

ENVIRONMENTAL JUSTICE ADVISORY BOARD

Urban Erie Community Development Corporation

E.F. Smith Quality of Life Learning Center

Erie, PA

AUGUST 13, 2019

VOTING MEMBERS PRESENT:

Adam Cutler
Gary Horton
Allison Robinson

VOTING MEMBERS PRESENT VIA PHONE:

Arthur Frank
Clea Hollis
Carol Parenzan
Jerome Shabazz
Tom Torres

NON-MEMBERS PRESENT:

Allison Acevedo
Nora Alwine
John Brakeall
Glenda Davidson

NON-MEMBERS PRESENT VIA PHONE:

Justin Dula
Alice Wright (for Horace Strand)

CALL TO ORDER:

Chairman Cutler called the meeting to order at 2:12 PM.

APPROVAL OF MINUTES:

Chairman Cutler solicited additions or corrections to the Minutes of the July 9, 2019 conference call. Hearing none, the Chairman requested a motion to approve the Minutes.

Gary Horton moved to approve the Minutes of the July 9, 2019 conference call. Arthur Frank seconded the motion, which was unanimously approved.

EJAB Board Members introduced themselves.

EJAB INITIATIVES:

Chairman Cutler announced that Eli Brill has regrettably resigned from the EJAB in light of family needs. Eli was on the EJAB in two separate stints and was on the original Environmental Justice Workgroup that helped to put together the environmental justice policy, which was the precursor to this Board. Chairman Cutler explained Eli was a very dedicated, engaged member over the years, and a pragmatic industry representative who offered a balanced and community-focused approach and who will be missed on the Board. The Board will be working to fill Eli's vacancy, as well as the other two vacancies.

Arthur Frank offered a resolution that it be conveyed to Eli Brill that the Environmental Justice Advisory Board appreciates his many years of service on the Board and to the cause of environmental justice in Pennsylvania and that he will be missed. Gary Horton seconded the motion, which was unanimously approved.

The Office of Environmental Justice (OEJ) will pursue the issuance of a certificate and report back to the Board.

With the resignation of Eli Brill, Arthur Frank suggested incorporating the election of a new parliamentarian into the agenda for the next meeting.

Boards and Commissions Openings

Allison Acevedo, OEJ Director, indicated that the OEJ is assessing how to improve diversity on boards and commissions across the agency. OEJ will work with DEP's Policy office to address a strategy around addressing diversity on the boards and commissions.

Diane Wilson, who serves as liaison for the Water Resources Advisory Committee (WRAC), was in attendance and stated that the role of WRAC is to advise DEP on regulations, or changes thereto, that heavily effect surface waters (rivers, streams, lakes, and wetlands). She indicated that there are currently 18 members on the WRAC and the committee would like to have two more members. The WRAC is looking for people who have an interest and have some background in science. The committee meets 4-6 times per year, typically in Harrisburg, but the bylaws allow members to attend via phone or skype.

Waffenschmidt Symposium

Chairman Cutler indicated that the Waffenschmidt Symposium subcommittee met at the end of July. The goal is to hold an event in April of 2020 honoring John Waffenschmidt for his work in environmental justice, particularly in balancing industries and communities' ability to work together. The subcommittee is determining whether it makes sense, and, if so, how best to accomplish partnering with a 501(c)(3) organization, or more than one, to help with funding for the event. If the EJAB members have foundation funding ideas, the subcommittee would be interested in considering those. Structurally, the thought is to have a keynote speaker or a panel followed by breakout sessions that would allow for collaboration. The idea would be to focus on building community organizational capacity and that the audience would be primarily for community and grassroots folks to exchange ideas, hear from distinguished speakers or panelists, and then share ideas and strategies that might be successful for them in advocating for their communities and their issues. Another subcommittee call will be scheduled, and that date will be sent out so that other EJAB members may join in if they so choose.

Department of Health Collaboration

Allison Robinson announced that the Environmental Health subcommittee held a second conference call about three weeks ago regarding the value of an interagency committee. The committee decided that agency participants Department of Health and DEP should review the broad goals of the committee and determine whether both agencies are on board with the creation of the committee. The subcommittee walked through the framework, identifying the value of the interagency committee, defined the scope and the limitations, and began to find consensus based key concepts. Through the definition of those concepts, the subcommittee began to identify the agencies that should be at the table beyond the Department of Health, DEP, and the OEJ and then discuss common issues and concerns. If approved by the agency's policy offices, the subcommittee will continue to develop the interagency committee to bring it to fruition by 2020.

