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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: ENVIRONMENTAL JUSTICE LISTENING SESSION

\* \* \* \* \*

BEFORE: CARL JONES, JR., ESQUIRE, Director  
SUE MALONE, Regional Director  
NORA ALWINE, Regional Coordinator  
JOHN BRAKEALL, Regional Coordinator  
PATRICK MCDONNELL, Secretary

HEARING: Thursday, April 13, 2017  
4:05 p.m.

LOCATION: The Blakey Program Center  
1908 Wylie Avenue, 2nd Floor  
Pittsburgh, PA 15219

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1 WITNESSES: Dennis Simmers, Carrie Hahn, Tom Bailey, Ned  
2 Ketyer, Tom Schuster, John Stephen, Wanda  
3 Guthrie, Sarah Buranskas, Jessa Chaveau, Tom  
4 Hoffman, Randy Francisco, Angelo Taranto,  
5 James Fabisiak, Anne Quinn, Elisa Beck,  
6 Jennifer England, Adam Tuznik, Marisa  
7 Manheim, Laura Dagley, John Burgess, Leah  
8 Andrascik, Joe Guthrie, Katie Guarnaccia,  
9 Thaddeus Popovich  
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ALSO PRESENT:

Don Hopey



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## P R O C E E D I N G S

1  
2 -----  
3           DIRECTOR JONES:

4           Good afternoon.

5           It's a little after 4:00. And I'd like to  
6 start as on time as possible. So hopefully everyone  
7 can hear me so we can begin hearing from you.

8           My name is Carl Jones. And I'm the  
9 Director of the Office of Environmental Justice.

10           Before we begin the program today, I'll  
11 have the Secretary do introductions. That's Secretary  
12 McDonnell.

13           Before we begin with that, I would like to  
14 introduce Sue Malone, who is the Regional Director for  
15 the Southwest Regional Office here in Pittsburgh.

16           And with that, I'll turn it over to  
17 Secretary McDonnell. And then I'll come back and give  
18 a brief presentation, sort of lay out the format for  
19 today's program.

20           SECRETARY MCDONNELL:

21           Thanks.

22           As Carl said, I'm Pat McDonnell. I'm the  
23 Acting Secretary of the Pennsylvania Department of  
24 Environmental Protection.

25           Really, before turning it over to Carl to

1 walk you through what --- what we're doing here  
2 tonight, I really just wanted to thank --- take a  
3 moment to thank you all for your participation here  
4 tonight.

5                   One of the things I always like to point  
6 out, it's --- it's --- there's a lot of people who ---  
7 who I end up seeing in Harrisburg.

8                   But the most important thing to me is to  
9 be able to come out, get the actual personal  
10 experience, what your own interactions are with the  
11 Department, with the environment, with your community.

12                   So you know, I'm just anxious to --- to  
13 hear from you all, what your experiences are and how we  
14 can do a better job within the Environmental Justice  
15 Program.

16                   So thank you all very much for your  
17 attendance here tonight and your attention.

18                   DIRECTOR JONES:

19                   Thank you, Secretary McDonnell.

20                   As I've said, my name is Carl Jones. And  
21 I have the privilege of being the Director for the  
22 Office of Environmental Justice.

23                   The purpose of this program is really to  
24 hear from you. So I want to make sure we allow as much  
25 time as possible to take comments from --- from the

1 members of the community.

2           But before we begin, I want to give a  
3 brief overview of Environmental Justice, the office and  
4 sort of the format of this program for today.

5           So if we could take a look on the far  
6 wall, I'll sort of start with the four sort of overview  
7 questions.

8           What is Environmental Justice?

9           Environmental Justice started as an  
10 offshoot from the civil rights and environmental  
11 movements of the '60s and '70s.

12           And then in 1991, there was the first  
13 Environmental Justice conference, which sort of  
14 established the 17 principles that guide the sort of  
15 parameters behind how we define Environmental Justice  
16 today.

17           Pennsylvania, in the late 19 --- in the  
18 late 1990s created an internal working group and an  
19 external working group of stakeholders to evaluate  
20 Pennsylvania and the Environmental Justice communities  
21 that we have.

22           From that internal working group, there  
23 was a 2001 memorandum that was written to the  
24 Department. That memorandum can be found on our  
25 website, as well in our resources and documents.

1           One of the formats and one of the sort of  
2 conclusions from that memorandum, was the creation of  
3 the Office of Environmental Advocate, which was renamed  
4 the Office of Environmental Justice in 2015.

5           Within the current office, we have a  
6 policy, which was created in 2004, which is also one of  
7 the recommendations from that original workgroup.

8           But since 2004, we haven't been out to  
9 really evaluate with the citizens of Commonwealth where  
10 we stand today. Does this policy make sense? The way  
11 we define Environmental Justice communities, does it  
12 work for the Commonwealth today? And what better ways  
13 can we evaluate to improve our --- our role with the  
14 community members?

15           So that is really the sort of focus of  
16 this Listening Tour.

17           The mission of the Office of Environmental  
18 Justice, if I can sum it up in one sort of nutshell  
19 component, it would be to make sure that people have an  
20 equal seat at the table.

21           Environmental Justice at its core is about  
22 access. And access means having sort of all the  
23 information and resources and tools to provide coherent  
24 responses to the conditions that affect our  
25 environment. And that's what our office is really

1 aimed at trying to assist community members with  
2 having.

3                   If you can go to the next slide, John.

4                   There are three main goals that the Office  
5 of Environmental Justice sort of focuses on, which are  
6 minimizing adverse environmental impacts, empowering  
7 communities and fostering economic opportunities.

8                   If you look on the back of the brochure,  
9 which are available on the table.

10                   And again, on our website, there's sort of  
11 a --- a more in depth analysis as to each of those  
12 three topics that I invite you all to --- to look there  
13 and to read further.

14                   So there are seven framing questions that  
15 we have sent out, and hope to sort of guide the  
16 conversation. We're here to listen. These are just  
17 sort of topical areas that we hope to sort of focus our  
18 conversation, but we're here to listen from you.

19                   With that being said, at times, it can be  
20 frustrating, if you're asking us a question and you  
21 don't get a response back. This is Listening Tour, so  
22 we will not be providing responses. That is the sort  
23 of format. So we have a stenographer here who is  
24 taking down everything that is being said.

25                   So once we get done going throughout the

1 rest of this Listening Tour, we'll be providing that  
2 --- that testimony and evaluating the next steps for  
3 the Office of Department, about how to better enact the  
4 things that we've learned throughout this Listening  
5 Tour.

6           Sort of housekeeping rules. The restrooms  
7 are far to the end of the hall and to the left. If  
8 there's a fire or emergency, please use the stairs that  
9 are located in the central well, that will direct you  
10 out. I think I've about summed all that up.

11           We will have three minutes for each  
12 speaker.

13           At the end of us going through our sign in  
14 list, if there are individuals who have not signed up,  
15 who would like to speak, we ask that you notify us and  
16 we will add you to that list.

17           If we have time remaining for additional  
18 comments, we will then evaluate and allow for  
19 additional comments for a few speakers for up to four  
20 minutes. That's sort of format that we have.

21           We hope that you all will come out and  
22 visit and speak to us. This is the beginning of a  
23 conversation. I'll come back with about five minutes  
24 left to our tour line --- time limit and sort of let  
25 you know where we're going next.

1 Thank you so much.

2 And with that, we'll turn it over to you  
3 all to give us testimony.

4 SECRETARY MCDONNELL:

5 So the first name on our list is Dennis  
6 Simmers. If you're interested in ---.

7 MR. SIMMERS:

8 I have a little problem, because I was  
9 told I have five minutes. So I have no idea how I'm  
10 going to condense two minutes out of this. But I'll  
11 give it a shot. I --- I understand that now, so ---.

12 DEP REPRESENTATIVE:

13 Thank you, sir.

14 MR. SIMMERS:

15 Here's your copy.

16 DEP REPRESENTATIVE:

17 And if you could just make sure you spell  
18 your name for our stenographer.

19 MR. SIMMERS:

20 Okay.

21 DEP REPRESENTATIVE:

22 And I'll give you a little heads up when  
23 you're getting close.

24 MR. SIMMERS:

25 It's going to be frightening, so ---.

1 Because this is five minutes on the dot.

2 Dennis, D-E-N-N-I-S, middle initial C.  
3 Simmers, S-I-M-M-E-R-S.

4 Okay.

5 So good afternoon.

6 You have my name.

7 I am a fifth-generation resident of  
8 Central-Northern Cambria County. It's about two hours  
9 east of here. My four school-age daughters are the  
10 sixth-generation. And I've been there for about 43 of  
11 my 53 years now.

12 The Office of Environmental Justice has  
13 identified my township as an Environmental Justice  
14 area.

15 Cambria County at large, where I live, has  
16 not been a source of good news over the last three  
17 decades or so, as well as Clearfield to our north,  
18 Somerset to our south.

19 You know, we have those three in the top  
20 seven lowest household median incomes in Pennsylvania.  
21 And my county is at the top of list without migration.  
22 Over 6,000 people in the last four years have left  
23 permanently.

24 With one or two exceptions, every public  
25 school in my county has an extremely large number of

1 students eligible for free and reduced lunch, which  
2 means their families are at the poverty income  
3 guideline or less.

4           The school that my girls go to, 43 percent  
5 are eligible right now, which is about 774 students who  
6 are at the poverty --- federal poverty guideline.

7           The last two demographics I want to point  
8 out for Cambria, is that we near or at the top of the  
9 unemployment roles year in and year out.

10           And most tragically, we are tied for first  
11 with Philadelphia County with the most drug overdose  
12 deaths per population.

13           Suffice it to say, I think the county  
14 meets almost all of the demographic criteria of your  
15 program, Environmental Justice.

16           Okay?

17           Going with that first bullet point that  
18 the gentlemen showed, in my opinion, the top concern  
19 for my county is the legacy of over a century of coal  
20 mining. Abandoned waste coal piles, which are featured  
21 in the pictures behind me here.

22           By the tens of millions of tons, these are  
23 laying on the ground in our county, destroying the  
24 drinking water supplies, the surface water, the  
25 groundwater.

1 Cambria County, along with Clearfield to  
2 the north, Somerset to the south were once amongst the  
3 giants of coal production in Pennsylvania, if not the  
4 United States. Which was fine and dandy when we were  
5 winning World Wars and building a nation.

6 Right?

7 They're all gone now. Nation building is  
8 pretty much wrapped up. War victories don't really  
9 rely on coal anymore. The coal industry has left our  
10 area. But they've also left millions and millions of  
11 tons of waste coal behind.

12 All right?

13 The residents of Cambria County, or the  
14 survivors are now stuck with this environmental  
15 catastrophe of --- and it's of epic proportions,  
16 really.

17 Good news.

18 About 20 years ago, three small power  
19 stations were built in our county that actually use  
20 this stuff to generate electricity. And they've  
21 removed, wonderful, about 35 million tons of this so  
22 far.

23 I'm going to skip ahead.

24 And I just want to say to you, that we,  
25 the residents, are the number one stakeholders.

1                   Okay?

2                   And we are really urging that we keep this  
3 reclamation effort going. I'm going to die before it's  
4 done. My daughters have a shot of seeing a hundred  
5 percent reclamation, which is what we want as the  
6 residents.

7                   So how did we do?

8                   Three minutes?

9                   Thank you.

10                  SECRETARY MCDONNELL:

11                  Next is Carrie Hahn.

12                  MS. HAHN:

13                  Carrie Hahn. It's C-A-R-R-I-E. Hahn is  
14 H-A-H-N.

15                  And I have nothing prepared, because I  
16 really had no idea what to expect.

17                  So I would just say, I --- I live in  
18 Lawrence County. I live in an Old Order Amish  
19 Community.

