

**MINUTES
ENVIRONMENTAL QUALITY BOARD MEETING
October 21, 2014**

VOTING MEMBERS OR ALTERNATES PRESENT

Dana K. Aunkst, Chairman, Acting Secretary, Department of Environmental Protection
Eric Kratz, alternate for Julia Hearthway, Secretary, Department of Labor and Industry
Kathryn Tartaglia, alternate for Barry Schoch, Secretary, Department of Transportation
Pam Witmer, alternate for Robert Powelson, Chairman, PA Utility Commission
Sarah Clark, alternate for Representative Greg Vitali, Pennsylvania House of Representatives
Jonathan Lutz, alternate for Representative Ron Miller, Pennsylvania House of Representatives
Richard Fox, alternate for Senator John Yudichak
Adam Pankake, alternate for Senator Gene Yaw
Michael DiMatteo, alternate for Matthew Hough, Executive Director, PA Game Commission
Burt Waite, Citizens Advisory Council
David Spotts, alternate for John Arway, Executive Director, PA Fish and Boat Commission
Doug McLearen, alternate for James Vaughan, Executive Director, Pennsylvania Historical and
Museum Commission
Matthew O'Donnell, alternate for Jennifer Branstetter, Director, Governor's Office of Policy & Planning
Cynthia Carrow, Citizens Advisory Council
William Fink, Citizens Advisory Council
Walter Heine, Citizens Advisory Council
John Walliser, Citizens Advisory Council
Paul Opiyo, alternate for C. Alan Walker, Secretary, Department of Community and Economic
Development
Ben Junkin, alternate for George Greig, Secretary, Department of Agriculture

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

Laura Edinger, Regulatory Coordinator
Hayley Book, Director, Policy Office
Doug Brennan, Director, Bureau of Regulatory Counsel

CALL TO ORDER AND APPROVAL OF MINUTES

The meeting was called to order at 9:03 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The Board considered its first item of business – the August 19, 2014, EQB meeting minutes.

**Doug McLearen moved to adopt the August 19, 2014, EQB meeting minutes.
Burt Waite seconded the motion, which was unanimously approved by the Board.**

CONSIDERATION OF PROPOSED RULEMAKING: CONTROL OF VOC EMISSIONS FROM MISCELLANEOUS METAL PARTS SURFACE COATING PROCESSES, MISCELLANEOUS PLASTIC PARTS SURFACE COATING PROCESSES AND PLEASURE CRAFT SURFACE COATINGS (25 Pa. Code Chapter 129)

Vince Brisini, Deputy Secretary for Waste, Air, Radiation and Remediation, provided an overview of the proposed rulemaking. Joyce Epps, Director, Bureau of Air Quality, and Kristen Furlan, Assistant Director, Bureau of Regulatory Counsel, assisted with the presentation.

Following the presentation there were no questions or comments.

William Fink made a motion to accept the proposed rulemaking.

Doug McLearen seconded the motion, which was unanimously approved by the Board.

CONSIDERATION OF PROPOSED RULEMAKING: SECURITY RULE FOR RADIOACTIVE MATERIAL (25 Pa. Code Chapter 215)

Vince Brisini, Deputy Secretary for Waste, Air, Radiation and Remediation, provided an overview of the proposed rulemaking. David Allard, Director, Bureau of Radiation Protection, and Keith Salador, Assistant Counsel, Bureau of Regulatory Counsel, assisted with the presentation.

Following the presentation there were no questions or comments.

William Fink made a motion to accept the proposed rulemaking.

Walter Heine seconded the motion, which was unanimously approved by the Board.

CONSIDERATION OF RULEMAKING PETITIONS: BAN ON WATER FLUORIDATION AND ADDITIONAL BOTTLED WATER LABELING REQUIREMENTS FOR FLUORIDE CONTENT (25 Pa. Code Chapter 109)

Kelly Heffner, Deputy Secretary for the Office of Water Management, provided an overview of the rulemaking petition. David Mittner, Division Chief for Planning and Conservation, Bureau of Safe Drinking Water, and Bill Cumings, Assistant Counsel, Bureau of Regulatory Counsel, assisted with the presentation.

Richard Fox asked a clarifying question pertaining to the percentage of community water systems that fluoridate and to how many individuals that equates. Specifically, Mr. Fox asked if six percent of community systems fluoridate water now, does that mean that approximately five million people have fluoridated water.

Deputy Secretary Heffner confirmed that to be correct – five million people in the Commonwealth currently have fluoridated water.

Mr. Fox inquired that, since it fluoridation is voluntary, is it understood why a community water system would choose to fluoridate.

Mr. Mittner stated that most community water systems that he has worked with that fluoridate made the choice to fluoridate through experience working with local dental and health associations. The water systems had discussions with local health professionals and then utilized a petition process to determine if the community desired fluoridation.

The petitioner, Beverly DeCer, gave a brief presentation to the Board.

Following Ms. DeCer's presentation, Acting Chairman Aunkst asked if any other states have banned fluoridation. Ms. DeCer responded no, but stated that she thinks Pennsylvania should be the first.

Pam Witmer made a motion to accept the Department's recommendation to not accept the petitions for further study. Walter Heine seconded the motion, which was unanimously approved by the Board.

THREE-YEAR FEE REPORT: REGULATORY FEE AND PROGRAM COST ANALYSIS REPORT; CHAPTER 102 EROSION AND SEDIMENTATION CONTROL AND STORMWATER MANAGEMENT PERMITS FEES REPORT

Kelly Heffner, Deputy Secretary for the Office of Water Management, provided an overview of the three-year fee report. Jennifer Orr, Section Chief for NPDES Construction and Erosion Control, Jeffrey Means, Director, Bureau of Waterways Engineering and Wetlands, and Meg Murphy, Assistant Director, Bureau of Regulatory Counsel, assisted with the presentation.

Richard Fox inquired as to how many permits are applied for annually.

Ms. Orr responded that currently DEP receives about 2,500 to 2,800 permit applications per year.

Mr. Fox asked what the average review time is, from permit application to the awarding of a permit.

Ms. Orr responded that this largely depends on the type of permit. General permits take much less time to process than individual permits. The primary reason for the shorter timeframe for general permits is general permits do not require public notice. DEP's Permit Decision Guarantee and Permit Review Policy dictates a timeframe of 107 business days for individual permits and 71 business days for general permits. The program has been meeting those timeframes for the majority of permits, both general and individual.

No action needed on this item.

NEXT MEETING:

The Environmental Quality Board will not meet in November; December is still questionable. The next meeting of the Board will be announced in the future.

ADJOURN:

With no further business before the Board, David Spotts moved to adjourn the meeting. John Walliser seconded the motion, which was unanimously approved by the Board. The October 21, 2014, meeting of the Board was adjourned at 9:56 a.m.