Allison Acevedo stated that DEP supports the DOH Office of Health Equity's Health Equity Summit to be held in November 2019.

DEP UPDATES:

Allison Acevedo announced that our western Regional Coordinator, Nora Alwine, would be leaving DEP in the coming weeks. Nora has left a footprint in the region, particularly around public participation, and has always gone above and beyond in pushing for public participation community involvement and educating members of environmental justice communities about the workings of DEP. Allison thanked Nora for her years of service, both in Harrisburg and as a member of the OEJ in western Pennsylvania. Those thoughts were seconded by members of the EJAB.

Nora Alwine

Last week the Governor announced that there is an additional \$8.5 million available for emissions reductions from Driving PA Forward. The funds focus on reducing the diesel footprint. Thirty-four projects have been granted funding up to this point, which includes money for 60 new electric vehicle charging stations. Most of the recent projects focus on replacements for older diesel buses and trucks. DEP Secretary has asked that the OEJ to continue to disseminate information about the additional available funds.

OFFICE OF ENVIRONMENTAL JUSTICE (OEJ) UPDATE:

Public Participation Policy

Allison Acevedo indicated that the environmental justice public participation policy is in the last stages of review within the Department and should be approved in the next several months. The public participation policy governs participation around trigger permits and opt-in permits as a result of being in environmental justice areas.

Climate Action Plan

The OEJ is reviewing the Climate Action Plan, working on strategy, and will report back to the EJAB as soon as next steps are available. The OEJ is outlining some of the key provisions and how those provisions relate to environmental justice and will be meeting with DEP's Policy Office to go over what that means for OEJ work and will report back. The EJAB will be asked to provide assistance.

EJAB Vacancies

The full complement of the Board is 15. With the resignation of Eli Brill, the Board is now down to 12. DEP obtained some recommendations for EJAB vacancies and is reviewing them.

Interagency Work

Allison Acevedo stated that the OEJ continues to focus on the importance of working with other agencies to advance environmental justice within the Commonwealth and how environmental justice can best be integrated into other departments.

OEJ sent info to EJAB about the Urban Agriculture Infrastructure grants, which focus on infrastructure around urban farming. The total pool of grants available is \$500,000 and the

deadline is September 6. There is a lot of interest in a new program. Gary Horton indicated that his organization has an interest.

Tammie Peffer, the Environmental and Ecology Content Advisor with the Department of Education stated that she and Allison Acevedo, as well as Philadelphia School District representatives and Fairmount Water Works/Philadelphia Water Authority representatives, submitted a proposal to present about systemic change to address environmental issues and environmental justice issues hand-in-hand. The proposal was accepted, and a 90-minute symposium will be held, which will include a panel and hands-on activities to teach environmental educators how to discuss planning, water quality, and urban planning. Tammie stated that urban agriculture is an ideal issue to focus discussions on food availability and food scarcity.

Regional Updates

Central Region - John Brakeall

OEJ work in the Northcentral region of the state is taking place in Shamokin. OEJ held a roundtable in October of 2018 that was a catalyst to the work being done in Shamokin. DEP Secretary McDonnell, Northcentral Regional office staff, mine staff, and other folks from the Department, along with the Shamokin Creek Restoration Alliance and City officials and other nonprofits, to tour acid mine drainage in the area. The OEJ is trying to understand some of the funding mechanisms that might be available to address the acid mine drainage in the area.

The OEJ is also working with the City of Shamokin and several community-based groups on a brownfields grant that was awarded through the EPA. It is a small communities technical assistance grant and is really a first step to understanding and addressing brownfields redevelopment. The grant is to educate folks on brownfields, strategic planning around how to develop brownfields, and fully develop the capacity to apply for those much more lucrative grants that the EPA and other agencies offer for brownfields redevelopment. The OEJ is working on the scope of work for the grant and will be implementing the grant in October. A contractor will be hired to assist with the preparation of a site prioritization of different brownfields and seek assistance from the community to identify which brownfields to address and actually redevelop.