20                  And I moved up there about seven years  
21 ago. I used to live in South Hills of Pittsburgh, in  
22 Mount Lebanon. And I was following a crazy dream to go  
23 up to that area to farm.

24                  I wanted to be able to grow our own food  
25 for my family. I have been involved in the Local Food

1 Network here in Pittsburgh.

2                   And it's a beautiful rural community, but  
3 we're being innovated by unconventional gas drilling.

4                   And I tried a couple of times to contact  
5 the Environmental Justice Office, because I felt that  
6 the Amish Community was being underserved.

7                   I think we need additional hearings  
8 because of it. They don't have access into the  
9 information that we do about unconventional drilling.  
10 They're being taken advantage of by people from the  
11 industry, who are telling them things that are  
12 completely inaccurate and false.

13                   I don't really quite understand all of the  
14 determinations that you use to --- to designate an  
15 area.

16                   And unfortunately, in --- in this region,  
17 there's a lot of people who have a lot of money who  
18 have moved to that area. Because it's beautiful. And  
19 you can be in the country. And it's not too far from  
20 the airport. And a lot of people work from home.

21                   So you know, because of that, it's skewed  
22 the --- maybe the income level in my township. We  
23 definitely have some million-dollar mansions. But  
24 right up the road, we have a lot of people who are  
25 scraping to get by.

1           So I --- I guess I would urge you, that  
2 anywhere in the state that you have an Amish community,  
3 that you possibly look a little closer in  
4 re-evaluating. Because not only from an economic  
5 standpoint, but just their religious position, they  
6 really avoid conflict.

7           And so it's difficult for them to get  
8 involved and engaged in conversations, especially when  
9 you have a big industry coming in.

10           So that's all that I have to say.

11           Thank you.

12           SECRETARY MCDONNELL:

13           Tim Bailey.

14           MR. BAILEY:

15           Tom.

16           SECRETARY MCDONNELL:

17           Tom, sorry.

18           MR. BAILEY:

19           It's okay.

20           Hello.

21           DEP REPRESENTATIVE:

22           Hello, Tom.

23           MR. BAILEY:

24           Hi there.

25           DEP REPRESENTATIVE:

1           Okay.

2           Go ahead.

3           MR. BAILEY:

4           My name is Tom Bailey, B-A-I-L-E-Y.

5           Hello.

6           I appreciate you taking the time to come  
7 and listen to what we're saying. I would say one  
8 thing, the three minutes is not long enough.

9           If the rules were switched here, would you  
10 folks want to explain your ideas in three minutes?

11           Second is, you talk about action. We're  
12 speaking to you. Speaking is one thing. Talk is  
13 cheap. The question is, what's going to come from it.

14           First, in my opinion, is conservation.  
15 Article 27 says, from the 68th Constitution, that our  
16 land, water and air will be kept clean, as it was when  
17 we came here.

18           The question is, what's being done to  
19 allow that?

20           Mr. Jones mentioned equal access. I  
21 believe he's talking about, that many of us aren't at  
22 meetings, where the people from the government and the  
23 corporations come to seek permits from you. There's  
24 very few average people there, because we're working.

25           So equal access means, do you actually

1 hear and feel what we're trying to express to you.

2 Main issue for me right now is shutting  
3 down the fission nuclear plants.

4 I raise that now, because evidently, the  
5 nuclear companies are going to come to the state  
6 legislature and ask for their government to bail out  
7 the fission plants in this state.

8 Those of us that have lived here most of  
9 our life realize that it has not been good for the  
10 state. And now, they can't do well economically, so  
11 now that ask for your help.

12 The motto is, in times of profit,  
13 capitalism rules. In times of loss, socialism is  
14 brought in.

15 I understand you're not the state  
16 legislature, but you have that effect. And I'd ask you  
17 to shut them down, do not bail them out.

18 And then we have to deal with the  
19 radioactive waste onsite, high level and low level  
20 radioactive waste. So you folks have a tough job.

21 I'm a high school teacher. I have a tough  
22 job.

23 But I do urge to take what we say and put  
24 it into effect.

25 Thank you.

1                   SECRETARY MCDONNELL:

2                   Ned Ketyer.

3                   DR. KETYER:

4                   Thank you.

5                   My name is Ned Ketyer, K-E-T-Y-E-R.

6                   I'm a pediatrician in the Pittsburgh area  
7 at Pediatric Alliance.

8                   I'm a member of the American Academy of  
9 Pediatrics Council on Environmental Health. Medical  
10 consultant for Southwest Pennsylvania Environmental  
11 Health Project. And a board member of the Physicians  
12 For Social Responsibility Philadelphia.

13                   Thank you for coming here and letting us  
14 speak.

15                   I just want to go through a couple of  
16 questions that you ask on your website and just earlier  
17 today.

18                   What Environmental Justice concerns are  
19 most pressing in your community?

20                   In Allegheny County, it's the air quality.  
21 Some of the worst in the United States is here. It  
22 affects the health of mostly urban and suburban  
23 residents. Many young, many elderly, many poor. And  
24 many are people of color.

25                   In other words, people who are most

1 vulnerable to the environmental degradation, pollution  
2 and climate change impacts.

3           In Washington County, where I live and  
4 work, it's the shale gas industry, whose activities  
5 pollute the air and water, stress people out and make  
6 the most --- the mostly rural residents, who live in  
7 proximity to the industry's infrastructure, sick.

8           Two, do you feel that the current  
9 definition of Environmental Justice community properly  
10 represents the needs of your community and the  
11 Commonwealth at large?

12           Not in the Marcellus Shale gas patch,  
13 where most of the residents exposed to the physical and  
14 psychological harms that accompany this heavy industry  
15 are white. They live in rural communities.

16           I don't know how many live in poverty in  
17 these areas, but my impression is that the industry is  
18 not operating in affluent communities.

19           Three, do you feel the Department is  
20 engaged with marginalized communities to ensure that  
21 they have a voice in the decision-making process? How  
22 can the Department be more engaged with these  
23 communities?

24           My impression is that the DEP doesn't  
25 consider that mostly rural, mostly white non-affluent

1 gas patch communities as marginalized.

2           The DEP could be more engaged with these  
3 communities by actually engaging with them face to face  
4 and listening to their concerns on a regular basis.

5           Many residents have expressed to me their  
6 frustration that DEP doesn't listen to their concerns  
7 when engagement actually occurs.

8           More DEP personnel that are connected to  
9 Environmental Protection issues, instead of political  
10 and commercial interests, would be a positive step in  
11 addressing the injustices these people perceive.

12           Four, what ways can the Department be more  
13 effective at sharing information with the public?

14           The DEP website is very, very good. I'd  
15 like to see a --- direct links to daily air quality and  
16 pollution reports prominently displayed on the website.

17           Actual physical presence in the  
18 communities and more public meetings would be helpful.  
19 Provide educational materials and programs that are  
20 presented by DEP --- DEP, with input from Environmental  
21 Health and Public Health experts and other trusted  
22 voices in the community, using science instead of  
23 industry talking points as resources.

24           Finally, how can the Department be more  
25 effective at receiving public input? Have a more

1 visible presence in our communities. Respond to all  
2 complaints quickly. Listen. Show some concern for the  
3 physical and mental health of the residents, rather  
4 than the monetary health of the industry.

5                   Again, thank you.

6                   DEP REPRESENTATIVE:

7                   We'll call Tom Schuster, followed by Grant  
8 McIntyre.

9                   MR. SCHUSTER:

10                   Good afternoon.

11                   My name is Tom Shuster.

12                   And tonight, I am speaking as a member and  
13 Secretary of the NAACP Johnstown Branch.

14                   Our president, Alan Cashaw, was not able  
15 to travel to Pittsburgh today, but is on board with  
16 these comments.

17                   According to the DEP's map, there are six  
18 designated Environmental Justice communities within and  
19 around the City of Johnstown.

20                   And I'm also speaking as a father of an  
21 African American son who suffers from asthma and who  
22 has really struggled with it much more since he moved  
23 to our house from his foster home in Florida.

24                   It's been very challenging for us at times  
25 to control it.

1           Thank you for the opportunity to suggest a  
2 few of the areas in which DEP could improve its work on  
3 behalf the Environmental Justice communities.

4           The first thing I think could be done is,  
5 the DEP needs to be more proactive in its  
6 communication.

7           The Johnstown Branch found out about these  
8 meetings because one of our members, Dr. Clea Hollis,  
9 happens to be on the Advisory Board. And because I  
10 happen to work for the Sierra Club.

11           But otherwise, we probably wouldn't have  
12 seen notice of these meetings. And I imagine there's a  
13 number of other branches throughout the state that are  
14 probably in that boat.

15           I suggest that the DEP work to identify at  
16 least one point of contact representing a prominent  
17 community group for of each designated EJ area, and  
18 make sure that that person is notified when an issue  
19 arises that could impact the community.

20           These contacts should be verified and  
21 updated regularly and should be consulted for advice on  
22 the best way to get relevant information to the people  
23 in their own communities, as well as the best methods  
24 for engaging in meaningful dialogue.

25           Second, I think DEP needs to expand its

1 role in protecting overburdening communities from harm.  
2 Currently, the role is limited to permitting of a  
3 limited category of new facilities. And this does not  
4 adequately address the cumulative nature of  
5 environmental threats that residents can face.

6           At minimum, all new pollution services  
7 within the EJ community trigger some form of review to  
8 consider them in the context of existing pollution  
9 burdens.

10           But DEP can and should go further. Air  
11 and water pollution permits are periodically reviewed  
12 and updated to incorporate new regulatory and control  
13 technology standards. But funding cuts have created  
14 backlogs for these updates.

15           And so permit updates, which are likely to  
16 reduce health problems in the Environmental Justice  
17 community should be prioritized, especially for the  
18 largest sources of pollution.

19           Likewise, when research constraints cause  
20 DEP to have inspection backlogs for public water  
21 drinking systems, those which serve the EJ community  
22 should receive closer scrutiny.

23           And finally, it would be great if DEP had  
24 a plan for helping communities mitigate environmental  
25 burdens that are not necessarily the result of

1 permitting issues.

2           For example, Johnstown is one of eight  
3 Pennsylvania cities with a higher percentage than  
4 Flint, of children with dangerous blood lead levels  
5 that can permanently impact their brain function.

6           We're told that this is primarily due to  
7 lead paint exposure from our older housing stock. The  
8 city administers a Home Rehab Program that mitigates  
9 this and only issues, but can only do about 20 projects  
10 per year.

11           So most people in Johnstown are unaware of  
12 the scope of the issue and about the steps that they  
13 should be taking to protect their children.

14           So state-level --- level public education  
15 programs seem to have limited impact. And it would be  
16 helpful for the DEP and Department of Health to do  
17 targeted intensive education and remediation programs.

18           Okay.

19           Meanwhile, the Johnstown branch is working  
20 on a program to reduce significant financial burden  
21 that energy poses to low income households, and also  
22 hopefully use that as a pathway to reduce home health  
23 issues, such lead, radon and mold.

24           We know that there are other groups in  
25 state that are also working on this, such as Children's

1 Homewood Village.

2           And we would like to work with the DEP and  
3 other agencies to hopefully lift communities out of  
4 Environmental Justice status entirely and --- and make  
5 that the overarching goal.

6           So thank you.

7           Sorry to go over.

8           DEP REPRESENTATIVE:

9           Grant McIntyre?

10          No?

11          John ---?

12          MR. SIMMERS:

13          Is that okay for him to go a minute over,  
14 and I had to cut mine short or ---?

15          DEP REPRESENTATIVE:

16          No, I'm sorry.

17          MR. SIMMERS:

18          Can we get another minute?

19          DEP REPRESENTATIVE:

20          I'm sorry about that.

21          We'll be more assertive. So we really ask  
22 you to keep it to the three minutes to respect  
23 everyone.

24          Okay?

25          Sorry about that, sir.

1           MR. SIMMERS:

2           No, that's okay.

3           I got the wrong intel to begin with. I  
4 thought it was five minutes, and told it's three. I  
5 abided by your rule. You warned the gentleman two or  
6 three times, and you stood there and took another  
7 minutes and ten seconds.

