

WATER RESOURCES ADVISORY COMMITTEE

September 23, 2021 9:30 a.m.

Rachel Carson State Office Building-RM 105

400 Market Street

Harrisburg, PA 17105

and

Teams Meeting

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AGENDA

9:30 a.m. Call to Order, Introductions and Attendance – John Jackson, Chair

The meeting of the Water Resources Advisory Committee was called to order by John Jackson at 9:30 a.m., virtually via Microsoft Teams and in-person in room 105, Rachel Carson State Office Building, Harrisburg, PA. A roll call was conducted, and of the 18 members of the committee, 13 were present and 5 were not present.

The following committee members were present:

Myron Arnowitt-Clean Water Action

Harry Campbell-Chesapeake Bay Foundation

Jenifer Christman-Western Pennsylvania Conservancy

Kent Crawford, Ph.D.-Retired, USGS

Andrew Dehoff-Susquehanna River Basin Commission

Matthew Genchur-White Township

John Jackson, Ph.D.-Stroud Water Research Center

Theo Light, Ph.D.-Shippensburg University

Gary Merritt, P.G.-Northern Star Generation

Cory Miller-University Area Joint Authority

Stephen Rhoads-Retired, Shell

Jeff Shanks-Waste Management

Steven Tambini-Delaware River Basin Commission

The following committee members were not present:

Shirley Clark, Ph.D., P.E.-Pennsylvania State University

Jeffrey Hines, P.E.-York Water Supply

Dean A. Miller-Pennsylvania Water Environment Association

Sarah Whitney-Pennsylvania Sea Grant

Charles Wunz, P.E.-Wunz Associates

9:35 a.m. Review and Approval of Minutes from July, 28 2021 Meeting – John Jackson, Chair

No corrections or suggested edits to the July 28, 2021 meeting minutes were proposed by any Committee members. Kent Crawford motioned to approve the meeting minutes. Drew Dehoff seconded the motion. The meeting minutes were unanimously approved. Gary Merritt abstained from the vote as he was not present for that meeting.

9:45 a.m. PAG-10 General Permit Reissuance – Maria Schumack, Environmental Engineer Manager, NPDES Permit Section, Bureau of Clean Water

Ms. Schumack presented information on the reissuance of the PAG-10 NPDES General Permit for the Discharge of Hydrostatic Testing of Tanks and Pipelines. Ms. Schumack informed the committee that the general permit expired on July 10, 2020 but was administratively extended until July 10, 2022 and that presently 38 facilities operate under the PAG-10 General Permit. Ms. Schumack added that DEP is not able to issue new coverage under the administratively extended permit. Ms. Schumack discussed the few proposed changes to the reissued permit to include a requirement that existing permittees will need to submit a Notice of Intent (NOI) for continued coverage and an option that permittees may use Best Management Practices (BMPs) for preventing erosion other than BMPs listed in the PAG-10 permit with approval from DEP. Ms. Schumack highlighted some clarifications in the proposed general permit, which included the requirement that all sections of pipeline from which a discharge will occur must be reported on an NOI and only existing tanks and pipelines must be cleaned before hydrostatic testing.

John Jackson asked Ms. Schumack what are the next steps for the committee with regards to the pre-draft permit. Ms. Schumack replied that since the committee received the pre-draft permit documents

yesterday DEP is willing to give the committee two weeks to provide feedback if desired, if not, DEP will move to issue a PA Bulletin notice for public comment.

Stephen Rhoads asked how DEP will handle any future delays in reissuance of this permit. Ms. Schumack responded that DEP will handle it the same way as the current permit, in that DEP will publish an administrative extension of general permit coverage in the PA Bulletin, which would administratively extend permit coverage for facilities with existing coverage.

Mr. Jackson asked the committee if any member intends on providing feedback on the pre-draft permit. With no replies from committee members, Mr. Jackson informed Ms. Schumack that the committee would not need additional time for feedback, so DEP is free to move forward with publication of a draft permit in the PA Bulletin.

10:00 am Manure Manual Management Revision– Kate Bresaw, Environmental Group Manager, Chesapeake Bay Office

Ms. Bresaw presented information on proposed revisions to the Manure Management Manual (MMM). This information included goals for revisions to the manual, progress to date on the revisions, current proposed revisions, and next steps and proposed timeline for implementing the manual revisions.

Harry Campbell asked how many farms in Pennsylvania are required to use the manure management manual. Ms. Bresaw replied that there are over 30,000 animal operations in Pennsylvania, of that, there are over 400 CAFOs (Concentrated Animal Feeding Operations) and 1,000 CAOs (Concentrated Animal Operations). The remaining use the MMM.

John Jackson pointed out that Phosphorus was mentioned at the end the presentation, and that Nitrogen is a big focus of the Chesapeake Bay program, and wanted to know why Phosphorus is required to be documented in terms of 200 parts per million (ppm). Ms. Bresaw replied that maintaining soil Phosphorous levels less 200 ppm is consistent with the recommendations in the current MMM if planning to recommended Nitrogen application rates. Mr. Jackson further asked about smaller animal operations that struggle with compliance and if the small operation approach will help in achieving compliance. Ms. Bresaw explained that the MMM applies to any animal operation that land applies manure, regardless of its size, and that is not covered by an Act 38 nutrient management plan. Ms. Bresaw further explained that many of these small animal operations are not aware that they are even considered an animal operation or that they need to comply to the MMM, so the approach is to educate and streamline the process for the smaller operations to help them meet compliance and with that DEP anticipates that compliance rates for the very small animal operations will increase.

Mr. Campbell asked about the “controversial” winter application rates for manure and if there is a plan to update or change application rates from the current standards. Ms. Bresaw responded that the winter application rates will remain consistent with the current version of the MMM.

10:30 a.m. General Discussion/Agenda Topics Request – John Jackson, Chair

Harry Campbell asked about a technical guidance document that he saw on DEP’s eComment page, recently, regarding the Prioritized Review Process Under the Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Activity. Mr. Campbell wanted to know if this document

was or should have been presented to WRAC or if it is outside of the committee's scope. Mr. Haines replied that he was not sure, but would look into for Mr. Campbell.

11:10 a.m. Public Comment Period – John Jackson, Chair

No public comments were shared with the Committee.

11:15 a.m. Adjourn – John Jackson, Chair

Jenifer Christman moved to adjourn the meeting. Theo Light seconded the motion. The motion to adjourn the meeting was unanimously approved.

DRAFT