A roundtable was held in the City of Harrisburg earlier this year. The OEJ has been working with the City on various projects, as well as working with Tammie Peffer at Department of Education and with DCNR and the Environmental Education Program within DEP to host Harrisburg City's Environmental Teen Core Program. Approximately 100 young people were hosted for a day at Wildwood Park just outside the City of Harrisburg and at the Southcentral Regional Office to participate in environmental education programming and activities. Allison Acevedo stated that the OEJ is using this as a model to think through the development of systemic curriculum and support resources.

Western Region - Nora Alwine

Nora stated that the OEJ met with the mining office to try to develop consistencies between meetings in different areas and work through standard operating procedures to make sure those are identical across the state.

OEJ received a trigger permit for a transfer station in the southwest for a recycle source located in the Hazelwood neighborhood of Pittsburgh. Within the waste program, there is a built-in local municipal involvement process. A community organization came in to discuss their concerns, what they would like to see included in the permit, and then offered information on a traffic study and community plan to be included in further discussions. The applicant is willing to do additional public outreach and attend the community meetings as well.

Chairman Cutler solicited a resolution from the Board recognizing Nora Alwine for the work that she has done and expressing the Board's appreciation for the time that she has put in up and down the western half of the state over the last 4 ½ years.

Arthur Frank offered a resolution recognizing Nora Alwine for her efforts in the western part of the state over the last 4 ½ years and expressing the Board's appreciation. Allison Robinson seconded the motion, which was unanimously approved.

Nora introduced DEP staff from the Northwest Regional Office: Staci Gustafson, Assistant Regional Director; Tom Decker, Community Relations Coordinator; and Eric Gustafson, from Air Quality.

Eastern Region - Allison Acevedo (for Justin Dula)

On Justin Dula's behalf, Allison explained key points about the Philadelphia Energy Solutions (PES) refinery situation. She explained there was a fire at PES, located in Philadelphia, on June 21. The City of Philadelphia convened an advisory group and much of what happened at the site is under the review of the City's air management services and other City offices. The City of Philadelphia formed a PES advisory group which that met on August 6 and provided feedback from community members about their concerns regarding the site. DEP's Regional Director in the Southeast Region, Pat Patterson, serves on the advisory group, but it is convened and managed by the City of Philadelphia. Hydrofluoric acid is a dangerous chemical that exists on the site and it is currently being neutralized and stored on site. DEP is involved with several agencies on this matter including OSHA, the US Chemical Board, and the federal government. DEP is conducting its own investigation.

Justin is working with the Northeastern Regional Office to plan a roundtable in the Lehigh Valley. Allison welcomed help from EJAB members for a roundtable planning committee. The OEJ will reach out to one of EJAB's members, Hazem Hijazi who is located in that area. The planning committee is meeting on August 30.

The Southeastern Regional Office issued a fine to PQ Corp in the amount of \$750,000, which was paid on August 7. SERO sent the City of Chester an Act 57 letter about using part of the penalty to support community development, which means 25% of the applicable portion of the penalty can be used to support initiatives within the City of Chester for parks, recreation, trails and open space

GOVERNOR'S NORTHWEST OFFICE:

Julie Strickland-Gilliard is the Western Regional Director for the Lieutenant Governor's Office based in Pittsburgh. Julie explained that their office is working closely with the Governor's Office in terms of the Restore PA initiative, and she introduced her colleague, Julie Slomski.

Julie Slomski explained that Restore PA is a priority in the Erie area with the overall contamination remediation. The elected officials from Erie County and the City of Erie have expressed that the remediation and water quality infrastructure are major concerns. Erie County was first in the Commonwealth to endorse Restore PA because of the overall environmental side of things, especially the contamination remediation tied to blight and infrastructure. Restore PA is legislation that is slowly moving its way through the legislature. It has been the #1 priority in the western region.