8           DEP REPRESENTATIVE:

9           I apologize, sir.

10          MR. BAILEY:

11          I think the teacher should get another  
12 minute. We should get another minute.

13          MR. SIMMERS:

14          Absolutely.

15          DEP REPRESENTATIVE:

16          After we all finish, if there's additional  
17 time, we're happy to take more.

18          We're --- we'll take some at the end. We  
19 want to give everyone a chance to speak.

20          Okay?

21          DEP REPRESENTATIVE:

22          Next will be John Stephen, followed by  
23 Wanda Guthrie.

24          MR. STEPHEN:

25          Good afternoon.

1                   John Stephen, Allegheny County River Town  
2 resident.

3                   I'm just here to remind you that at least  
4 in Allegheny County River Towns, Pennsylvania  
5 Environmental Justice areas tend to overlap with  
6 combined overflow areas.

7                   And most of the sewer operators are  
8 violating the Clean Water Act. And DEP knows it and  
9 have taken enforcement actions.

10                  But enforcement at the end of the pipe  
11 with not achieve environmental equity objectives of our  
12 rainwater quality.

13                  Whenever the overflows occur in our rivers  
14 and streams, they're often also occurring in people's  
15 basements and in neighborhoods, which creates a cascade  
16 of health and property concerns and issues.

17                  Environmental Justice areas are entitled  
18 to streams and natural water and open spaces. And DEP  
19 should raise the property of rainwater quality  
20 enforcement in the EJ areas, even if a stream was long  
21 ago covered, it --- there should be consideration for  
22 enforcement actions and opportunities.

23                  Enforcement of Clean Water laws is an  
24 opportunity to empower these EJ communities to  
25 reconnect with water, reconnect with the utilities

1 managing their water and to reconnect with the agencies  
2 enforcing clean water requirements.

3           So just a few recommendations.

4           DEP should prioritize its CSO enforcement  
5 policies to direct engineering and design resources to  
6 address overflows throughout the system, including in  
7 people's basements. Not just to eliminate an overflow  
8 at its point of discharge in the open waters.

9           DEP should encourage urban watershed  
10 action plans, such as PWSA's Green First Plans, but  
11 demand that they are also created with community input  
12 and guidance from the get-go.

13           DEP should consider basement overflow  
14 elimination programs as an important contribution to  
15 remedial actions in CSO consent decrees.

16           And finally, DEP should prioritize  
17 community engagement and workforce development as  
18 components of the CSO Consent Decree Remediation Plans.

19           Thank you.

20           DEP REPRESENTATIVE:

21           Wanda Guthrie, followed by Sarah  
22 Buranskas.

23           MS. GUTHRIE:

24           Hi.

25           My name is Wanda Guthrie. That's

1 W-A-N-D-A, G-U-T-H-R-I-E.

2 And I'm with the Thomas Merton Center  
3 EcoJustice Working Group and with UUPLAN's Moratorium.  
4 It's an interfaith group in Pennsylvania. And we're  
5 for a moratorium on drilling.

6 And just recently, over the last couple of  
7 months, we raised \$6,000 for Water for the Woodlands,  
8 Clean Water for the Woodlands. These are people --- 50  
9 families that have been without water for almost six  
10 years.

11 So I'm here to just say to the DEP, get  
12 out there again and check these people's well water.  
13 Six years is too long.

14 Good people in Pennsylvania have been  
15 contributing water for six years, 20 gallons a week,  
16 which is not enough. It's just a supplement to these  
17 people's need for water.

18 So I'd say get out there and do it again,  
19 check their water and do the right thing. And all they  
20 need is some waterlines from the State of Pennsylvania  
21 to their homes. That's all they're asking for. Let's  
22 do some justice.

23 DEP REPRESENTATIVE:

24 Sarah Buranskas, followed by Jessa  
25 Chaveau.

1                   MS. BURANSKAS:

2                   Sarah Buranskas. Sarah with an H. And  
3 then B-U-R-A-N-S-K-A-S.

4                   I'm the Food Access Coordinator at the  
5 Pittsburgh Food Policy Council. We convene individuals  
6 and organizations across Pittsburgh and Southwestern  
7 Pennsylvania that work in Food Systems across the  
8 spectrum to discuss and develop food and urban  
9 agriculture policies.

10                   The following comments reflect input from  
11 council members who have done advocacy work on behalf  
12 of low income communities, primarily related to  
13 questions three, five and six regarding public input  
14 and public meetings.

15                   Council members have suggested mailings as  
16 an effective communication tool that can be utilized by  
17 DEP.

18                   They've also suggested community meeting  
19 structure, in which information about when and where  
20 meetings take place is communicated far enough in  
21 advance for these communities. That meetings take  
22 place on evenings and weekends and that childcare  
23 services be available so that all community members can  
24 participate.

25                   The rule of the DEP needs to be clearly

1 communicated, including well-publicized clarification  
2 as to what kind of reporting is under their purview.

3           And finally, council members suggest the  
4 development and promotion of a 311 style app for use by  
5 community residents.

6           DEP REPRESENTATIVE:

7           Jessa Chaveau, followed by Tom Hoffman.

8           MS. CHAVEAU:

9           Thank you.

10          J-E-S-S-A, C-H-A-V-E-A-U.

11          Thank you for the opportunity to speak and  
12 for holding today's Listening Tour.

13          My name is Jessa Chaveau, and I have  
14 worked for the Southwest Pennsylvania Environmental  
15 Health Project for almost three years as the case  
16 manager.

17          EHP assists residents who feel their  
18 health may be impacted by unconventional shale gas  
19 development.

20          I am here to give testimony on behalf of  
21 myself as a social worker, my organization and the  
22 clients of EHP regarding Environmental Justice issues  
23 relating to shale gas development.

24          At this time, I do not believe that the  
25 Department of Environmental Protection is sufficiently

1 engaged with marginalized communities to ensure that  
2 they have a voice in the decision-making process.

3           After extensive work in the community  
4 through focus groups, I have found that the definition  
5 of EJ communities is so limiting, that most  
6 marginalized communities are missed.

7           Expanding the definition of EJ  
8 communities, communicating with people in these regions  
9 on a regular basis and in formats that are accessible  
10 to them, such as regular small-scale meetings would be  
11 a good start.

12           In addition, DEP should leverage local  
13 expertise and informants, such as community --- as  
14 County Human Services Agencies and local nonprofits to  
15 develop comprehensive and community-specific outreach  
16 plans for each proposed --- each --- sorry --- each  
17 proposed EJ trigger project that fits the  
18 characteristics of a given community.

19           Lastly, DEP needs to respond to resident  
20 complaints in a timely and thorough way.

21           Until DEP is responsive to complaints and  
22 transparent with the information regarding shale gas  
23 development, it's unlikely that the public will trust  
24 the Agency enough to feel confident in whatever  
25 information DEP offers.

1           In closing, I commend the Department of  
2 Environmental Protection, Office of Environmental  
3 Justice for taking the time to hold this Listening  
4 Tour.

5           EHP looks forward to meaningful action at  
6 the state-level. And on behalf of the residents in our  
7 service area, I can again testify that the need and  
8 demand for such action is both immediate and  
9 widespread.

10           Thank you very much.

11           DEP REPRESENTATIVE:

12           Tom Hoffman, followed by Randy Francisco.

13           MR. HOFFMAN:

14           Hi there.

15           Thank you very much for recording this.

16           My name is Tom Hoffman, I'm with the  
17 Sierra Club.

18           And I'm speaking today as a representative  
19 of the Our Water Campaign here in Pittsburgh, which is  
20 the coalition of organizations working for safe,  
21 affordable and public water here in Pittsburgh. All  
22 three of which are threatened.

23           Before I comment on that, I just wanted to  
24 tell you a story of --- from a couple years ago. I was  
25 working with folks on air pollution, as a professor at

1 CMU that did a map of where all of the pollution is.  
2 And had different colors. And a lot of air pollution's  
3 red --- you know, and the less would be pink and yellow  
4 and all these different colors.

5 And they said, you really have to take ---  
6 you got to superimpose the EJ communities on top of  
7 that.

8 And what is the secret? He said he had  
9 this trick, you know ---. Want to see me make all the  
10 --- all the pollution disappear? And all you do is  
11 lift out the EJ community.

12 So that's --- that's where it all ends up.  
13 And I can actually get you that map, if you want  
14 sometime.

15 But ---.

16 So last Tuesday, the Our Water Campaign  
17 had an overflow crowd of 200 people at the Kingsley  
18 Association and East Liberty.

19 We heard from Nayyirah Shariff from Flint  
20 Rising about their lead crisis in the water in Flint.  
21 And the similarities and differences with Pittsburgh.  
22 Her remarks were followed by a panel of local leaders.

23 One remark from Chelsa Wagner our County  
24 Controller, was that of all the water systems in the  
25 state --- or no, in the country that are in violation

1 of EPA lead limits, Pittsburgh is the largest one.

2 Another panelist, Dr. Chris Conti from the  
3 Primary Care Health Services talked about lead levels  
4 being discovered in the school drinking water right  
5 near his clinic in Homewood, Westinghouse School.

6 And other than the boil water advisory and  
7 the little dustup about the soda hash, PWSA. And those  
8 were good things, don't get me wrong. But I think ---  
9 you know, I think we --- we need more DEP involvement  
10 in that.

11 And one issue that as a state  
12 organization, you can maybe help with. There are local  
13 leaders that keep referencing the Municipality  
14 Authorities Act, which prohibited PWSA from replacing  
15 the customer portion of the service line.

16 Now, since a partial line replacement,  
17 just half the line and not the customer part, that's  
18 worse than doing ---.

19 DEP REPRESENTATIVE:

20 Thirty (30) seconds.

21 MR. HOFFMAN:

22 Okay.

23 Great.

24 People in EJ communities don't have the  
25 financial waiver bill to pay thousands of dollars for

1 replacing their portion.

2                   We need the DEP to help us determine if  
3 the MAA actually does prohibit this. And two, if it  
4 does, someway around it. And we can also use help with  
5 funding the replacements.

6                   So thank you very much.

7                   DEP REPRESENTATIVE:

8                   Randy Francisco, followed by Angelo  
9 Taranto.

10                  MR. FRANCISCO:

11                  Hi.

12                  I'm Randy Francisco, I am ---.

13                  I'm sorry.

14                  R-A-N-D-Y, F-R-A-N-C-I-S-C-O.

15                  I am right here representing the Sierra  
16 Club today.

17                  The Pittsburgh Water and Sewer Authority  
18 has --- as Tom just mentioned, has had a high profile  
19 issue lately with lead in drinking water and  
20 chlorination failures lately, drawing some comparisons  
21 to Flint, Michigan.

22                  Why the PWSAs problems are mainly from  
23 pipe leaching, they highlight the fact that drinking  
24 water chemistry is a delicate balance that can be  
25 easily upset.

1           The problems in Flint were widely believed  
2 to have been started when the source water was switched  
3 to a more polluted river.

4           If we're going to keep our own drinking  
5 water safe, it is critical that we reduce the amount of  
6 pollution that is dumped into it in the first place.

7           This is especially true, now that the  
8 State Department of Environmental Protection has been  
9 called out by the EPA for failure to enforce drinking  
10 water standards.

