

Meeting Minutes
Cleanup Standards Scientific Advisory Board
Hybrid Virtual (WebEx) & In-Person Meeting (Room 105 of RCSOB)
October 4, 2021

CSSAB Members Present:

Chuck Campbell, Chairman
Joel Bolstein
James Connor
Colleen Costello
Annette Guiseppi-Elie

Michael Meloy
Craig Robertson
Mark Smith
Mark Urbassik
Don Wagner

Department of Environmental Protection (DEP) Staff Present:

Abbey Cadden
Troy Conrad
Randy Farmerie
Darek Jagiela
Mike Maddigan
Frank Nemec

Krishnan Ramamurthy
Jessica Ritenour
Valerie Shaffer
Nikolina Smith
Megan Specht
Brie Sterling

Others Present:

Laura Campbell
Will Hitchcock
Neil Ketchum

Josephine Martin
Teresa McCurdy
Mike Nines

Open Meeting

CSSAB Chairman Chuck Campbell opened the meeting at 0930 starting with around-the-room introductions and roll call of those attending virtually.

Mr. Campbell requested approval of the draft revised CSSAB meeting minutes from the August 11, 2021 hybrid virtual meeting. The draft minutes were approved by the Board with no revisions.

Administrative Issues: Mr. Campbell inquired if Land Recycling Program statistics are available for the Board (requested in August 2021 meeting). Mr. Troy Conrad reported that Mr. John Gross, Environmental Section Manager for Program Support, is presently compiling program statistics (specifically, approval and disapproval rates by region) for the CSSAB's review. The

statistics will be forwarded to Mr. Campbell after compilation has been completed. Mr. Craig Robertson inquired about whether the CSSAB will have an active role regarding the development of PA's Per- and Polyfluoroalkyl Substances (PFAS) drinking water maximum contaminant levels (MCLs). Mr. Conrad stated that another advisory board has been tasked with making suggestions to the Safe Drinking Water Program regarding the development of PFAS MCLs. Ms. Colleen Costello inquired whether the CSSAB may assist (i.e. form a workgroup) regarding the attainment of a background standard for PFAS. Mr. Conrad agreed that a CSSAB workgroup would be helpful for this issue.

Membership: Mr. Troy Conrad reviewed CSSAB membership and current member expired terms (Ms. Tina Serafini, term expired Sept. 2019, Mr. Mark Urbassik, term expired July 2016, and Mr. Campbell, term expired December 2013). Members whose term has expired may continue to serve on the Board until reappointment or replacement. Additionally, two vacancies remain on the CSSAB.

Land Recycling Program (LRP) Update

Personnel Update: Mr. Conrad reported that there have been no changes to key staff in the LRP. Vacant Program Manager position interviews have been completed and a candidate has been selected. As soon as Human Resources approves the choice, the candidate will be introduced to the Board.

Hazardous Site Cleanup Fund (HSCF) update: Mr. Conrad reported that the LRP is approximately 95% funded by the HSCF. With the discontinuation of the Capital Stocks and Franchise Tax (CSFT), a new permanent funding source for the LRP is still needed. The program currently has sufficient funding to last until the end of the 2022-23 fiscal year. This is due to a smaller contingent of staff than originally anticipated, less spending on state-directed cleanup sites, and unexpected income originating from trailing revenue from CSFT.

DEP toxicologist: The future DEP toxicologist will report directly to the Executive Deputy Secretary and will provide technical support to several program areas within the Agency. Mr. Conrad would be interested in hearing CSSAB member's thoughts on the prospective toxicologist candidate's preferred qualifications, but he will not be directly associated with the hiring. Ideally, it would benefit the DEP and CSSAB if a toxicologist could be appointed to the CSSAB in the future.

Per- and Polyfluoroalkyl Substances (PFAS) Action Team update: Mr. Conrad reported that the DEP's Safe Drinking Water Program is working on the development of MCLs for PFOA and PFOS in drinking water which are considerably lower than the EPAs published 70 parts per trillion Health Advisory Level for the same. The Safe Drinking Water Program's proposed MCL for PFOA is 14 parts per trillion, and for PFOS it is 18 parts per trillion. Mr. Conrad confirmed that in the absence of any federal published MCL, the state program-developed MCLs would become the groundwater medium-specific concentrations (MSCs) for the LRP. Meanwhile, the Agency is still tracking the 35-40 known PFAS-contaminated groundwater sources across the state. The majority of these are sites where firefighting foam was released to the environment.

Mr. Joel Bolstein inquired if there are any drinking water sources that meet the 70 parts per trillion level, but not the 14-18 parts per trillion level and what plans, if any, are in place for those situations. Mr. Conrad stated that policy decisions regarding this matter have not been made. He added that he could contact Ms. Lisa Daniels of the Safe Drinking Water Program and report back to the CSSAB. Mr. Michael Meloy added that Ms. Daniels gave a presentation to the Pennsylvania Chamber's DEP Quarterly. Mr. Meloy will circulate the slides from the presentation to the CSSAB members. Mr. Meloy also suggested that Ms. Daniels present directly to the CSSAB in a future meeting. Ms. Costello inquired whether Surface Water Quality Standards will be established for PFAS, as well as inquiring whether the upcoming PFAS workgroup should focus on viewing them as a class of compounds. Mr. Conrad requested the CSSAB to forward PFAS-related questions to him prior to the next scheduled meeting, so the Board's inquiries can be addressed thoroughly.