Additional information is available on the Governor's website:
<https://www.governor.pa.gov/restore-pennsylvania/>

MEMBER UPDATES:

Tom Torres

The Sierra Club's volunteers and staff in PA have been engaged in the VW-related work, as well as climate initiative programs in the region. A full-time person will be hired to carry this work in the City of Philadelphia for the next year. Tom will circulate the job application to the EJAB in the event the members know of any great candidates. The Sierra Club has also been partnering with community groups and environmental justice groups in Philadelphia and in other areas of the state through the Climate Justice Alliance regarding the Transportation and Climate Initiative process.

Carol Parenzan

Carol thanked DEP for the Environmental Education Grant for the Middle Susquehanna Riverkeeper and its environmental justice community of Williamsport for the floating classroom program. Carol appreciates that DEP recognizes the work being done.

Jerome Shabazz

The Overbrook Environmental Education Center just closed on an additional acre of land contiguous to the existing Center where they will be developing a GSI and land use training and education facility. He would be happy to talk with anyone who might be interested in participating in urban stormwater management and agricultural development within cities.

Arthur Frank

Asbestos construction materials are often used in homes for poorer people, and there is a controversy going on in the Netherlands right now about the potential or non-potential hazards of asbestos in construction materials. He has been asked to give a keynote address at a conference in the Netherlands to make people aware that construction materials with asbestos are harmful.

Alice Wright

Dr. Strand is trying to get PQ to respond to the community, especially in terms of making the community aware of when they are in violation and what their intentions are.

Gary Horton

Erie is having a homecoming on August 19 and 20, and the Secretary of HUD, Ben Carson, will be in Erie to help promote investment opportunities related to abandoned industrial properties. The City has just launched a plan to introduce free public Wi-Fi to those areas so that underserved populations can access it.

PennDOT recently held a public hearing here on major work it wants to do along the waterfront. Folks from the community attended the hearing asking about environmental justice involvement in those projects because of past history with a popular bridge that was torn down and the confusion about the environmental justice involvement in that project.

Some of the parties that Gary represents are looking to establish a relationship with a public health research school like the University of Pittsburgh that can evaluate health and environmental impact. Chemicals that are being disbursed in the air or in the water that impact women of childbearing age or children themselves seems to be a growing concern of the population.

Gary expressed interest in the Brownfields to Playfields Initiative. The OEJ will reach out to Kim Hoover in the brownfields program to see if there are monies available and check on the status of the initiative.

Allison Robinson offered information on two Erie initiatives. UPMC, as well as several other organizations, are cosponsoring the first ever Reuse Festival in Erie on Saturday, September 7. It is being put on primarily by the Pennsylvania Resource Council. It is in the process of being planned, and local companies will help to facilitate people who want to drop off items for reuse or reclamation.

Erie 2030 is an initiative that primarily focuses on businesses, nonprofits, and academic institution which are required to make a commitment to reduce their environmental impact footprint. It is the second iteration of what is called the Pittsburgh 2030 Initiative.

Allison Robinson stated that the Eco District is a national conference in which municipalities are looking at rezoning within their areas to restrict development or make sure that development that does occur is environmentally friendly. A conference will be held in November. Allison will send the link to Gary Horton.

Additionally, there is a group in Pittsburgh, a Black Environmental Collective group, that meets quarterly and is led by Dr. Jamil Bey. The group is developing training specifically for communities around equitable development that might be helpful. There is also a newly created Equitable and Just National Climate platform that focuses on helping low income communities and communities of color. It is advocacy platform, and a number of organizations are taking principles from the platform, such as having access to water, having access to jobs and green infrastructure.

Adam Cutler offered that the Pennsylvania Resources Council is having its 80th anniversary celebration in October. Adam will send around a link on information about how people might be able to join in that celebration.

EJ REVIEW PROCESS:

Emily Aloiz works for Erie County Planning and Community Development and is also the Program Administrator for the Erie County Metropolitan Planning Organization (MPO). The MPO is a federally-mandated planning organization with 23 voting members from Erie County that oversees all federal transportation spending in the county. Approximately \$20 million in federal and state funds flow through the MPO. As a federal recipient, the MPO must go through the environmental justice review process. Emily offered copies of the Erie MPO Title VI Plan which the organization is federally mandated to keep. Discrimination complaints can be filed on specific forms that then go through the Erie MPO and through PennDOT so the matters can be resolved. The Title VI Plan is integral in the MPO's public participation plan which dictates how the organization must communicate with people and mailings that are sent to specifically identified low income and minority people. To get projects funded by the federal government, there is a long-range transportation plan, which is updated every five years, the last update being 2017. Listening sessions are specifically held in environmental justice areas, trying to reach out to the International Institute, to different organizations, to solicit their comments and what they would like to see funded by the federal government. The long-range plan funnels into the TIP, the Transportation Improvement Program, which is the actual list of funded programs. When the TIP is updated (a four-year plan updated every two years), the minority and low-income communities are mapped and actually shows where the projects are located in relation to those communities to understand the impacts.

