

## **Solid Waste Advisory Committee Meeting Minutes of March 19, 2026**

### **The following members were present:**

Michelle Nestor, Chair  
Gordon Burgoyne, Vice Chair  
Robert Anderson  
Douglas Chew  
Adam Finley  
John Frederick  
Brian Guzzone  
Craig Potter  
Joseph Reinhart  
Kyle Rosato  
Joanne Shafer  
Ed Vogel  
Robert Watts  
Gerald Zona

### **The following members were absent:**

Robert Barkanic  
Jason Leck  
Gregg Pearson  
Shannon Reiter

### **The following alternates were present:**

Ian Irvin (on behalf of Robert Barkanic)

### **The following guests and Department of Environmental Protection (DEP) staff were present:**

|                 |                                                            |
|-----------------|------------------------------------------------------------|
| Kevin Beer      | DEP Bureau of Waste Management (BWM)                       |
| Jackie Binder   | DEP BWM/Travel Coordinator                                 |
| Rebecca Cardin  | Physicians for Social Responsibility Pennsylvania (PSRPA)  |
| Chris DiGiulio  | PSRPA                                                      |
| Justin Dula     | DEP Environmental Justice Office (EJO)                     |
| Jason Dunham    | DEP BWM                                                    |
| Megan Gahring   | Lawrence-Mercer County Recycling and Solid Waste           |
| Nikolina Gaudin | DEP Bureau of Regulatory Counsel (BRC)                     |
| Sean Gimbel     | DEP Office of Waste, Air, Radiation and Remediation (WARR) |
| Laura Griffin   | DEP Policy Office                                          |
| Laura Henry     | DEP BWM/Liaison to the Committee                           |

|                   |                                                         |
|-------------------|---------------------------------------------------------|
| David Hess        | PA Environment News, LLC                                |
| Lauren Imgrund    | DEP Policy Office                                       |
| Jeffrey Ivicic    | Legislative Director, Office of Senator Patrick Stefano |
| Curtis LeSuer     | DEP BWM                                                 |
| Trent Machamer    | PA Senate Policy Office                                 |
| Tom Mellott       | DEP BWM                                                 |
| Josh Neyhart      | DEP Policy Office                                       |
| Kylie Roush       | DEP BWM/Recording Secretary                             |
| Jennie Shade      | Department of Conservation and Natural Resources (DCNR) |
|                   | Office of Administration                                |
| Jessica Shilladay | DEP BWM                                                 |
| David Smith       | Vogel Holding, LLC                                      |
| Chris Solloway    | DEP BWM                                                 |
| Fernando Treviño  | DEP EJO                                                 |
| Mark Vottero      | DEP BWM                                                 |

### **Call to Order; Introduction of Members and Guests; Approval of Minutes of September 25, 2025; Old Business**

Michelle Nestor, Chair, called the meeting to order at 10:13 am. Committee Liaison Laura Henry conducted roll call.

Chair Nestor called for a motion to approval the minutes of September 25, 2025; motion was made by Joanne Shafer and seconded by Brian Guzzone. All approved, no opposed, and the motion carried unanimously.

Chair Nestor asked for any old business to be discussed. Hearing none, Chair Nestor asked for an update on formation of a Recycling Fund Advisory Committee (RFAC) subcommittee to discuss the commercial formula for performance grants. Ms. Henry stated that DEP is working on that and called for any interested committee members to contact her. A formal email request will be sent to the entire RFAC and SWAC committees to solicit interest. No additional old business was discussed.

### **Public Comment**

Chair Nestor asked Ms. Henry to review public comment guidelines established by the DEP Policy Office. No public commenters registered prior to the meeting. Chair Nestor asked for any comments from attendees; no public comments were made.

### **Informational Item: DEP Final Environmental Justice Policy**

Fernando Trevino, Special Deputy Secretary for Environmental Justice, DEP, shared a slide deck on DEP's recently finalized Environmental Justice (EJ) Policy. Justin Dula, Senior Advisor, DEP Environmental Justice Office, was also present.

After providing a brief history of the EJ Program and previous versions of the Policy, Mr. Treviño summarized the sections of the updated Policy:

Sections 1 and 2 – Introduction and Definitions: updated by moving Title 6 from the list of legal authorizations. Minor changes in definitions were also made for clarity.

