

Minutes of EJAB

Meeting Date: November 19, 2008

Call to order: The quarterly meeting of the Environmental Justice Advisory Board was held in the Rachel Carson State Office Building, 400 Market St, Room 105, Harrisburg, PA.

The meeting convened at 8:45 am, Arthur Frank presiding.

Members in attendance:

Laureen Boles	Eli Brill
Arthur Frank	Ayanna King
Mary Vuccola	Mark White
Erlinda Aguiar	Patrick O'Neill

Members absent (excused):

Clea Hollis	Reverend Rocky Brown
Mario Browne	Ann Morrison
Hazem Hijazi	

Members absent (unexcused):

Luvennise Gamble	C Nolan Howell
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Non-members:

Marylou Barton	Holly Cairns
Nora Carreras	Janis Dean
Doan Barefield	Christina Simeone
Alice Wright	Shalonda Guy
John Kennedy	James Strand
Reverend Horace Strand	Joe Powers
Todd Wallace	

Welcome and Introductions

Arthur Frank, Chair asked everyone to introduce themselves.

Approval of Minutes

- A motion was made by Mark White to approve the minutes from the August 5, 2008 meeting.
- Seconded by: Mary Vuccola
 - Motion carried

OEA Staff Reports

Arthur Frank asked for a brief summary of the OEA Staff reports.

Conference Update and Next Steps

Chair gave the Board updates on what has been accomplished thus far. Since the last meeting \$39,000 has been collected and placed in the bank, along with a signed contract for the Hotel.

The break down is; \$15,000 from DEP, \$7,000 from Welfare and Transportation and \$5,000 from DCED and PA Education. King explained that the Department of Health will give us a commitment in December. If funds are not raised by January 30, 2009, King proposed a tentative plan "B" packet for the conference. She has proposed cutting the conference to two days based on the amount of funding that the EJAB has secured.

The group also agreed on the sponsor level: *Advocate* (\$0 - 2,499), *Leaders* (\$2,500 - \$4,999 will receive (1) free registration) and *Champions* (\$5,000 and above will receive (2) free registrations and booth space). All levels will be acknowledged in the conference booklet and on the conference web site. To access the conference web site: www.depweb.beta.state.pa.us/ejconference .

She stressed the importance of full participation in the conference calls that are scheduled and meeting deadlines. There are only a few people working towards getting the Conference up and running. The Group has approximately four to five months to get this finished.

Brill will draft a letter to send to potential sponsors along with a list of talking points to answer some questions they may have. Cairns, Carreras, Frank will help in this endeavor.

Chester Presentation

Chair welcomed and introduced Reverend Horace Strand to the Board. Frank mentioned that Strand was once a member of the Board.

CEP has been active for approximately three years, with local, federal and state participating. This allowed a platform to address current problems within the community. CEP was organized to address three basic areas: environmental concerns to protect the environment; recycling and the current needs in the Chester community.

Rev. Strand from the Chester Environmental Partnership gave an update on Chester and the consistent political injustices between Delaware County and the City of Chester. Rev. Strand expressed the issue of Crozer hospital losing their Community Environmental Program (CEP) funds and the impact to address the critical asthma issues in Chester. He stated Chester has one of the highest asthma rates in the state and its well above the national average. Rev. Strand and his organization are very concerned about the environmental conditions impacting Chester especially since Crozer asthma program helped many children in the Chester area. Rev. Strand also talked about the need of having a host inspector and sustaining one in the Chester area. He explained how essential it is to protect the community and keep the communication flowing between the community and the industry.

He would like to receive some help for the residents who live in close proximity to Covanta and DELCORA facilities. CEP has tried to accomplish to make sure there is some type of relief to the residents. The group went door to door with a survey asking

the residents what their current concerns were and what they would like to see take place. 95% answered if they had enough money to relocate they would do so immediately.