In response to a question from Chairman Cutler regarding how the MPO defines an environmental justice area, Emily stated that PennDOT has actually been working from their own definition, the state definition for transportation. The MPO looks at different types of populations, like non-car populations, but that is not mandated by law. PennDOT has said that minorities would be defined as white non-Hispanic, black African Americans. The MPO looks at things like LEP (limited English proficiency), persons with disabilities, female head of household, elderly, and carless populations, but those are not mandated.

In response to a question about regarding whether there is a definite plan for bike trails, Emily indicated that right now there are funds for three bike lanes in the City of Erie. There are also funds to do an active transportation plan for the entire City of Erie, including sidewalk improvement for pedestrians.

In response to a question from Allison Acevedo regarding the law that is applicable, Emily stated that the MPO operates pursuant to the 1994 Executive Order.

Allison Robinson offered that businesses in Pittsburgh are asked to help cover the cost of bus shelters, but there are now free apps (ex: Transit Stop) that should help to minimize the need for shelters. The apps track all buses and show the actual time buses will arrive. Some businesses have digital message boards that show exactly what bus is coming down the street and what time it will arrive.

A public commenter who used to work with Welfare to Work folks noted that at one time the buses did not start until after the first shift at many places and they stopped running before the end of the last shift, so using the buses was not an option. She wondered if that is still happening. Emily Aloiz stated that she would have to defer to the EMTA. Emily indicated that there is a new director at the EMTA, who has been there about a year. Internally, the EMTA deals with a lot of ride issues, looking at the routes specifically. The commenter asked that Emily advocate on behalf of the carless population.

Gary Horton stated in that the bus issues are being addressed on multiple levels, including the EMTA and PennDOT. Some companies are providing vans. Gary indicated that in his census tract less than 40% of the people even own a car and that's in a highly transit population.

Chairman Cutler stated that in the Southeast the Delaware Valley Regional Planning Commission has a public participation task force that meets periodically which includes people from environmental and other disadvantaged communities. If that is not being done in the Northwest, that may be something to consider as a way to do more outreach and hear directly from the community on a regular basis.

Emily indicated that PennDOT has an engineering district, which is Erie County, Crawford County, Mercer County, Warren County, and others that are looking at a bike plan. They have not yet had any public engagement. The City of Erie specifically has some funding to do an active transportation plan, looking at bikes and walking.

OUR WATER, OUR AIR, OUR RIGHTS:

Janice Etchison

Art Leopold

Issy Lawrie

Sam Miller

Janice Etchison, Art Leopold, Sam Miller, and Issy Lawrie are members of an environmental group in Erie entitled "Our Water, Our Air, Our Rights." The group came to discuss multiple concerns in the Erie area.

Janice brought a book with her titled "A Terrible Thing to Waste: Environmental Racism and Its Assault on the American Mind" written by Harriet Washington. The author discusses a specific and all but unregarded injury that environmental poisoning inflicts on communities of minorities and low-income families. Given what is happening in Erie with the Erie Coke plant, there has been a lot of talk about the medical issues that can be caused, but at no time has anyone talked about this lowering of intelligence that can be happening in our community.