Workgroup Updates: Since the last CSSAB meeting, Mr. Campbell reported that two CSSAB workgroups have been formed: A Lead Workgroup and a polycyclic aromatic hydrocarbon (PAH) Workgroup. Both workgroups had successful kick-off meetings. A Lead Attainment sub-workgroup has also been formed. Ms. Costello speculated that the workgroup tasks would be completed in January 2022, at which time a CSSAB meeting may be needed to discuss final work products. Mr. Campbell requested workgroup participants be entered into the record.

Members of Lead Workgroup: Mike Maddigan (DEP), Frank Nemecek (DEP), Jessica Ritenour (DEP), David Brown (DEP), Chuck Campbell (CSSAB), Colleen Costello (CSSAB), Tina Serafini (CSSAB), Annette Guiseppi-Elie (CSSAB), Michael Meloy (CSSAB), Mark Urbassik (CSSAB), Craig Robertson (CSSAB), Don Wagner (CSSAB), William Hitchcock (Manko Gold), Neil Ketchum (Groundwater Sciences), and Andrew Buchy (Sanborn Head).

Members of PAH Workgroup: Mike Maddigan (DEP), Brie Sterling (DEP), Pam Trowbridge (DEP), Joel Bolstein (CSSAB), Chuck Campbell (CSSAB), Colleen Costello (CSSAB), Michael Meloy (CSSAB), Tina Serafini (CSSAB), Annette Guiseppi-Elie (CSSAB), William Hitchcock (Manko Gold), Stephanie Gundling (KU Resources), Neil Ketchum (Groundwater Sciences), and Michael Fuerte (Sanborn Head).

Draft Annex A for proposed vanadium Chapter 250 Rulemaking

Mr. Michael Maddigan presented an overview of background information for the proposed vanadium Chapter 250 rulemaking. The current residential soil direct contact MSC has forced the cleanup of properties with vanadium to a value that is below naturally occurring levels. In the fall of 2020, CSSAB recommended replacing the current MSC with an Integrated Risk Information System (IRIS) value based on vanadium pentoxide, and using a molecular weight conversion, generating a revised MSC for vanadium. This approach is endorsed by US EPA and was unanimously recommended by CSSAB members. Therefore, the reference dose for vanadium has been revised to 0.005 mg/kg-day. This results in revisions to direct contact MSCs in soil, groundwater MSCs, and soil-to-groundwater values for vanadium.

Mr. Conrad requested verbal approval from each CSSAB member regarding the revised vanadium MSCs. The recommendation was unanimously supported by vote. Mr. Campbell and Mr. Meloy agreed that a brief letter of support from CSSAB could be written and submitted to DEP, as requested by Mr. Conrad. Mr. Bolstein extended a personal thanks to Mr. Meloy's efforts to spearhead this effort and to all members of CSSAB and DEP who made this vanadium MSC revision possible.

Proposed questions for Advance Notice of Proposed Rulemaking (ANPR) for Lead

DEP is soliciting information from the public regarding Chapter 250 proposed rulemaking which would revise the model used to calculate the soil lead MSCs. Mr. Maddigan provided a summary of this process and the draft of the proposed solicitation publication. Mr. Campbell stated that DEP would likely receive many varied opinions and inquired if DEP will consider opinions received or just scientific facts received. DEP's goal is to publish the ANPR in the October 30, 2021 PA Bulletin with a 90-day submission period. Mr. Campbell suggested the DEP share any ANPR responses with the CSSAB Lead Workgroup for consideration. The public comment period for the ANPR will extend to the end of January 2022. It is anticipated that the CSSAB Lead Workgroup will convene to discuss comments received and possible integration into the Workgroup work product after the public comment period is over.

To answer the Board's concerns regarding their role in this process, Mr. Conrad reviewed the three decisions resulting from the ANPR discussion: 1) The Lead Workgroup work product development and the public comments received as a result of the ANPR publication will be parallel processes. The Workgroup will concurrently be able to consider concepts which emanated from public comments received that had not been considered previously; 2) the CSSAB was created by statute to provide guidance and recommendations. The ANPR is a separate process than the typical draft regulation public comment period; and 3) the CSSAB would be asked for recommendations regarding any proposed regulatory revisions regarding lead and prior to the draft regulation public comment period.

Mr. Meloy requested revisions to language in the draft ANPR. Subsequent discussion focused on detail accuracy in the draft ANPR. Mr. Maddigan stated that revisions to the ANPR will need to be implemented within the next week for timely publication.

Mr. Don Wagner requested an update on expected publication date of the new Chapter 250 regulations. Ms. Abbey Cadden reported that the regulations are currently in review by the Office of Attorney General. Final publication date is expected by mid-November.

Public Comment

No public comments.

Meeting Adjourned at 1110.