For these facilities there are no municipal inspectors from the community monitoring the facility on behalf of the local municipality. Act 101 states that the host community has the right to have at least two host inspectors that will be compensated 50% for five years from the State as well as equipment to monitor the facilities. There are approximately 67 municipalities within the state of PA that fall under this act. Most of them have host inspectors in place or sub-contract out.

The City has agreed to put in its budget to hire two host inspectors and to do a feasibility study for the relocation of the residents.

CEP has joined alliance with Philadelphia Public Interest Law Center who has agreed to represent the group on any future issues that they may need legal representation on.

Rev. Strand requested help from the EJAB, asking them to consider doing annual report cards on environmental justice communities. Dr. Arthur Frank, Chair stated that due to short staff we would need to have the community working with the Board to produce a product such as community report cards.

Welcome and Introduction of John Hanger, Acting Secretary

Chair welcomed and introduced John Hanger, Acting Secretary. The Group in attendance introduced themselves to the Acting Secretary.

Acting Secretary joined DEP September 2, 2008. He is very supportive of the work being done by the Board.

He mentioned he was charged with several priorities from the Governor: Act 129 pending; Growing Greener; Act 1; Bio-diesel / transportation fuel; and Act 70 to name a few.

The Chair mentioned to the Acting Secretary some of the EJAB's challenging, since they are an advisory board only. The EJAB recognizes that there are no guarantees that their recommendations will come into implementation for the agency therefore these limitations can be frustrating but the EJAB is interested in building a strong working relationship with the DEP.

Acting Secretary mentioned that he would be interested in the Boards views.

Public Comment Period

Chair opened the floor for any public comments.

Erie Renewable Energy Presentation, Kelly Burch

Chair welcomed and introduced Kelly Burch, NW Regional Director. Burch was asked to update the Board on Erie Renewable Energy (ERE).

Burch mentioned that the project is stirring up the public opposition and creating media controversy. DEP received a plan approval application from ERE in December 2007. They plan to gasify approximately 30 million tires a year, roughly 900 tons or 75,000 tires daily would be gasified with the state of the art equipment in the plant. This will produce an estimated 90 mega watts of electricity, enough electricity for 50-75 thousand homes.

The Department quickly identified the facility location as an EJ area. With the help of the OEA the Department was able to develop an outreach strategy. A press release was sent out once the Department became aware of the application. Prior to the application being submitted key stakeholder groups and community centers were the focus of their outreach. A public informational meeting was held on January 23, 2008. DEP asked ERE to publish a weekly news letters, ERE prepared a fact sheet on the proposed project and used plain language in their power-point presentation at the meeting.

Marcellus Shale Presentation, Dave English

Chair welcomed and introduced David English, Bureau of Oil and Gas Management. English was asked to give an overview on the Marcellus Shale project.

He explained how the project would work by the use of water and sand being injected into the formation under high pressure this cracks the formation allowing the gas to flow back in. 60 – 80 thousand gallons per frack job in normal wells, these wells are up to 3 million gallons. The two biggest issues are where the water is coming from and the disposal of it. Truck traffic is also a concern.

The normal life of a well use to be 20 years, now we're looking at 40 plus years.

English stated that there is a lot of misinformation out there related to oil and gas operations. The DEP explains to the community, the regulations and leasing aspects for oil and gas.

New/Unfinished Business, Questions, and Comment Period

Chair asked the Board what they would like to do with the lack of Board participation.

- King informed the Board that five warning letters were sent out, two with no reply, one member has stepped down due to illness, and two acknowledged the letter and requested to stay on the Board.
- O'Neill suggested the Chair should follow up with the members to get clarity on their absences.
- Chair mentioned the next meeting in February a good portion should be dedicated to the conference.
- Aguiar passed out information regarding Lehigh Valley Hospital and the services they provide. She is working with the Allentown School District to include EJ into their curriculum.

- Motion to adjourn meeting by: Mark White
- Seconded by: Mary Vuccola

- All in favor: motion carried

Adjourned at 3:10 pm