Robert Bullard, the founder of the EPA Office of Environmental Equity, has done research about changes in IQ. Chapter 3 talks about the poisoned world of neurotoxins, which relates directly to poisons in the Erie air. There are four companies in the region that would concern us about these poisons in the Erie air: Erie Coke, Accuride, BASF, and EMTA. Research proves that asthma is still common in lower income and minority communities. If this continues for too long,

asthmatics can experience life-long after effects, including lower neuropsychological performance. Harvard researchers studied newborns who suffered hypoxia at birth and then were tested again at age 7. The studies revealed decreased verbal IQ. In 2008, the Harvard School of Public Health did a study of 1,000 pregnant Boston women who carried backpacks to measure their air pollution exposure until their babies were born. The study showed that they were constantly exposed to black carbon, or soot, which is prevalent in the environmental justice areas, especially around Erie Coke, at rates associated with intellectual decline. The children of these women underwent cognitive tests 8-11 years later revealing measurable decreases in verbal and nonverbal intelligence, and memory. The scientists concluded that particulate matter was largely responsible. Fouled air degrades cognitive development and brain function, depressing IQ. Oxygen deprivation also induces anxiety, depression, and suicide.

The schools in Erie are experiencing an increased number of students with behavioral problems and lower intellectual problems. A meeting was held at the East Middle School that discussed behavioral problems as part of the school to prison pipeline. We need to work toward getting companies to abide by emission standards.

She routinely notes buses carrying children, and the buses are emitting a horrible amount of black smoke from their exhaust. Students are riding in these buses or walking along the sidewalks near these major roads that the buses travel on. She urges the EJAB to investigate EMTA and bus pollution, in addition to the other three polluters mentioned.

When it comes to Alzheimer's disease, air pollution has become a prime suspect. Cognitive damage was measured in older women from both rural and urban environments with long-term exposure to air pollution from traffic.

Another major problem in Erie is benzene. Benzene emissions from places like Erie Coke can be responsible for memory problems, in addition to causing health problems such as leukemia and other cancers. It also causes short-term drowsiness, convulsions, confusion, and mental impairment. Benzene can also induce neurobehavioral changes in babies that lead to cognitive damages. Since Erie Coke is located in an environmental justice area, benzene is a crucial factor in behavioral problems of adults and children who live in that area. The plant will emit benzene as long as it stays in business.

We cannot allow our residents to continue to ingest these pollutants, get sick in both body and mind. Now that the air monitors are measuring pollution around the Erie Coke plant, I urge the DEP to consider doing soil sampling and testing in that area.

As Joan Chittister wrote: Beware of the difference between good and what is done in the name of good. Air pollution done in the name of saving jobs is simply the first step toward the destruction of the planet, then no one will have a decent job.

Diane Wilson stated that the WRAC will check into lead levels in water in Erie.

Art Leopold

Art shared concerns, encouragement, and recommendations regarding communications with EJ communities pursuant to the EJ Public Participation Policy. The policy outlines opportunities for community involvement and public participation in the permit application process for permits in environmental justice areas. Historically, minority and low-income Pennsylvanians have not had equitable opportunities to participate in decisions that may adversely impact their environment. The policy provides a framework for DEP to foster community engagement throughout permitting processes and to ensure disenfranchised communities are meaningfully involved in the decisions that affect their environmental, health, and safety. A public participation strategy should be developed between DEP's Office of Environmental Justice and appropriate regional or district office program and community relations staff for each permit application. DEP, in coordination with the applicant, should begin scheduling public meetings within 30 days after accepting an application as administratively complete and technically adequate. The purpose of public meetings is to inform the residents in the environmental justice area of the scope and nature of the project in a timely, interactive manner. This meeting should be in addition to any other public participation meeting that may be required. Public hearings are formal, structured proceedings that give the public an opportunity to provide verbal testimony on a permit application under review by DEP and all verbal testimony provided at a hearing have equal weight to written comments submitted during open, public comment to DEP. We have Erie Coke, Accuride, BASF, and other entities in town that require permitting. Mr. Lepold came to encourage DEP to follow its guidelines and the framework that is necessary for public participation.

Sam Miller

Sam offered comments regarding what he believes are far-reaching environmental and economic injustice aspects of the fracking boom and questionable tactics used by the industry. He discussed the abundance of gas wells in Pennsylvania, the money offers made to landowners resulting in neighboring property values dropping considerably, and the questionable business arrangements being used by drilling companies in out-of-court settlements involving lawsuits for property damages, animal deaths, and health effects to families involved. Low-income families cannot afford to fight for fair settlements. Mr. Miller believes it is only a matter of time until abandoned gas wells in Erie will be used for injection of fracking waste water contaminated with earth elements that are hazardous and radioactive.