11           Coal-fired power plants are the largest  
12 source of industrial water pollution in the country.  
13 And the --- in the Allegheny Basin --- in the Allegheny  
14 Basin, which provides most of Pittsburgh's drinking  
15 water, receives effluent from five large coal-fired  
16 power plants.

17           All of these coal-fired power plants have  
18 expired permits, which do not include the latest  
19 protections from heavy metal pollution contained in its  
20 effluent.

21           The closest power plant is Cheswick.  
22 Which is the fourth largest known discharger of lead in  
23 this country.

24           Cheswick and other plants are also major  
25 sources of bromine pollution.

1                   When water a chlorinated for drinking, any  
2 bromine present reacts with the organic materials to  
3 form brominated trihalomethanes, and sorry if I  
4 mispronounced it, BTHMs. Which cause cancer and birth  
5 defects.

6                   People can be exposed to BTHMs not just by  
7 drinking water, but also bathing in it, breathing it in  
8 and steam in their showers.

9                   And sometimes water treatment plants ---  
10 and I'm sorry, sometimes water treatment plants  
11 substitute other disinfectants for chlorine to try to  
12 reduce BTHMs. But the unintended consequences is that  
13 more lead reaches from the pipes into the water.

14                   The DEP needs to quickly update Cheswick's  
15 water pollution permit, which would limit the amount of  
16 toxins that can be dumped into the Allegheny River, our  
17 main source of drinking water.

18                   The draft permit should be released for  
19 public comment immediately and finalized by the end of  
20 the year and must implement the 2015 federal rules  
21 limiting water pollution from power plants.

22                   It is not fair to force people with  
23 limited means to choose between purchasing expensive  
24 water treatment systems or suffering the long-term  
25 health consequences of lead or BTHMs exposure.

1 Thank you.

2 DEP REPRESENTATIVE:

3 Angelo Taranto, followed by James  
4 Fabisiak.

5 Thank you.

6 MR. TARANTO:

7 My name Angelo Taranto. It's A-N-G-E-L-O,  
8 T-A-R-A-N-T-O.

9 I'm member of Allegheny County Clean Air  
10 Now or ACCAN.

11 Our members come from the area of the four  
12 north boroughs in Allegheny County. These boroughs are  
13 on the Ohio River across from Neville Island, where a  
14 number of major source air polluters are located.

15 For years, the Shenango Coke plant was the  
16 worst of these polluters. Since its closure in 2016,  
17 air quality has significantly improved.

18 However, air pollution from Neville ---  
19 Neville Island is still a serious problem.

20 One of the questions you asked is, what  
21 Environmental Justice concerns are most pressing for  
22 us. It's the concentration of major source air  
23 polluters in our community that make us and our  
24 children sick, and inability of the Allegheny County  
25 Health Department to adequately regulate these sources.

1 Environmental ---. The --- the --- the  
2 Environmental Justice definition should be expanded to  
3 include communities that are downwind from major source  
4 air polluters, communities that are close to highways  
5 and rail lines and communities that have a high  
6 percentage of senior --- senior citizens or children.

7 I'd also like to --- to note that  
8 regulations that penalize people living in areas that  
9 already have poor air quality should be eliminated or  
10 changed.

11 The --- the DEP and the Allegheny County  
12 Health Department are not engaged with marginalized  
13 communities. That's been our experience in working  
14 with the --- with the agencies.

15 The --- the DEP should engage with groups  
16 by identifying community groups and leaders in EJ areas  
17 and involving them in discussions and decision making.

18 Also, communities should be ---.

19 Air quality regulations are incredibly  
20 complex. The --- the DEP should do a better job of  
21 educating the public, so the public understands the ---  
22 the --- the impacts of new and existing industries in  
23 the community.

24 Lastly, I had a basic question. And that  
25 whether DEP's Environmental Justice regulations will

1 apply to --- to Allegheny County, where the Allegheny  
2 County Health Department regulates air quality?

3 Thank you.

4 DEP REPRESENTATIVE:

5 James Fabisiak, followed by Anne Quinn.

6 DR. FABISIAK:

7 Hello.

8 My name is James Fabisiak,  
9 F-A-B-I-S-I-A-K.

10 And I'm an Associate Professor of  
11 Environmental & Occupational Health at the University  
12 of Pittsburgh.

13 So first, let me thank you for arranging  
14 this meeting, as hopefully a prelude to greater public  
15 dialogue and response in the area of Environmental  
16 Justice.

17 And at this time, I wish to raise three  
18 points concerning the EJ system in its present state.

19 First, we are currently conducting an  
20 academic study assessing the distribution of designated  
21 EJ tracts in Allegheny County, in relation to existing  
22 air pollution sources.

23 Using high-resolution GIS modeling for  
24 traffic-related pollutants, such as NO2 and black  
25 carbon, we observe a significant skewing of EJ areas to

1 localized in --- in areas of highest pollutant  
2 exposure.

3                   For example, 53 percent, 40 percent of all  
4 designated EJ tracts fall within the highest quartile  
5 of census tracts for NO2 and black carbon exposure  
6 respectively.

7                   A chance that an EJ tract occurs in the  
8 top 25 percent of NO2 exposure tracts, is almost 15  
9 times greater than that occurring in the lowest exposed  
10 census tracts for NO2.

11                   This indicates that many EJ areas are  
12 already environmentally challenged, in addition to  
13 their socio-economic designation. It speaks to the  
14 need to incorporate the assessment of cumulative  
15 environmental impacts and evaluation of new source  
16 approvals.

17                   Second, it's also apparent that geographic  
18 areas are diverse in other demographic variables  
19 besides race and income that can contribute to risk.

20                   For a variety of reasons, the aged are one  
21 such group. They are more at risk for several chronic  
22 diseases, such as COPD and cardiovascular disease,  
23 hence more sensitive to the effects air pollution.

24                   Likely to spend more time within their  
25 census tract of residents, as well as are frequently

1 limited in their access to resources, such as community  
2 meetings and media announcements.

3           The median percentage of people 65 years  
4 or older across all Allegheny County census tracts is  
5 about 17 percent. However, about 7 percent of those  
6 census tracts contain an aged population of 25 percent  
7 greater or with the highest reaching 34 percent.

8           This supports the notion that perhaps that  
9 other disadvantaged groups should also be included in  
10 the evaluation of Environmental Justice.

11           And lastly, the relationship between new  
12 source operators and EJ communities is frequently  
13 awkward at best. Many operators have few resources and  
14 skill or little will to engage in productive community  
15 outreach, lack of community trust towards or even  
16 awareness of those new operators is also a limiting  
17 factor.

18           And while the Pennsylvania DEP should be  
19 acknowledged in its, quote, encouragement for new  
20 permit applicants to engage with impacted EJ  
21 communities, it needs to take a more active role at  
22 ensuring specific guidelines and criteria are met and  
23 better facilitate the identification, notification and  
24 engagement of all the relevant community stakeholders.

25           Thank you.

1                   DEP REPRESENTATIVE:

2                   Anne Quinn, followed by Elisa Beck.

3                   MS. QUINN:

4                   Hello.

5                   My name is Anne Quinn. Anne with an E.  
6 And then Q-U-I-N-N.

7                   I am the Executive Director of Jacobs  
8 Creek Watershed Association, which is the river that  
9 borders Westmoreland and Fayette County.

10                  I am speaking on behalf of that  
11 organization today.

12                  What I would like to talk about is a  
13 little bit about my interaction with the Environmental  
14 Justice area within my watershed.

15                  My only interaction has been as a grantee.  
16 I have submitted numerous grants to the DEP for water  
17 restoration projects. And I check a little box that  
18 says that sometimes my projects fall in an  
19 Environmental Justice area.

20                  And then that's that, that there's no  
21 requirements whatsoever for me to do further actions,  
22 and my grant for my communication to the public for my  
23 interactions with individuals. I just check that box.

24                  And I think it gives me extra points on my  
25 grant application. But I really want the understanding

1 that I'm a one-man show.

2                   And watershed groups are normally just mom  
3 and pop shops of volunteers. The idea that we have  
4 staff is outrageous. There are so few organizations  
5 like mine.

6                   But I have staff, but I'm only one person.  
7 And there's no way that I can do the greater  
8 Environmental Justice outreach that is necessary for  
9 people to understand the value of clean water.

10                   And one of things I struggle with is, my  
11 grant project are within areas that may or may not be  
12 Environmental Justice. But all that water is flowing  
13 to an area of Environmental Justice.

14                   So as my water is flowing down to these  
15 areas that are not within your boxes, if I put a  
16 project in them to help save the water downstream that  
17 is ending up even more polluted as it houses and houses  
18 and houses.

19                   And then it finally gets that  
20 Environmental Justice area, how is my project less  
21 valuable than the one within that box? Because I'm  
22 saving and securing and conserving and removing the  
23 pollutants that are reaching that Environmental Justice  
24 area.

25                   I also would like to say that one of the

1 greatest sources of pollution that we have in the State  
2 of Pennsylvania is ---. I guess there are ---. Well,  
3 there's too many.

4           So there's abandoned mine drainage.

5           In my watershed, I have a creek that flows  
6 through an area that's not an Environmental Justice  
7 area, that's a pH of two. How is that not an  
8 Environmental Justice issue?

9           We have citizens, who if they place their  
10 hand in that stream would have a rash if they let that  
11 water linger upon their skin. That is an Environmental  
12 Justice problem. That is a citizen concern.

13           And I also have concerns about the idea  
14 that as water flows through our communities without  
15 proper local ordinances and the ability for the DEP to  
16 act as both a conservation and protection agency.

17           We have such serious amounts of sediment  
18 into our creek that we're losing the ability to  
19 maintain the ecosystems that then support healthy  
20 drinking water and then support that well water, as the  
21 well water and groundwater intermix as they come in and  
22 out of my streams.

23           The last thing I want to say is as a  
24 person. So I'm stepping outside of Jacobs Creek role.  
25 I would like to say Anne Quinn as a member of Mountain

1 Water Association.

2 One of the concerns I have is that the DEP  
3 needs to play by the rules when it comes to permitting.

4 So Environmental Justice comes into the  
5 fact that there are rules that says you have to  
6 complete an economic evaluation of a Deep Mine Permit.  
7 You have to complete an environmental impact of a Deep  
8 Mine Permit.

9 And if they're not checking off those  
10 boxes, how are citizens feeling as if the rules are  
11 being played by at the Agency for their Environmental  
12 Justice areas?

13 Thank you.

14 DEP REPRESENTATIVE:

15 Elisa Beck, followed by Jennifer England.

16 MS. BECK:

17 Thank you.

18 My presentation of some dandelions from my  
19 front lawn is my peace and justice --- Environmental  
20 Justice offering.

21 I'm glad so many here are speaking in a  
22 linear fashion ---.

23 Oh, my name is Elisa Beck, E-L-I-S-A,  
24 B-E-C-K, founder of Sustainable Monroeville.

25 I'm an owner of two minority female-owned

1 businesses in Pittsburgh. One is about a mile from  
2 here in the south side.

3 I'm glad so many here are speaking in a  
4 linear fashion, indulging my artistic lead and mercury  
5 rained on artistic nonlinear testimony.

6 I gave testimony 30 miles northwest of  
7 here in Potter Township, PA, the site of the proposed  
8 well that's the largest petrochemical plant in North  
9 America, in the same air shed as we are right now in  
10 December several times.

11 As the largest nonnuclear bomb in the  
12 history of the world was dropped in Afghanistan hours  
13 ago, here we sit speaking.

14 What we must understand is that we are  
15 sitting in the middle of an already detonated bomb  
16 toxic area called Western Pennsylvania, and the  
17 complications that follow.

18 I want to introduce some words into the  
19 Pennsylvania Department of Environmental Protection,  
20 that I would hope that they and all of us start to  
21 speak a daily and talk to our friends about.  
22 Biomimicry, permaculture.

