

Minutes of Environmental Justice Advisory Board
February 2, 2010

Call to Order: The quarterly meeting of the Environmental Justice Advisory Board (EJAB) was held in the Rachel Carson State Office Building, Delaware Room, 400 Market Street, Harrisburg, PA.

The meeting convened at 8:35 am with Arthur Frank presiding as Chair.

Members in attendance:

Erlinda Aguiar
Laureen Boles (by phone)
Rev. Rocky Brown
Nora Carreras
Dr. Arthur Frank
Dr. Clea Patrick Hollis (by phone)
Ann Morrison
Jason Rissler

Members absent (excused):

Eli Brill
Mario Browne
Hazem Hijazi
Mary Vuccola
Dr. Mark White

Non-members:

Tammey Adams
Dana Aunkst
Rob Altenburg
Marylou Barton
Holly Cairns
Dean Van Orden
Ron Schwartz
Steve Socash
Todd Wallace
Scott Walters
Susan Wilson
Dwayne Womer
Alice Wright-Bailey

Welcome and Introductions:

The Chair, Arthur Frank, welcomed everyone to the meeting. He made introductions of new board member, Jason Rissler of the YWCA of Greater Harrisburg.

Office of Environmental Advocate Regional Staff Reports:

Arthur Frank requested highlights and discussion on the three regional Office of Environmental Advocate (OEA) reports.

Alice Wright-Bailey mentioned that community groups are still not getting the grants they need. She feels that environmental justice is not working as it should.

Holly Cairns reported she is also noticing that her local community groups are not getting the necessary state or federal grants. She also gave an update on the Dunkard Creek issue.

Nora Carreras mentioned a pre-application meeting for a chicken litter-to-energy permit being requested for the Steelton area directly across from a playground and low-income housing. She also mentioned that DEP approved a Community Environmental Project subsidized through fines assessed to the Harrisburg Authority for violations related to the Harrisburg Incinerator.

The Office of Environmental Advocate will assist the Governor's interagency task force on the Census by disseminating information during public meetings and outreach e-mails to reach minority groups. Both Ms. Cairns and Ms. Wright expressed that the Census outreach may not be well accepted by their constituents.

Ann Morrison initiated a discussion on the lack of grants for community groups. She wanted to know the need that's not being met for the communities. Holly discussed the limited funding for the communities and the hardship of obtaining the grants. Arthur Frank wanted to know how things are different now than a few years ago. Both Holly and Alice stated that things are the same even after the change of administrations. Laureen Boles mentioned that she is experiencing the same type of issues in her Philadelphia communities. She has groups which do not have the capacity to apply for the necessary grants in the requested timeframe.

It was suggested that the Board review the recommendations of the 2000 EJAB Workgroup Report. Arthur Frank suggested that this report be discussed at the next board meeting in May. A copy of the report will be sent to all of the board members.

Approval of Minutes:

A motion was made by Rev. Rocky Brown to approve the minutes of the November 17, 2009, meeting with the necessary correction to Erlinda Aguiar's name. It was seconded by Erlinda Aguiar. The motion was approved unanimously by the Board.

2010 Census Activities Support:

A motion was made by Rev. Rocky Brown for the Board to go on record in support of the 2010 Census activities and encourage all citizens in EJ communities be involved. It was seconded by Erlinda Aguiar. The suggestion was made to write a letter to the Secretary stating that the Board took this action. It could also be posted on the EJ website. The motion was approved unanimously by the Board.

Citizen's Advisory Council Update:

Arthur Frank introduced Susan Wilson, Executive Director of the Citizens Advisory Council, who provided an overview of the Council and its members. She mentioned that the Council would like to work with the Board on various environmental issues. It was suggested that the Council and Board prepare a joint position paper to give to the gubernatorial candidates outlining important environmental issues.

Update on Conference Evaluation/Needs Assessment Committee:

Laureen Boles discussed the needs assessment survey/conference evaluation and items that should be included and expanded. Additional questions are needed to obtain the necessary information for an accurate evaluation. Holly Cairns agreed to assist Ms. Boles in finalizing the revised evaluation. Arthur Frank discussed how the evaluation would be distributed to the conference attendees and EJ communities.

Air Quality Program Update by Dean Van Orden, Assistant Director of the Bureau of Air Quality:

Arthur Frank introduced Dean Van Orden, Assistant Director of the Bureau of Air Quality, who provided a PowerPoint presentation on the air quality program. Mr. Van Orden discussed the new 8-hour ozone standards and regulations within the program. A copy of Mr. Van Orden's PowerPoint presentation was distributed to each of the board members.

Dunkard Creek Briefing and Update by Dana Aunkst, Director of the Bureau of Water Standards and Facility Regulation, and Ron Schwartz, Assistant Regional Director of the Southwest Region:

Arthur Frank introduced Dana Aunkst, Director of the Bureau of Water Standards and Facility Regulation, who provided a brief update on the Dunkard Creek watershed in Pennsylvania and West Virginia. Mr. Aunkst then introduced Ron Schwartz, Assistant Regional Director of the Southwest Region, who gave a PowerPoint presentation on the total dissolved solids (TDS) strategy and Dunkard Creek fish kill from a golden algae bloom.

Hazleton Creek Properties Update by Todd Wallace, Acting Director of the Bureau of Waste Management:

Arthur Frank introduced Todd Wallace, Acting Director, of the Bureau of Waste Management, who provided an update on the Hazleton Creek properties. Steve Socash and Scott Walters were also in attendance for the discussion. Mr. Wallace provided an outline of the general permits and explained the permitting process for the project. He also made reference to the "plain language" summary for the 277-acre site which is in the center of the City of Hazleton. The Board members asked an array of questions in reference to the proposed project.

Public Comment Period:

The Chair opened the floor for public comments. There were no public comments presented.

EPA Modification to the Definition of Solid Waste (DSW) by Marylou Barton, Counsel to the EJ Advisory Board, Dwayne Womer and Nora Carreras:

Marylou Barton and Dwayne Womer, Bureau of Waste Management, discussed the EPA modification to the definition of solid waste. In October 2008, EPA took a certain class of hazardous waste out of the definition of solid waste so that it wasn't regulated as solid waste in order to encourage recycling, such as industrial sludge or byproducts from an industry. The Sierra Club has challenged EPA's revision of the DSW rule because, among many other arguments, the change may disproportionately affect EJ communities. Nora Carreras asked the Board to review the 45-page scientific methodology to assess disproportionate impacts and provide comments to EPA the Commonwealth's experience with the rule. Pennsylvania is one of four states currently operating under the DSW rule.

Arthur Frank suggested that the Board invite Lisa Jackson, Administrator of EPA, to a meeting or a visit with Secretary Hanger.

New/Unfinished Business, Questions and Comment Period:

Nora Carreras initiated a discussion among the Board on the definition of EJ communities which include income level, race, health, housing, etc. The definition needs to be refined to include identifiers to adequately classify EJ areas in rural communities in the eMAP system.

Rev. Rocky Brown questioned the number of board members. It was stated that the Board has been reduced to 13 members with one vacancy. Each attending board member agreed to look for additional folks to enhance the quality of the Board.

Arthur Frank invited Jason Rissler to comment on the meeting. He mentioned that he has a lot of the same problems with his constituency and enjoyed meeting everyone today.

Arthur Frank made a suggestion to adjourn the meeting. A motion was made by Rev. Rocky Brown to adjourn the meeting. It was seconded by Ann Morrison. The meeting adjourned at 3:00 pm.