn the meeting,**

**which was seconded by Mark Caskey, and all were in favor. The June 19, 2018 meeting of the CAC was adjourned at 1:20 PM.**

DRAFT