23 A critical mass of people from the  
24 neighborhood where this meeting is, I'm a  
25 neurodevelopmental functional behavioral optometrist.

1 And I make observations.

2 I found out about this meeting this  
3 morning from the newspaper. Thank you Don Hopey,  
4 sitting here today.

5 I also saw --- and that was on the front  
6 page of today's paper. That's how I found out about  
7 this meeting today.

8 And then on the front page of today's  
9 business section, I see that there's a, quote, stripper  
10 well ruling that could cause a \$16 million drop in fees  
11 that the Marcellus folks have to --- have to pay,  
12 wondering what's going on here.

13 The revolution is here now, Standing Rock  
14 S Project of Western Pennsylvania is beyond the  
15 planning stage now as we speak, stay tuned.

16 We must ban fracking. We may not do what  
17 we are doing here now. This is not sustainable  
18 regenerative future. That is now New York banned  
19 Maryland banned fracking. It's our turn next.

20 Cradle-to-cradle is another word I want to  
21 introduce.

22 The lead in our water, the source of our  
23 water somebody just mentioned, and what is the  
24 relationship to acid mine drainage and fracking water  
25 with the lead in our water. I haven't seen that on the

1 front page yet. But I'd love to see the research on  
2 that.

3 Thank you very much.

4 Thank you for your work. You guys are  
5 saints and ---. You're all saints, all of you.

6 DEP REPRESENTATIVE:

7 Jennifer England, followed by Adam Tuznik.

8 MS. ENGLAND:

9 Hi.

10 My name is Jennifer England,  
11 J-E-N-N-I-F-E-R, England spelled like the country.

12 I'm the Director of Operations for 412  
13 Food Rescue. And I wanted to talk to you today about  
14 the connection between Environmental Justice and Food  
15 Justice, in particular, as it's related to food waste  
16 in landfills.

17 We waste 40 percent of the food that we  
18 produce in this country. Which somewhere around 20  
19 percent of our landfill volume is actually food waste.  
20 Which then produces the potent greenhouse gas of  
21 methane as its deteriorates.

22 I see that the DEP is aware in addressing  
23 this issue, promoting composting and harnessing methane  
24 produced by landfills.

25 The DEP, though, has an opportunity to go

1 beyond simply ensuring that the Environmental Justice  
2 communities don't bear a disproportionate brunt of the  
3 adverse environmental impacts, and instead, embrace the  
4 community benefits approach to solutions here.

5           Rather than simply making sure methane  
6 produced by food waste is removed from the air by  
7 capture or compost, we suggest that the DEP look to  
8 supporting efforts to repurpose food that could help to  
9 end hunger instead of going to a landfill or even a  
10 compost heap.

11           In fact, the EPA food waste hierarchy  
12 places composting and industrial uses near the bottom  
13 when it comes to dealing with the food waste issue. At  
14 the top, right after source reduction, feed hungry  
15 people.

16           Environmental Justice communities are  
17 often also food deserts and the population face severe  
18 food insecurity.

19           Much like census tract data, which misses  
20 the reality of hunger in some communities, is  
21 pervasive, topping 50 percent or more. Particularly,  
22 the Environmental Justice communities you're looking  
23 at.

24           Much of that have food is safe, and  
25 appetizing and perfectly useable. And Philabundance in

1 Philadelphia and 412 Food Rescue here, are rescuing  
2 food heading to the landfills and distributing it in  
3 Environmental Justice communities to help hunger.

4           We urge the DEP to, one, prioritize  
5 rescuing food before composting and harvesting methane  
6 as a way to deal with food waste. Two, help educate  
7 consumers and business that food waste is actually an  
8 environmental issue.

9           Most people think food a biodegradable,  
10 and therefore it's okay to just throw it away without  
11 restraint.

12           Help educate consumers and businesses,  
13 three, to what alternatives exist to throwing it away.  
14 And also what alternatives exist to composting it.

15           Advocate for --- advocate for increased  
16 tipping fees to make disposal less attractive and less  
17 of an easy option, which also could prevent states like  
18 New Jersey and New York from exporting their garbage  
19 into Pennsylvania. Which again, also ends up in  
20 Environmental Justice communities.

21           Take on a community benefits approach to  
22 solutions.

23           DEP REPRESENTATIVE:

24           You have 30 seconds.

25           MS. ENGLAND:

1           Consider what the breadth and the depth of  
2 the issue is facing the community. Can we impact  
3 several problems with one solution?

4           For example, green infrastructure in an EJ  
5 community could help curb stormwater runoff, clean the  
6 air, provide a place for reaction and exercise, as well  
7 as beautification and potentially help impact hunger,  
8 and fruit-bearing trees and bushes, or actually gardens  
9 are put in those areas.

10           Food like health is a primary need for  
11 individuals and families. Without food, without  
12 health, education, employment, individual progress and  
13 even community progress are difficult to achieve.

14           We believe that DEP has an opportunity to  
15 impact both here.

16           Thank you.

17           SECRETARY MCDONNELL:

18           Thank you.

19           DEP REPRESENTATIVE:

20           Adam Tuznik, followed by Marisa Manheim.

21           MR. TUZNIK:

22           So my name is Adam Tuznik. That's

23 T-U-Z-N-I-K.

24           I'm an organizer with Clean Water Action.

25 And I just want to thank you for letting me address you

1 today.

2                   Our organization has about 100,000 people  
3 in Pennsylvania. And we work hard advocate for all of  
4 them.

5                   So a really big thanks to DEP for taking  
6 an incredible first step, the Listening Tours, you  
7 know, create policies and establish best practices to  
8 achieve some pretty hefty goals.

9                   I hope you'll strongly consider all of  
10 these recommendations and work to implement them as  
11 quickly and as effectively as possible.

12                   I mentioned that I'm an organizer. And I  
13 can see a lot of several small changes that the DEP can  
14 implement to improve attendance of community events.

15                   There's a lot of people here that are from  
16 someplace or speaking on behalf the organization.  
17 They're working. They're getting paid to be here. But  
18 the folks in a lot of EJ communities, they're at work.

19                   So if we had these meetings in the  
20 evenings or on weekends, we would definitely be able  
21 to, you know, increase attendance and community input.

22                   Secondly, the promotion of these meetings.  
23 You know, an announcement on a government website is  
24 not necessarily the media that most people consume on a  
25 regular basis.

1           What if there was a Facebook event for  
2 this? I imagine this room would be even more packed as  
3 of right now.

4           You know, we can use direct mailing, phone  
5 calls, text messaging, have direct relationships with  
6 community leaders or community organizations in, you  
7 know, Environmental Justice areas.

8           Second of all, location. You know  
9 something, a venue should be centrally located in the  
10 affected community with ample access to public  
11 transportation.

12           The upcoming event you have in Erie, for  
13 example, would require citizens that is --- lives in  
14 the shadow of the Erie Coke Works to take two buses and  
15 walk a half a mile along the shoulder of a crowded road  
16 to get to the location of the Environmental Justice  
17 Listening Session to there.

18           It is only a hop, skip and a jump away  
19 from Fairview, a very affluent and mostly white  
20 community. So it would be nice to have more access, as  
21 far as venue locations.

22           I think that we should be able to expand  
23 the definition of what Environmental Justice  
24 communities are, to do ---, to deal with locations in,  
25 you know, relation to point sources.

1           If they are certain distance, say, half a  
2 mile from a major point source, that automatically puts  
3 them in. If that area is out of attainments, that, you  
4 know, increases.

5           If that point source has several  
6 violations recently, that would even increase that area  
7 even more.

8           DEP REPRESENTATIVE:

9           Just wrap it up.

10          MR. TUZNIK:

11          Fair enough.

12          And Connecticut, for example, uses the  
13 income level of 200 percent, the federal poverty level,  
14 as a threshold not just that.

15          So the very last thing.

16          There should be a standard operation ---  
17 operating procedure to make sure that responses from  
18 the DEP back to community members are quick, they are  
19 made public and that there is easy access to all  
20 communications.

21          Thanks for taking the step in listening to  
22 us. I appreciate your time.

23          DEP REPRESENTATIVE:

24          Melissa Manheim, followed by Laura Dagley.

25          MS. MANHEIM:

1 Hi.

2 Marisa, M-A-R-I-S-A, Manheim,  
3 M-A-N-H-E-I-M.

4 Good afternoon.

5 My name is Marisa Manheim, and I am a  
6 co-chair of the Urban Agriculture Working Group. And  
7 we work on policies related to farming in Allegheny  
8 County.

9 I've also been participating in a  
10 statewide Urban Agriculture Working Group initiated by  
11 the Department of Agriculture.

12 We feel there's an opportunity for the  
13 Department of Environmental Protection to take an  
14 intersectional Environmental Justice approach to  
15 agriculture and food security throughout its  
16 Environmental Justice criteria in it's policies.

17 The other attendees have already addressed  
18 some really important ways that DEP could be more  
19 responsive to issues facing our community here in  
20 Allegheny County and Southwest PA, including air, soil,  
21 water pollution and so many of the other issues that  
22 were raised today.

23 Some of those are particularly important  
24 to farmers, both urban and rural. And I wanted to  
25 highlight a couple of those that haven't yet been

1 mentioned.

2           Carrie Hahn, who I don't know, but spoke  
3 earlier about the Amish country and the --- and the  
4 concerns there.

5           I wanted to highlight, in addition, that  
6 natural gas development is --- is impacting farmlands  
7 throughout Allegheny County.

8           We're --- here in our county, we have an  
9 overwhelming amount of land that are leased for oil and  
10 gas developments that are actually zoned agricultural.

11           Industrial development, particularly  
12 fracking and natural gas infracture, could make those  
13 lands unavailable and is often making those waterways  
14 unusable for irrigation and cultivation, and were  
15 making them unavailable to such an extent that they're  
16 not going to be able to produce in the future.

17           At the same time, natural gas development  
18 is an important income source for struggling farmers,  
19 so we have to take that into account as well.

20           DEP should be working more with  
21 municipalities to promote the preservation of farmlands  
22 and ensure that where it does occur, natural gas  
23 development does not negatively impact current or  
24 future agricultural use of land.

25           As you know, increased global ---

1 industrialization is leading to climate change, which  
2 is imperiling our global food supply and making local  
3 food infrastructure more necessary as a resiliency  
4 strategy. The loss of farmland will prevent our  
5 ability to feed ourselves in the further.

6           Second, as it was kind of mentioned  
7 before, low food access communities, which are labeled  
8 by the USDA as food deserts, are places where there's  
9 little to no access to affordable helping food. Low  
10 food access communities ---.

11           Okay.

12           Let me skip ahead, I believe that was  
13 covered already by Ms. England.

14           We want to make sure that the food access  
15 communities are including in the Environmental  
16 Justices. They're experiencing linguistic  
17 isolation --- their experience of food isolation is  
18 similar to linguistic isolation.

19           And we'd like to see some added efforts  
20 put towards slow remediation and community food gardens  
21 that have these multiple impacts, effects of improving  
22 environments, as well as improving food access. And  
23 also a community resiliency and community growth.

24           So we ask that you take those suggestions  
25 under consideration and work with your partners at the

1 Department of Agriculture, which are paying a lot of  
2 attention to these issues.

3           And other state --- federal, state and  
4 local government agencies to address these  
5 Environmental Justice issues.

6           And here is here in Pittsburgh, we stand  
7 ready to help when you're ready for those efforts.

8           Thank you.

9           DEP REPRESENTATIVE:

10           Laura Dagley, followed by John Burgess.

11           MS. DAGLEY:

12           L-A-U-R-A, D-A-G-L-E-Y.

13           So my name is Laura, I'm a registered  
14 nurse. I live here in Allegheny County, but I work in  
15 Washington County.

