

ENVIRONMENTAL JUSTICE ADVISORY BOARD
SOUTHEAST REGIONAL OFFICE, NORRISTOWN, PA
November 5, 2015 MINUTES

Members in Attendance

Dr. Arthur Frank (by telephone), Dr. Rev. Horace Strand, Adam Cutler, John G. Waffenschmidt, Dr. Allison Robinson (by telephone), Eli Brill (by telephone)

Members Absent

Laureen Boles, Hazem Hijazi, Dr. Mark V. White

Non-Members

Carl E. Jones, Jr., Katherine Hetherington Cunfer

Members of the Public

Diane Morgan, Alice Wright, and Pat Clark

Call to Order

Chairman Dr. Arthur Frank welcomed everyone and called the meeting to order at 8:40 a.m.

Approval of Minutes

Dr. Frank asked if there were any comments or corrections to the May 19, 2015 minutes.

Update from Secretary Quigley

Secretary Quigley thanked everyone for their patience during the budget impasse. Announced changes to the executive staff: John Stefanko named Executive Deputy Secretary for Programs; Richard Morrison named Deputy Secretary of Active & Abandoned Mine Operations; Alex Chiaruttini named as Chief Counsel; Carl Jones named as Director of the Environmental Justice Advisory Board.

Carl Jones spoke briefly about his plans for the Board: problems won't be solved quickly, but the Board will continue the work started in 2001; will refocus on core priorities; and figure out how to make EJAB all that it can be.

The Secretary announced that additional changes will be coming, some in the near future, some months from now.

The Secretary provided an agency update:

- Chapter 78 oil and gas regulations will be delivered to the EQB in January;
- 14th and final Listening Session on the Clean Power Plan has been completed;

- Soon to be announced the agency's strategy on the Chesapeake Bay water quality;
- Agency is undergoing a technology modernization plan, with a new CIO starting before Thanksgiving;
- Climate change action plan will be submitted for public comment in the next several weeks;
- DEP outstanding employees are at this moment being recognized; which award program had fallen off the table under the prior administration.

Update from Neil Shader

Neil Shader from the Communications Office voiced a sincere interest among reporters in talking with Carl Jones and learning about the work of the Environmental Justice Board. A recently-used tool, an editorial board in both the *Post Gazette* and the *Washington Observer Report*, led to a lot of questions about EJAB. Tools that are not much used are handouts and talking points. Expressed interest in putting together tools that are most useful for EJAB constituencies. A slide was presented showing the six regional offices of DEP. Neil explained that each region has a community relations coordinator; someone intimately connected with the community who is a combination of a press secretary and a community facilitator.

Update from Julie Lalo

Julie Lalo, Director of the Communications Office, advised of the new DEP website which will go live on Friday, November 6th. The website has been redesigned and now includes a brand new portal for citizens. The portal is designed to help citizens understand the role of DEP. The website includes a tutorial and links to social media, including Facebook, Twitter, and LinkedIn.

Board Comments

John Waffenschmidt expressed a concern about the function of the EMAP, which is supposed to enable someone to learn about whether a community is or is not an EJAB community. John stated that he has been unsuccessful in his attempts to use the EMAP and expressed his concern that the general public would have trouble using the tool. Carl Jones stated that more work would be done on the EMAP.

Dr. Strand articulated a concern about the selection process and hiring of the new EJAB Director.

Katie Hetherington Cunfer stated that additional DEP staff will be brought onboard after the hiring freeze. Those individuals will assist Carl: be out in the community; get communities involved; develop strategies.

Update from Pat McDonnell

Pat McDonnell, Director of the Policy Office, provided a brief overview of the scope of that office: oversees the process for development of regulations, the advisory committee process, and technical guidance; oversees the energy department; and serves as advisor to Secretary Quigley and the Governor's Secretary for Policy and Planning, John Hanger.

Policy is currently working to finalize technical guidance on the technical guidance policy; establishing a non-regulatory agenda to be published twice a year; and establishing a new e-comment portal for handling public comments. Pat noted that Word documents, pdfs, and images can be uploaded into the e-comment portal. To his knowledge, no videos or wave recordings can be uploaded at this point in time.

With regard to Climate Change, DEP released its climate change impact assessment and put it out for public comment. The assessment is available through the e-comment portal, where it can be viewed by the public and comments may be submitted. One degree increase in temperature per decade is anticipated. Pat stated that DEP needs to look at way it can help communities with their respective climate change plans, and he expressed the Secretary's keen interest in doing so.

Policy has been intimately involved with the development of Pennsylvania's Clean Power Plan, of which the comment period runs through next week. Policy was involved in the 14 Listening Sessions.

Allison Robinson inquired whether DEP had solicited impact information from the Department of Health (DOH). Pat stated that the Department of Health will be involved in the future. In the past, impact information had been sought from Department of Conservation and Natural Resources (DCNR), Department of Transportation (DOT) and Department of Agriculture (AGR). He is now meeting with DOH on a monthly basis. Additionally, he is meeting with his counterparts in other state agencies to remain abreast and share information back and forth.

Pat announced that the Pipeline Infrastructure Task Force draft report will be available in about a week.

Public Comments

Sue Edwards, a volunteer with the Sierra Club, spoke briefly regarding the environmental injustices in Chester.

Diane Morgan, provided slides, information, and her concerns regarding potential construction on the BoRITE Superfund asbestos site located in Whitpain, Ambler, and Upper Darby.

Pat Clark, from Friends of Lackawanna, expressed his concerns about the 700-acre Keystone Landfill in the Dunmore/Throop Boroughs in Lackawanna County. The landfill accepts 27 million tons of waste every year; 2/3 of which comes from out of state. Mr.

Clark shared with the Board his concerns of leaking leachate, subsurface fires, reputational impacts, and the lack of health and environmental studies on the surrounding areas. Keystone Landfill wants to grow 165 feet above permitted capacity, or 220 feet higher than it is today.

Update from Sarah Clark

Sarah Clark, Legislative Director, advised the Board about three current pieces of legislation:

- Act 45, which amends the Solid Waste Disposal Act, allowing for the trucking of leachate;
- Act 47 regarding the use of treated mine water for oil & gas drilling; and
- Proposed H.B. 48, amending Title 27, providing for private well water drinking construction standards. No fee or tax on private well water consumption.

Presentation by Michael Hickman

Mike Hickman, Water Program Specialist, spoke about Urban Stormwater Management; MS4 and CSS. Mike explained the problem of “more development = more stormwater problems. He spoke of the “greening of schools”: turning asphalt schoolyards into green playgrounds by the removal of non-porous asphalt and replacing it with porous surfaces, rain gardens, and tree trenches. Everybody wins. “Greening” creates safer street crossings, better playing surfaces, it addresses parking issues, allows for community use on evenings and weekends, and provides additional educational opportunities.