Section 3 – Environmental Justice Areas: added new data points. PennEnviroScreen provides a snapshot of pollution, burden, and population to show where the EJ policy applies. Staff are available for comprehensive training on the mapping tool.

Section 4 – The Proactive Community Engagement: not updated in the final policy; this section has been highlighted and recognized as a national model.

Section 5 – Enhanced Public Participation: updated when in the process the EJ area is set and changed definitions of “trigger permit” and “opt-in” for clarity.

Section 6 – Inspections, Compliance, and Enforcement: not updated in the final policy.

Section 7 – Community and Development and Investments: targets grants; not updated in the final policy.

Section 8 – Climate Initiatives: not updated in the final policy.

Section 9 – Policy Updates: all reviews and updates still required, except the EJ area and mapping timeframe changed from every 2 years to as necessary.

Mr. Treviño concluded by providing contact information for EJ Office staff. Chair Nestor solicited questions.

John Frederick proposed that the Committee make a formal statement of support to the Department on the Environmental Justice Office’s continued efforts. Chair Nestor concurred and called for a motion. Mr. Frederick made a motion for the Committee to submit a statement of support for the ongoing efforts of the Environmental Justice Office that indicates the Committee wishes to continue supporting its efforts. Kyle Rosato seconded. All in favor, none opposed; the motion carried.

Chair Nestor stated she would like to coordinate with DEP to hold a workshop on the PennEnviroScreen tool at the annual waste industry conference.

Joanne Shaffer stated she would like the minutes to reflect the thanks of the Committee to the Deputy Secretary, Secretary, and DEP staff for all their hard work over the years on this issue.

**Informational Item: Draft Revised Technical Guidance Document (TGD), “Use of Waste from Land Clearing, Grubbing, and Excavation (LCGE) and the Use of Concrete or Other Clean Fill Materials Containing Protruding Rebar or Other Material as Clean Fill”**

Curtis LeSuer, Solid Waste Program Specialist in the Compliance and Technical Support Section of the Division of Municipal and Residual Waste (DMRW), presented minor changes to the document (254-2000-715), which has been in use since December 2006. Changes included formatting, definitions, and references to statute and policy. DEP plans to publish notice of the minor changes in the *Pennsylvania Bulletin* and post the revised document to the DEP eLibrary soon.

Chair Nestor asked for comments or questions.

Mr. Frederick asked how the Department planned to identify protruding rebar, as it is a safety hazard? Mr. LeSuer responded it is up to the discretion of the people placing the material to make sure it isn't dangerous.

**Informational Item: Coproduct Regulation Update**

Chris Solloway, Director of the Bureau of Waste Management, stated DEP is in the early stages of the rulemaking process for this update and introduced Kevin Beer to provide a high-level overview of the changes being proposed.

Mr. Beer, Environmental Group Manager of the Compliance and Technical Support Section, DMRW, presented an overview of the current regulation, the recognized issues, and a summary of proposed amendments. Specifically, elements of the coproduct definition in 25 Pa. Code § 287.1 are more appropriate for the determination in 25 Pa. Code § 287.8 and will be moved. DEP intends to shore up existing regulations by ensuring that as part of a coproduct determination, the consistency of the process by which the coproduct is generated is considered and adequately demonstrated; the efficacy of a coproduct for a particular use as well as the legitimacy of the mechanism for material management is evaluated and sufficiently documented; and the coproduct is not compared to clean fill. Lastly, DEP will propose to add a notification requirement to get a better understanding of coproduct use through collection of data.

Joe Reinhart supported the streamlining of the coproduct definition and moving elements of it into the coproduct determination, stating it would clarify appropriate materials. Mr. Reinhart mentioned the clarifications will facilitate keeping usable materials outside of the waste stream and demonstrate the value of recycling materials beyond cans and bottles, specifically in the residual waste stream.

Doug Chew asked for more information on the new notification requirement; will it be submitted to DEP? Will a mechanism be provided and how onerous it will be to report the information? Kevin Beer indicated the notification would be similar to the FP-001 certification for clean fill.

### **New Business**

No new business was discussed.

### **Adjourn**

Chair Nestor asked for a motion to adjourn the meeting. Motion made by John Frederick, seconded by Doug Chew. All approved, none opposed; the motion carried, and the meeting was adjourned at 11:15 am.