16           And there are obviously a lot of  
17 Environmental Justice concerns brought up today, but I  
18 --- the one that's most pressing to me is the air  
19 pollution in this region.

20           A new report has found that a large number  
21 of premature deaths, up to 12 percent of total deaths  
22 in Allegheny County, are attributed to particulate  
23 matter 2.5 levels.

24           Most of the particulate matter  
25 attributable deaths occurred in older populations. And

1 there are also higher mortality rates in areas of the  
2 highest poverty.

3           So older adults are more likely to suffer  
4 negative health effects of air pollution and are more  
5 likely to be hospitalized when exposed to air  
6 pollution. This population is not necessarily covered  
7 under current Environmental Justice definition.

8           Conversely, infants and children are more  
9 at risk due to their developing organs and systems, as  
10 well as the higher amount of air pollution they receive  
11 per body mass.

12           Many PM2.5 attributable deaths could be  
13 avoided. Recent estimates suggest that over half of  
14 particulate matter emissions in Allegheny County are  
15 generated from industrial sources.

16           Improving particulate matter levels from  
17 these sources would improve public health overall.

18           Exposure, other than the premature death,  
19 also has other negative outcomes, such as causing  
20 asthma attacks, acute bronchitis, heart attacks in  
21 individuals of cardiac disease and reduced lung  
22 function.

23           One major contributor to particulate  
24 matter pollution is the oil and gas industry.

25           Particulate matter, as well as many other

1 forms of air pollutants, are present in many stages of  
2 extraction and processing.

3           The DEP should also take into  
4 consideration the marginalized communities where this  
5 is taking place. And this doesn't necessarily mean  
6 that they're poor communities, but they're more  
7 geographically-isolated communities with smaller  
8 populations.

9           Perhaps it's just one family with the well  
10 pad in their backyard. But their voice also needs to  
11 be heard. And their concerns need to be addressed.

12           The Department needs to be more engaged  
13 with its communities on this issue. It needs to  
14 respond to residents complaints in a timely and  
15 thorough manner.

16           I would love to see the DEP partner more  
17 with the Department of Health to address residents'  
18 concerns.

19           The Department could also benefit from  
20 partnering with local organizations and community  
21 groups that are maybe more in touch with residents  
22 needs and could help with education and outreach.

23           And I'd love to see, that --- when  
24 residents submit concerns and comments, I would love to  
25 see those be made public, along with the DEP's

1 response, to allow for more transparency.

2           And a good start would be small-scale  
3 regular community meetings in areas most affected.

4           Thank you.

5           DEP REPRESENTATIVE:

6           John Burgess, followed by Leah Andrascik.

7           MR. BURGESS:

8           Hello.

9           John Burgess, J-O-H-N, B-U-R-G-E-S-S.

10           I'm here today speaking as an employee of  
11 the Allegheny County Conservation District, as well as  
12 a member of the Soils Working Group here in Pittsburgh.

13           And the topic I would like to address is  
14 legacy contamination of lead, in particular, and soil  
15 in this region.

16           Poor demolition practices and the legacy  
17 of lead paint, tetraethyl lead and gasoline and other  
18 industrial activities have left a legacy of  
19 contamination across many areas, particularly  
20 Environmental Justice communities in our city and  
21 county.

22           Areas that see higher rates of blight,  
23 demolished structures, vacant land, older residential  
24 housing stock are often associated with elevated risk.

25           These properties often are tax delinquent

1 in many areas and abandoned, which means that liability  
2 and resources to address them are relatively limited or  
3 nonexistent.

4           Additionally, research in Pittsburgh and  
5 elsewhere has shown that lead contamination is highly  
6 variable across short distances. So to gain an  
7 accurate understanding of contamination and the  
8 exposure risks that members of the community face,  
9 requires a high level of both manpower and money.

10           And Environmental Justice communities  
11 across the city in particular are particularly impacted  
12 by this.

13           So one of the things that --- or several  
14 of the things that we would like DEP to consider, would  
15 be to offer funding through existing grant programs and  
16 other incentives to support community-driven soil  
17 testing projects, as well as remediation and mitigation  
18 efforts, using low-cost and effective strategies.

19           Towards that end, we'd like DEP to  
20 consider standards for remediation and risk mitigation  
21 for soil lead that achieve reduced exposure risks, but  
22 may not achieve the zero levels that are required by  
23 several federal programs, and --- Brownfields, in  
24 particular.

25           So we would welcome some information, and

1 specifications on those types of strategies and  
2 effective ways of distributing them to communities so  
3 they can enact their own cleanup efforts, absent some  
4 larger pool funding.

5                   We would like to see DEP prioritize with  
6 programs like Brownfields, community focused and  
7 smaller projects that often --- that align better with  
8 community goals.

9                   So instead of large commercial  
10 redevelopments and things like that, finding these  
11 smaller-scale projects that often involve, you know,  
12 former residential properties or areas adjacent to  
13 industrial sites, that may not have the redevelopment  
14 potential of a larger Brownfields project, but would  
15 certainly have the health impacts within the community.

16                   Okay.

17                   And we'd like to see, if possible, a  
18 better way of sharing data on these types of risks.  
19 There are a number of organizations that are collecting  
20 data on lead contamination and communities.

21                   And you know the Health Departments take  
22 data on children's blood lead levels. But often, this  
23 isn't communicated effectively to people across the  
24 state.

25                   So if there was a better way for people to

1 get online or --- or, you know, access resources that  
2 would allow them to be able to visualize and see just  
3 how the distribution of these risks is across their  
4 community and across the state.

5 And that's it. Thank you for your time.

6 DIRECTOR JONES:

7 Thank you.

8 DEP REPRESENTATIVE:

9 Does anyone who did not sign up wish to  
10 give testimony?

11 Anyone who has not signed up?

12 Okay.

13 If you could just state and spell your  
14 name.

15 MS. ANDRASCIK:

16 Yeah.

17 My name is Leah Andrascik. It's L-E-A-H,  
18 Andrascik, A-N-D-R-A-S-C-I-K.

19 I live across from the former Shenango  
20 Coke Works. And they're closed now. But there was a  
21 number of Title 5 polluters over there.

22 So basically, all I'd like to ask you is,  
23 that in the permitting process, that you take into  
24 account how many facilities are impacting one  
25 community.

1           There's, you know, probably going to be a  
2 lot of industry coming with the Shell Cracker Plant.  
3 And I don't think that one community should be exposed  
4 to pollutants from, you know, six different sources in  
5 a, you know, half a mile square --- half a square mile.

6           So that's all.

7           Also, too, the --- the timing of these  
8 meetings, I have to get special childcare to be here.

9           And I know there's a lot of people that  
10 can't make it in the middle of the day. So that would  
11 be good.

12                       DEP REPRESENTATIVE:

13           Joe Guthrie.

14                       MR. GUTHRIE:

15           Hi.

16           My name is Joe Guthrie. Joe,  
17 G-U-T-H-R-I-E.

18           And I'm just an ordinary citizen breathing  
19 the air and water.

20           But I saw a flim --- a video, in fact I've  
21 seen it several times now, on a plant called Norco.  
22 It's actually a little town. It stands for New Orleans  
23 Petroleum Company.

24           It's really a --- a company town. And my  
25 understanding is, that it's that kind of a plant that's

1 soon going to be built in Beaver County just down the  
2 --- just down the Ohio from us.

3           And in fact, I hear that there might be  
4 four or five of these plants. And we might even become  
5 the plastic belt, as opposed to the steel belt.

6           Well, after seeing that flim, if that's  
7 what's coming to us just a few miles down the road, we  
8 are in deep trouble.

9           And I don't know if there's anything that  
10 the DEP can help us with on this or do with this. But  
11 if we're going to become another place like Norco,  
12 Louisiana, I'm sorry, but we're in --- we are in some  
13 deep trouble.

14           So I would just ask, that if you could pay  
15 attention to that area and whatever can be done to make  
16 this so it's not a disaster for our Pittsburgh area, I  
17 would appreciate it.

18           Thank you.

19           DIRECTOR JONES:

20           Thank you.

21           DEP REPRESENTATIVE:

22           Is there anyone else who has not had the  
23 opportunity to speak?

24           You just need to ---.

25           MS. GUARNACCIA:

1           Okay.

2           Hello.

3           My name is Katie Guarnaccia. Oh, that's  
4 K-A-T-I-E, G-U-A-R-N-A-C-C-I-A.

5           I am a Pittsburgh resident, currently a  
6 student at Point Park University. I'm 20 years old.

7           Just like everyone here, I care a lot  
8 about our environment and the health and protection of  
9 the environment and the people living in it.

10          And I'm very concerned about the Cracker  
11 Plant being talked about going into Beaver County.

12          I really want to --- I don't know ---. I  
13 would really like to encourage the DEP and citizens to  
14 look into the benefits of mushroom and fungus mycelium  
15 for creating healthier ecosystems.

16          In terms of soil and water cleaning, there  
17 are so many benefits that I don't have on hand right  
18 now or memorized to mushroom mycelium usage for  
19 cleaning the environment. But it's incredibly  
20 beneficial when implemented.

21          And I would like this to not be just a  
22 means for cleaning pollution, but then also not  
23 creating more pollution would be great, like cleaning  
24 up the environment and then --- and then doing what we  
25 can to not raise the --- continue increasing the levels

1 that we have to experience.

2                   So that's all I really want to say right  
3 now.

4                   I would really love for the Shell Cracker  
5 Plant and other --- other --- other cracker plants  
6 proposed for that area to not go in. I think that we  
7 have so many other alternatives for energy and some, I  
8 don't know, programs or information on how clean energy  
9 can be implemented instead of --- I don't know, and for  
10 --- for --- for like, the type of job creation.

11                   And so instead of the --- instead of the  
12 cracker plant and other such plants that are seriously  
13 polluting our environment would be great.

14                   So yeah, thank you.

15                   MR. POPOVICH:

16                   Good afternoon.

17                   My name is Thaddeus Popovich,  
18 P-O-P-O-V-I-C-H.

19                   Got it? Okay.

20                   I have lived six miles down the river ---  
21 Ohio River from Pittsburgh, across the river from  
22 Neville Island, across the river from the Shenango  
23 Incorporated Coke Works owned by DTE Energy.

24                   I printed out from ECHO, Enforcement and  
25 Compliance History Online, which has some very detailed

1 information about that location.

2           Fortunately enough, for us who have lived  
3 in the area, it is closed now. The air is cleaner now.  
4 We're suspicious about the land and the water that may  
5 be still oozing from that facility.

6           We understand that the owners may be  
7 remediating. But they have nothing on file yet with  
8 your organization that they are doing so. Maybe you  
9 can help us sort that out.

10           70,000 of us live within three miles of  
11 that facility. One-third, according to ECHO, live  
12 below the poverty line. Unacceptable.

13           Everybody seems to know about it and able  
14 to talk about it, but nothing is being done about that.

15           We as Allegheny County Clean Air now and  
16 my cofounder think we have started that process by  
17 exposing the egregious pollution that had been caused  
18 by that facility. So now all of us can breath more  
19 easily. All of us will not be as sick.

20           I suffer from cardiovascular disease.  
21 Some of my neighbors do also. And other concerned  
22 diseases.

23           If you will ---.

24           I'm extended an invitation to you to be  
25 with us on April the 20th at the Anchor & Anvil Coffee

1 Shop in Ben Avon.

2 I'm a promoter, by the way.

3 We have published, and we will be  
4 extending our booklet called Living Downwind. And you  
5 can guess what that means.

6 And we have 21 of us who have told our  
7 stories in this publication, talking about how the  
8 Shenango Coke Works has affected our lives, both before  
9 and after.