Issy Lawrie

Issy is concerned about trees. A lot of people are cutting down trees and she has concerns that no one will stand up and object. She has been going to local borough meetings and to township meetings. In 2019, both of those entities made plans to cut down trees in the public parks. The elected officials have decided the trees should be cut down because they will get some money. The Girard Borough wanted to cut down 492 trees at \$100 per tree. The trees need to be kept for the environment, for climate change. The trees are in public parks to be enjoyed by the people. They are there for mental and physical health. Research has shown that people in hospitals get better when they can look out a window and see trees. Trees are good for us. This is an environmental inequity in west Erie County. Girard Borough said they would use a county forester to develop a forestry plan. The lovely trees will have a reprieve for about 12 months until the plan is made, but the forester will draft a plan in accordance with the wishes of the

elected officials. The trees are not on private property. This is a public park where everybody can go to enjoy the trees. These trees are on the banks of Elk Creek and are riparian buffer. There should be rules and regulations about cutting down trees along Elk Creek, which feeds right into Lake Erie, which is drinking water. The trees keep the water clean and cool and keep the sedimentation out. Issy showed photographs in Springfield Township where trees were cut down. She believes if DEP does not have rules and regulations about trees being taken off the land and being taken down in public parks, there should be.

Allison Robinson recommended that she get in touch with TreeVitalize as they try to keep track of the tree canopy in the state.

Diane Wilson stated that there are no permitting issues for vegetation anywhere unless it is wetlands. Chapter 102 regulations that had to do with earth moving for new construction and timbering operations are exempt from those regulations unless the area is over 50 acres.

Air Sampling and Erie Coke Stakeholder Group

Eric Gustafson and Nora Alwine

Nora explained that the OEJ connected to Gary Horton back in June of 2016 when he reached out to DEP about a myriad of environmental concerns, one of which was Erie Coke. In August of 2017, DEP received a Title V permit renewal application from Erie Coke. At that point, Eric Gustafson, Air Quality Program Manager in DEP's Southwest Regional Office, talked about opting in that permit to the environmental justice public participation process. We began to discuss the formation of a citizens group to pull together folks interested and engaged in environmental issues in Erie, specifically Erie Coke, to identify concerns with the operation and then talk through some of the information that we can begin to provide as a Department, what we should be publishing, how we should frame public outreach to pull together a focus group. We pulled together a group led by Gary Horton, including the Benedictine Sisters, the Sierra Club, representatives from the City of Erie, and legislative offices. We first met in October of 2017 and asked the initial group what their concerns were with Erie Coke with any kind of air emissions or their operations, as well as trying to identify additional stakeholders that we can bring in. At that point, the group had 20-24 individuals. We explained what the permitting process would look like and where there would be opportunities for public engagement in that process. We worked with the group to develop information that is now on a community information page on the Department's website. Right now the information includes violations, current permits, emissions reports, anything that was determined to be of a pertinent public nature, as well as a summary document. That is a living page which will continue to be updated. Other concerns brought up during the process included health concerns. During these continuing meetings, we were also reviewing an NPDES permit renewal. One meeting was held to discuss issues related to water. We worked on guidance for additional outreach and continuing updates.

Eric Gustafson thanked the EJAB for coming to Erie. He stated that one of the lessons learned is that it is valuable for the agency to interact early and often with the local community members. He and Nora learned a lot from the discussions about public concerns - things he would not have even imagined if the dialogue had not been opened.

Erie Coke's communication channels were open not only from an environmental standpoint, but Erie Coke was talking to Gary Horton about employment issues in the community. Eric is the permitting chief and also oversees enforcement for DEP's Northwest Regional Office. It became difficult for Eric because as violations at the plant started occurring and becoming more significant and frequent, it impeded the ability to have frank and open discussions with the stakeholder group. Enforcement discussions are best not held in public sometimes.

The ASTDR and DOH spent a day with the group, listening to concerns, getting feedback. The discussion really challenged the agencies because of the impacts of Erie Coke on the community and the overall general air quality in the area. We did have a Commonwealth of Pennsylvania air monitoring station in a locale several blocks from here in the environmental justice area, but we really did not have any way to get a picture of the chronic, long-term impacts of the facility on the community. The University of Gannon in the City of Erie does have an environmental engineering school. Some of their representatives were involved in our stakeholder group and they are examining emission reports from Erie Coke.