10 Anecdotal evidence for sure, but certainly  
11 some good stuff to read. And I'm one of the  
12 storytellers. I'm here to promote that and to share  
13 with others, that as a Grass Roots Group, we can make a  
14 difference.

15 Okay. Thank you.

16 And we would like you to help us make that  
17 difference moving forward, especially when it comes to  
18 site remediation and also helping us understand the ---  
19 what's going on with the owners of DTE Energy.

20 Which by the way, we --- we are going to  
21 their shareholders meeting on May the 4th in Boston.  
22 And we're going to ask that question of them, what  
23 happens next.

24 And you can help us with that.

25 Thank you very much.

1                   MS. COOKE:

2                   Hi there.

3                   My name is Maren Cooke, M-A-R-E-N,  
4 C-O-O-K-E.

5                   I'm a planetary scientist, science and  
6 environmental educator involved in urban agriculture  
7 from urban microfarming, to advocacy to working with  
8 soil contamination.

9                   So what John was saying was very close to  
10 my heart.

11                   I'm also on the board of GASP, the Group  
12 Against Smog and Pollution.

13                   And I can tell you that we are almost  
14 constantly dealing with issues of Environmental  
15 Justice.

16                   So first off, very glad that you are there  
17 in Harrisburg thinking about these issue and ---.

18                   Because as everyone here knows, we too  
19 often --- it is the people who can't afford to move,  
20 can't afford to spend time advocating that are the ones  
21 that suffer most heavily from air quality, soil  
22 contamination, water issues.

23                   And as society needs to transition to a  
24 different kind of economy when not based on fossil  
25 fuels, fossil energy, it should be noted that there are

1 a lot more jobs available in --- available in this  
2 economy. And it will take government effort to make  
3 those jobs happen.

4 Let's locate green building material or  
5 renewable energy, manufacturing business in coal  
6 communities, as well as the urban jobs of installing  
7 solar panels and whatnot, and those green buildings  
8 materials.

9 So when jobs come up, there's an answer.  
10 When health comes up, there needs to be a lot more  
11 answer.

12 So thank you very much.

13 SECRETARY MCDONNELL:

14 Thank you.

15 DEP REPRESENTATIVE:

16 Anyone else who has not signed up to speak  
17 wish to give testimony?

18 DIRECTOR JONES:

19 If there's no additional testimony, or  
20 people who have already given testimony do not wish to  
21 give additional testimony, we will close the program  
22 now.

23 Up on the screen, you see our contact  
24 information. It has our ---. We'll be accepting  
25 comments until May the 25th.

1           So if you think of additional comments  
2 that you have, please e-mail them to us or mail them  
3 into us.

4           On our website, you'll also find  
5 additional information about the office about  
6 Environmental Justice community.

7           Again, in the Southwest Region, our  
8 Regional Coordinator for the Office of Environmental  
9 Justice is Nora Alwine. She's been over here in the  
10 corner.

11           She's out of the Pittsburgh office. And  
12 she handles the Southwest and Northwest region of the  
13 state.

14           John Brakeall, who is on the far corner,  
15 is the Regional Coordinator for southcentral and  
16 northcentral. And he handles that portion of the state.

17           And I am on the southeast and northeast  
18 side of the state, so ---.

19           AUDIENCE MEMBER:

20           Can I request some type of feedback from  
21 you right now, just like your initial thoughts or  
22 feelings about everything that we've said here?

23           I think that it would just really create,  
24 like, a nicer feeling of, like, hope and, like, respect  
25 as we would address you?

1           Like, it would be awesome to hear, like,  
2 what your thoughts are and like an open dialogue  
3 between us.

4           DIRECTOR JONES:

5           So I'll sort of address what we sort of  
6 started the program with.

7           The sort of format of our listening  
8 sessions are to receive testimony as we go across the  
9 Commonwealth.

10          And it is for us to receive that dialogue,  
11 so we're not anticipating or giving responses, we're  
12 keeping our program consistent across all nine of these  
13 listening sessions. So we have seven more.

14          After we hear back, our next step, there's  
15 going to be time for us to evaluate what we've learned,  
16 and how to sort of roll that out and to continue the  
17 dialogue throughout the Commonwealth. So this the  
18 beginning of our conversation.

19          I'll sort of ask the Secretary if he has  
20 any comments he would like to add.

21          SECRETARY MCDONNELL:

22          I'd --- I'd say two things.

23          One, reiterating, thank you to you all for  
24 attending. Two, to your question and point. I think  
25 the one thing I would say for sure, that I think we

1 understand coming into the room, but we also heard loud  
2 and clear in the commentary is, this is not a one-off  
3 conversation.

4 Right?

5 This is not a --- a program we engage in  
6 to come out, do this once and move on --- you know,  
7 issue a report, issue a comment, response and move on.

8 This is for me, truly beginning of  
9 conversation, dialogue, ongoing engagement as to how we  
10 can be doing our jobs better, how we can be better  
11 engaged with you also.

12 Really, really appreciate the good, candid  
13 feedback, the personal feedback that we received from  
14 you all, and --- and hope --- hope to continue the  
15 dialogue.

16 AUDIENCE MEMBER:

17 Yeah.

18 I was just wondering, is this going to be  
19 or has it been live-streamed? Is there going to be  
20 someplace that we can see this or --- what she's typing  
21 or is that going to be ---?

22 SECRETARY MCDONNELL:

23 Not live-stream, but we are going to have  
24 --- we're --- we're getting transcripts of all of the  
25 comments that we're --- we're receiving at these. And

1 we'll make those comments available, as well as --- as  
2 our feedback on those.

3                   And again, that will be starting point,  
4 not end point for --- for the dialogue.

5                   AUDIENCE MEMBER:

6                   Are you thinking to video them in the  
7 future?

8                   SECRETARY MCDONNELL:

9                   That's not something that we've talked  
10 about. But that's something we can talk about, for  
11 sure.

12                   Okay.

13                   Thank you very much. Thank you all for  
14 you attendance and --- and your participation here  
15 tonight. We really appreciate it.

16                                   \* \* \* \* \*

17                                   HEARING CONCLUDED AT 5:30 P.M.

18                                   \* \* \* \* \*

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CERTIFICATE

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I hereby certify that the foregoing proceedings,  
hearing held before Director Jones was reported by me  
on 4/13/2017 and I Danielle S. Ohm read this transcript  
and that I attest that this transcript is a true and  
accurate record of the proceeding.

  
\_\_\_\_\_  
Court Reporter

## DEP - Office of Environmental Justice Listening Tour — 4/13/17

### **1. What environmental justice concerns are most pressing in your community?**

— In Allegheny County, the air quality — some of the worst in the U.S. — adversely affects the health of mostly urban and suburban residents — many young, many elderly, many poor, many are people of color. In other words, people most vulnerable to environmental degradation, pollution, and climate change impacts.

— In Washington County, it's the shale gas industry, whose activities pollute the air and water, stress people out, and make the mostly rural residents who live in proximity to the industry's infrastructure sick.

Exposure to harmful emissions occur at every point along the shale gas industry's vast infrastructure, from well pads and compressor stations and processing facilities — and highways and country roads, and pipelines and pig launchers in between. Emissions like particulate matter, volatile organic compounds, ground-level ozone which we've known for decades to cause small health effects (like headaches, congestion, cough, bloody noses, sore throats, skin rashes, diarrhea) and large health effects (like pregnancy complications such as miscarriages and preterm births, pediatric developmental problems and birth defects, asthma, heart attacks, strokes, cancer, and premature deaths). And then there are carbon dioxide and methane emissions — two principle greenhouse gases responsible for global warming. Pennsylvania's carbon fingerprints are all over this planet's greenhouse blanket.

### **2. Do you feel that the current definition of an environmental justice community (20 percent poverty or 30 percent minority, or both) properly represents the needs of your community and the Commonwealth at large?**

Not in the Marcellus Shale gas patch, where most of the residents exposed to the physical and psychological harms that accompany this heavy industry are white and live in rural communities. I don't know how many live in poverty in these areas but my impression is that the industry is not operating in affluent communities.

**3. Do you feel the Department is engaged with marginalized communities to ensure that they have a voice in the decision-making process? How can the Department be more engaged with these communities?**

My impression is that the DEP doesn't consider the mostly rural, mostly white, non-affluent gas patch communities "marginalized." The DEP could be more engaged with these communities by actually engaging with them face-to-face and listening to their concerns on a regular basis. Many residents have expressed to me their frustration that DEP doesn't listen to their concerns when engagement actually occurs. More DEP personnel that are connected to environmental protection issues instead of political and commercial interests would be a positive step in addressing the injustices these people perceive.

**4. What ways can the Department be more effective at sharing information with the public?**

I think the DEP website is very, very good. I'd like to see direct links to daily air quality and pollen reports prominently displayed on the website. Actual physical presence in the communities and more public meetings would be helpful. Provide educational materials and programs that are presented by the DEP with input from environmental health and public health experts, and other trusted voices in the community, using science instead of industry talking points as resources.

**5. How can the Department be more effective at receiving public input?**

Have a more visible presence in our communities. Respond to all complaints quickly. Listen. Show some concern for the physical and mental health of the residents rather than the monetary health of the industry.

**Live up to the DEP's Mission:**

"To protect Pennsylvania's air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment."

Ned Ketyer, MD, FAAP  
Pediatric Alliance, PC  
Editor, *The PediaBlog*  
American Academy of Pediatrics Council on Environmental Health  
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Hello. My name is James Fabisiak and I am an Associate Professor of Environmental & Occupational Health at the University of Pittsburgh. Thank you for arranging this meeting as a hopefully a prelude to greater public dialog and response in the area of environmental justice. At his time I wish to raise 3 points concerning the EJ system in its present state.

1. We are currently conducting an academic study assessing the distribution of designated EJ census tracts in Allegheny County (137 census tracts out a 400) in relation to existing air pollution exposures. Using high-resolution GIS modeling for traffic-related pollutants such as NO<sub>2</sub> and Black Carbon we observe a significant skewing for EJ areas to localize to the areas of highest pollutant exposure. For example, we find that 53% and 40% of all designated EJ tracts in Allegheny County fall within the highest quartile (or 25%) of census tracts for NO<sub>2</sub> and black carbon exposure, respectively. The chance that an EJ tract occurs in the top 25% of NO<sub>2</sub> exposure is almost 15X greater than occurring in the lowest quarter of NO<sub>2</sub>-exposed census tracts. This indicates that many EJ areas are already “environmentally-challenged” in addition to their socio-economic designation and speaks to the need to incorporate the assessment of cumulative environmental impacts in evaluation of new source approvals.
2. It is also apparent that geographic areas are diverse in other demographic variables besides race and income that can contribute to risk. For a variety of reasons, the aged are one such group. 1) Because they are most at risk for several chronic diseases such as COPD and cardiovascular disease, they are more sensitive to the demonstrated adverse effects of air pollution on mortality and morbidity. 2) Because of employment status and compromised mobility, they are likely to spend more time within their census tract of residence thereby enhancing potential exposure. 3) The elderly are frequently limited in their access to resources such as community meetings and media announcements. The median percentage of people 65 years or older across all Allegheny County census tracts is about 17%. However, about 7% of census tracts contain an aged population of 25% or greater, with highest reaching 34%. This supports the notion that perhaps other disadvantaged groups should also be included in the evaluation of environmental justice.
3. The relationship between new source operators and EJ communities is frequently “awkward” at best. Many operators have few resources and skill or little will to engage in productive community outreach. Lack of community trust towards, or even awareness of, those operators is also a limiting factor. While the PA-DEP should be acknowledged in its “encouragement for new permit applicants to engage with impacted EJ communities”, it needs to take a more active role at ensuring specific guidelines and criteria are met and better facilitate the identification, notification, and engagement of all relevant community stakeholders.

## DEP Environmental Justice Roundtable

Pittsburgh – April 13, 2017

My name is Angelo Taranto and I am a member of Allegheny County Clean Air Now (ACCAN). Our members come from the area of the four North Boroughs in Allegheny County. These boroughs are on the Ohio River across from Neville Island, where a number of Major Source air polluters are located. For years, the Shenango Coke Plant was the worst of these polluters. Since its closure in 2016, air quality has significantly improved; however, air pollution from Neville Island is still a serious problem.

I have one preliminary question: **Do DEP Environmental Justice Regulations apply within Allegheny County? ACHD should be required to follow the same minimum regulations.**

**Citizens and community groups who are active in advocating for better air quality are not treated as partners.**

### You ask input on several questions:

1. What environmental justice concerns are most pressing in your community?  
**The concentration of Major Source polluters near our community.**
2. Do you feel that the current definition of an environmental justice community (20 percent poverty or 30 percent minority, or both) properly represents the needs of your community and the Commonwealth at large? **No.**
  - **Environmental justice communities should include:**
    - **communities that are downwind from major source air polluters.**
    - **Communities that are close to highways and rail lines.**
    - **Communities that have a high percentage of senior citizens or children.**
  - **The definition of environmental justice criteria needs to be broadened. While protection of the most vulnerable, the county's low income and minority residents, needs to be prioritized, everyone deserves environment justice.**
    - **It is not only those below the income levels identified, who cannot afford to move out of areas affected by air pollution. Many residents whose income exceed those levels also feel trapped because they cannot afford to move; and**
    - **The bottom line is that no one should be forced to move because of air pollution and no one should have to try to figure out where they can move that will not have air pollution that will harm them or their families.**
  - **Regulations that penalize people living in areas that already have poor air quality should be changed.**
3. Do you feel the Department is engaged with marginalized communities to ensure that they have a voice in the decision-making process? **No.**

4. How can the Department be more engaged with these communities? **Notify communities and community organizations of new permits and permit changes. Educate the community on what these changes will mean for them.**
5. What tools have you used to find out information on Department permitting/enforcement actions? **The ra-epenotice system.**
6. What ways can the Department be more effective at sharing information with the public? **Broaden the notification system. For example, include the publication of Notices of Intent to Remediate.**
7. How can the Department be more effective at receiving public input? **Make it easy for people report problems.**
8. What resource is your community lacking that the Department can provide that would assist in efforts to ensure environmental equity? **More education on the complex air quality regulations.**
9. What additional steps can be taken by the Department to effectively reach out to these vulnerable communities to ensure that their concerns are taken into consideration? **Identify community groups and leaders in EJ areas and involve them in discussions and decision making.**

**Other questions:**

- How does DEP take EJ into consideration in making decisions?

Angelo Taranto  
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**Testimony to DEP Office of Environmental Justice**  
Thursday, April 14, 2017  
Jessa Chabeau, MSW, Case Manager  
Southwest Pennsylvania Environmental Health Project

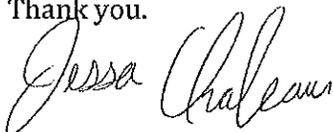
Thank you for the opportunity to testify, and for holding today's listening tour. My name is Jessa Chabeau and I have worked for the Southwest Pennsylvania Environmental Health Project (EHP) for almost three years as the Case Manager. EHP assists residents who feel their health may be impacted by unconventional shale gas development. I am here to testify on behalf of myself as a social worker, my organization, and the clients of EHP, regarding environmental justice (EJ) issues relating to shale gas development.

At this time, I do not believe that the Department of Environmental Protection is sufficiently engaged with marginalized communities to ensure that they have a voice in the decision making process. After extensive work in the community through focus groups, I have found that the definition of EJ communities is so limiting, that most marginalized communities are missed. Expanding the definition of EJ communities, communicating with people in these regions on a regular basis and in formats that are accessible to them such as regular, small scale meetings would be a good start.

In addition, DEP should leverage local expertise and informants, such as county human services agencies and local non-profits, to develop comprehensive and community-specific outreach plans for each proposed "EJ trigger" project that fit the characteristics of a given community. Lastly, DEP needs to respond to resident complaints in a timely and thorough way. For example, posting answers to FAQs based on inquiries would be helpful. Until DEP is responsive to complaints and transparent with information regarding shale gas development, it's unlikely that the public will trust the agency enough to feel confident in whatever information DEP offers.

In closing, I commend the Department of Environmental Protection Office of Environmental Justice for taking the time to hold this listening tour. EHP looks forward to meaningful action at the state level. On behalf of residents in our service area, I can again testify that the need and demand for such action is both immediate and widespread.

Thank you.



Jessa Chabeau, MSW, Case Manager  
Southwest Pennsylvania Environmental Health Project

Pittsburgh Environmental Justice Advisory Board Listening Session Testimony

4/13/17

Tom Schuster

NAACP Johnstown Branch

Good evening, my name is Tom Schuster, and tonight I am speaking as a member and Secretary of the NAACP Johnstown Branch. According to the DEP's map there are six designated environmental justice communities within and around the City of Johnstown. I am also speaking as the father of an African American son who suffers from asthma, which we have found very challenging to control at times since he came to live with us from his foster home in Florida. That you for the opportunity to suggest a few of the areas in which DEP could improve its work on behalf of environmental justice communities.

First, DEP needs to be more proactive in its communication. The Johnstown Branch found out about these meetings because one of our members happens to be on the Advisory Board, and because I happen to work for the Sierra Club, but otherwise we would have been unlikely to see any notice of these meetings. I suggest that the DEP work to identify at least one point of contact representing a prominent community group for each designated EJ area, and make sure that person is notified when an issue arises that could impact that community. These contacts should be verified and updated regularly, and should be consulted for advice on the best way to get relevant information to the people in their own community, as well as the best methods for engaging in meaningful dialogue.

Second, DEP needs to expand its role in protecting overburdened communities from harm. Currently, that role is limited to permitting of limited categories of new facilities. This does not adequately address the cumulative nature of environmental threats residents can face. At minimum, all new pollution sources within EJ communities should trigger some form of review to consider them in the context of the existing pollution burden. But DEP can and should go further. Air and water pollution permits are periodically reviewed and updated to incorporate new regulatory and control technology standards, but funding cuts have created backlogs for these updates. Permit updates which are likely to reduce health problems in environmental justice communities should be prioritized, especially for the largest sources of pollution. Likewise, when resource constraints cause DEP to have inspection backlogs of public drinking water systems, those which serve environmental justice communities should receive closer scrutiny.

Finally, it would be great if DEP had a plan for helping communities mitigate environmental burdens that are not necessarily the result of permitting issues. For example, Johnstown is one of 18 Pennsylvania cities with a higher percentage than Flint of children with dangerous blood lead levels that can permanently impact their brain function.<sup>1</sup> We're told that this is primarily due to lead paint exposure in our older housing stock. The City administers a home rehab program that mitigates this and other issues, but can only do about 20 projects per year. Most people in Johnstown are unaware of the scope of the issue, and about steps they should be taking to protect their children. State-level public education

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<sup>1</sup> <http://www.vox.com/2016/2/3/10904120/lead-exposure-flint-pennsylvania>

programs seem to have limited impact, and it could be very helpful for the DEP or Dept. of Health to do targeted, intensive education and remediation programs in the places they are needed most, like Johnstown. If such programs exist, we are not aware of them and would love to learn more.

Meanwhile the Johnstown Branch is working on a program to reduce the significant financial burden that energy use poses for low income households, which can also be a pathway to reduce home health issues such as lead, radon, and mold, and also combat neighborhood blight. There is broad interest from the community, City government, the Housing Authority, Johnstown School District, and other stakeholders. We are currently working to fund a pilot program that eventually can grow to be self-sustaining and transformative for the region, attracting efficiency and clean energy businesses to the area and creating hundreds of new job opportunities for local residents. I know we are not alone in this local approach, as I recently learned of a great effort by the Homewood Childrens' Village to create an Eco-District with similar goals. We would appreciate engagement from the DEP and other state agencies to help make this vision a reality. If we can greatly reduce health threats that cause economic burdens, while at the same time create jobs and improve local self-sufficiency, we can start to lift communities out of environmental justice status entirely, and that should be our overarching goal.

Thank you for your time and attention today.

Comments Before the Office of Environmental Justice

April 13, 2017

Dennis C. Simmers

428 Vetera Road

Ebensburg, (Cambria County) PA 15931

Home Phone (814) 472-4574

[Apfarm01@yahoo.com](mailto:Apfarm01@yahoo.com)

Good Afternoon. My name is Dennis Simmers, and I reside (at the address above). I am a fifth-generation resident of central-northern Cambria County, and my four school-age daughters are the sixth generation. I have resided in Cambria Township, Cambria County for 43 of my 53 years. The Office of Environmental Justice has identified Cambria Township as a designated "Environmental Justice Area".

Cambria County at-large has not been a source of good news on many fronts over the last three decades-plus. Cambria, along with Clearfield to our north, and Somerset to our south, are in the top-seven lowest household median incomes in Pennsylvania. Cambria County had the largest population decline (2010-2014) of all 67 PA counties, down almost 6,000 people.

With one or two exceptions, every public-school district in Cambria County has an alarmingly high number of students eligible for free and reduced lunches. Central Cambria School District which encompasses all of Cambria Township (an EJ Area) currently has 43% of their roughly 1,800 students eligible, or 774 students whose household income is near or below Federal poverty rate income guidelines.

The last two bleak demographics I would site for Cambria County would be first, consistently near or at the top of the unemployment roles in Pennsylvania; and secondly, and most tragically, tied for first with most drug overdose deaths per numerical population.

Suffice it to say, Cambria County meets almost all the demographic criteria of the mission statement of the Office of Environmental Justice.

In my opinion, the top environmental justice concern of my county is the legacy of over a century of coal mining; abandon waste coal piles in the tens of millions of tons that have destroyed the drinking water supplies, surface waters and ground waters of Cambria County.

Cambria County, along with Clearfield to the north, and Somerset to the south, were once amongst the giants of coal production in Pennsylvania, let alone the United States. That was

just fine and dandy as we were engaged in nation-building and the victories of two world-wars. Nation-building and war victories have transformed away from a need for coal, and so too has the industry left our county. The millions of tons of waste coal on the ground have not left.

The residents of Cambria County, or survivors as I would call us, are now stuck with an environmental catastrophe of epic proportions.

There is some good news to report however. Three small waste coal fired power stations were constructed in Cambria Township in the early '90's. Those three stations have eliminated over 35 million tons of waste coal in our area, and restored the land to near pre-mining conditions. Most importantly, the affected waterways have roared back to life, in some cases going from totally void of any life-form to "PA Fish & Boat Commission designated cold-water fisheries".

Unfortunately, there is a powerful threat to this reclamation effort; these three stations have been caught in the drag-net of fossil fuel regulations and an electric wholesale market that has been anemic for almost 4 years.

In Cambria County's case, the loss of the only meaningful reclamation of these waste coal piles would spell triple-trouble. First, the piles will sit here forever, no drama queen intended. There is no other use for this material. Second, in an area already slammed with unemployment and despair, there goes another 250 family-sustaining jobs. Finally, in the book of unintended consequences, schools, local and county government and others will lose precious tax money in an area that is already quite strapped financially.

The abandon waste coal pile problem is unique to our area, and DEP Environmental Justice would well-advised to listen directly to our opinion of the remediation method. Entities headquartered in areas that do not have a day-in, day-out experience with our problem should be listened to, but from way in the back of the true-stakeholders meeting.

I come before you today to ask that you do everything possible to keep this important reclamation-to-energy process moving forward. I will die before it is all finished, but my daughters, Cambria County Simmers generation #6, have a real shot at 100% reclamation in their lifetimes.