At this time a passive sampling system has been installed that is monitoring 24/7 at the facility. Under the federal regulations, all refineries must do fence-line monitoring for benzene. The method was adapted and is in use here at Erie Coke. Eric showed pictures of the system and provided details about how the system works. The goal is to measure the impacts from the plant on the community. DEP is trying to develop the communication method to make sure it is being transparent with the data, but such that the community is able to understand what the data really means in terms of long-term chronic health impacts.

Eric and Nora worked on a document to memorialize the process for developing a stakeholder group. Allison Acevedo suggested that perhaps the model should be presented to the Department establish a framework for future stakeholder groups.

In response to a question by Allison Robinson whether the issue of citizen science initiatives came up at all, Eric stated that HECA (Hold Erie Coke Accountable) started talking about that near the very end.

Janice Etchison stated that she and Art Leopold are members of HECA and shared that one of the things HECA would like to see happen is soil sampling. There is a similar plant just across the state line in Buffalo, NY, which is a sister plant to Erie Coke, that was closed by the State of New York a couple of years ago. It really took citizens to get organized and do citizen science. They actually did soil testing. They put together a soil testing kit that people could use, and the tests were analyzed. According to one of the women who was the leader of the group, that seemed to be what got things moving. She brought information to us and even the soil testing sample kit.

Allison Robinson stated academia may be able to help.

Tammie Peffer explained that citizens science is incorporated into National Oceanic and Atmospheric Association (NOAA) programming and curricula around Meaningful Watershed

Educational Experiences (MWEs) We encourage outside contact with universities, with career-based centers, so the kids are understanding career links as well as real action.

Allison Acevedo commented that Dr. Sacoby Wilson is someone with experience talking about a process for citizen science and then imbedding it within state level processes. Sacoby is at the University of Maryland. Allison will try to contact Sacoby Wilson about the Erie work to get his input.

PUBLIC COMMENT:

Ann McCarthy, from the Benedictine Sisters, thanked the EJAB for coming to Erie. She shared reflections on the process of the stakeholder group. She participated in some of the stakeholder meetings and as part of the tour when Erie Coke offered a tour and was forthcoming in answering questions. As a community member, it was interesting to listen to Eric Gustafson talk about the frustration of being at the point where it was difficult to share information when moving into enforcement. It became difficult to feel like the group was moving in a direction when Erie Coke was always in the room. A lot of our work was engaging neighborhood to neighborhood with the community and folks going door-to-door meeting with folks that we knew were impacted. The place where the public hearing happens is way down the road in the permitting process. Two things that helped a lot: 1) Holding Erie Coke Accountable (HECA) formed; and 2) being in communication with the stakeholder group but meeting outside of the stakeholder group was key for the community. Because of HECA, advocacy was started, such as requesting that the City of Erie make a formal request to the DEP to move this process along. At that City Council meeting, it almost became a public hearing where the public comments, prior to the letter, went on for over an hour. That did lead to a letter both from the City Council and from the Mayor and then the County Council to the DEP saying this is an urgent concern. When the public hearing happens, people will be right there, but the frustration is now.

Katie Chriest works at Penn State Behrend so she works with a lot of young people who are investigating where they want to live, where they want to build their homes, and where they want to create their futures. They often are looking for places that are going to protect them and keep them healthy and safe and protect them economically and look into ways to have sustainable economic futures. When she tells them about this plant, it really jousts with their concept of what is just and what should make sense. Not just that it is polluting and breaking the law, which messes with their mind because they thought the law had to be followed, but then also just the fact that they are being made aware and they are open to so many new energy technologies and all sorts of other types of technologies. Many would really love to stay here, but I think as long as we have an industry like this in our presence, it is really hampering the ability to draw other industries in that would be able to thrive. We're not talking just about Erie, but about Pennsylvania.

ADJOURNMENT:

Chairman Cutler requested a motion to adjourn the meeting. Allison Robinson made a motion that the meeting be adjourned, which was seconded by Arthur Frank. The meeting adjourned at 6:15 P.M.