

MINUTES
CITIZENS ADVISORY COUNCIL MEETING
May 20, 2015

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Cynthia Carrow, Allegheny County
Walter Heine, Cumberland County
Burt Waite, Crawford County
Terry Dayton, Greene County
William Fink, Bedford County
Thaddeus Stevens, Tioga County
Joi Spraggins, Philadelphia County
John Walliser, Allegheny County
Donald Welsh, Chester County
R. Timothy Weston, Cumberland County
John Hines, Lebanon County

CITIZENS ADVISORY COUNCIL STAFF PRESENT:

Michele Tate, Executive Director

CALL TO ORDER:

Chairman Terry Dayton called the meeting to order at 11:04 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

APPROVAL OF APRIL 21, 2015, MEETING MINUTES:

With no corrections or additions recommended by Council, Chairman Dayton asked for a motion to approve the April 21, 2015, Council meeting minutes.

Burt Waite moved to approve the April 21, 2015, meeting minutes as presented to Council. Tim Weston seconded the motion, which was unanimously approved by Council.

CHAIRMAN DAYTON'S REPORT TO COUNCIL:

Chairman Dayton announced the resignation of Dave Hess from Council. Chairman Dayton noted Mr. Hess's considerable contributions to the CAC and expressed Council's appreciation of his service.

With Mr. Hess's departure from Council, Chairman Dayton announced a number of vacancies that exist on various committees that need to be filled by CAC members. Chairman Dayton stated that Mr. Hess formerly served as a member of the Mining and Reclamation Advisory Committee and was an alternate member of the Environmental Quality Board. He also noted that Mr. Hess was Chairman of the CAC's Public Participation Committee and also served on the CAC's Policy and Regulatory Oversight Committee and the Legislative Committee. CAC members who are interested in serving on a committee or board were asked to notify Michele Tate.

Chairman Dayton asked Burt Waite to provide an update to the CAC on the first meeting of the Aggregate Advisory Board. Mr. Waite reported that the Board was created by Act 137 of 2014 to provide advice to DEP on all matters pertaining to surface mining. He noted that the Secretary of DEP serves as the Chairman of the Board and that the Board met for the first time on May 13,

2015. Mr. Waite stated that Mark Snyder, with Pennsy Supply, Inc., was elected by the Board to serve as Vice-Chairman and that the Board discussed a number of operational topics during its first meeting, including the board's bylaws and the creation of standing committees. The Board also received updates from DEP on Permit Decision Guarantee, EPA's review of NPDES Permit Requirements, and the addition of the Northern Long-Eared Bat as a threatened species and how that addition will impact current DEP permit application review processes. The Board also received information on DEP's 3-year report to the EQB on the adequacy of the Non-Coal Fees and a presentation on draft regulations DEP is developing that will update requirements in 25 Pa Code Chapters 210 and 211 concerning the handling and use of explosives.

On behalf of Bryan McConnell, Mr. Waite also provided an update to Council on the Oil and Gas Technical Advisory Board's (TAB) April 23, 2015, meeting. Mr. Waite first expressed Mr. McConnell's gratitude for being nominated to serve on TAB by the CAC, and noted that Mr. McConnell was elected to serve as the Chairman of TAB. Through his written report to Council, Mr. McConnell stated that TAB had amended its bylaws and also had completed a cursory review of the Advance Notice of Final Rulemaking (ANFR) Chapter 78a regulations, which prompted the Board to develop a number of questions for DEP to address to assist the Board in understanding the changes included in the regulatory proposal. In his remarks, Mr. McConnell also noted the formal coordination TAB has established with COGAC (Conventional Oil and Gas Advisory Committee) on the review of the Chapter 78 regulations and also acknowledged the challenges TAB will face in the future by reviewing the Chapter 78a regulations under a compressed timeframe. Mr. Waite stated that TAB will be meeting again on August 25, 2015, where it is anticipated DEP will provide an overview of the comments received in response to the ANFR for the Chapter 78a regulations.

Chairman Dayton requested an update on the most recent EQB meetings that were held in April and May 2015. In response, John Walliser provided an overview of the various rulemaking packages that were adopted by the EQB, including presentations from DEP's Office of Active and Abandoned Mining Operations on the adequacy of permit fees to support the administration of the Noncoal Mining Program and the Coal Mining Program. Mr. Walliser asked Ms. Tate to share with Council the presentations provided to the EQB on the analysis conducted by the DEP on the adequacy of the coal mining permit fees and the noncoal mining program fees.

Ms. Tate updated Council on a number of topics that were addressed at the April 23, 2015, meeting of the Mining Reclamation Advisory Board. She noted the Board received updates from DEP's Bureau of Mining Programs on technical guidance documents that are in development and the Department's ongoing coordination with EPA on the agency's review of NPDES permit applications, including discussions DEP is having with EPA on the development of a checklist to streamline the EPA's review of such permits. She also noted that DEP staff provided updates on the status of the Reclamation Fee Account and on regulation packages that were recently adopted by the EQB, including the Land Reclamation Financial Guarantees and Bioenergy Crop Bonding final rulemaking and the Remining Requirements proposed rulemaking. Ms. Tate also noted that the MRAB received updates on the three-year cost analysis the Department has conducted and presented to the EQB on the adequacy of the Coal Mining Fees to cover the administration of the program.

Chairman Dayton updated Council on the May 4, 2015, interim final rule issued by the U.S. Fish and Wildlife Service which added the Northern Long-Eared Bat to the federal endangered species listing. He explained that the listing occurred primarily due to the threat of white-nose syndrome,

a fungal disease that has affected many bat populations, particularly those in the eastern U.S. and Canada. He noted that DEP would be discussing the listing in further detail during its report to Council and would identify the implications to the Department's permitting processes as a result of the listing.

In conclusion, Chairman Dayton updated Council on the work the CAC's Nominating Committee has conducted to secure candidates for the positions of Chair and Vice-Chair of the CAC. Chairman Dayton noted that elections would be held at the June meeting and individuals should contact either Burt Waite or Cynthia Carrow if they are interested in either the position of Chair or Vice-Chair of Council.

DEP REPORT TO COUNCIL:

Before updating Council on a number of topics, Acting DEP Secretary John Quigley recognized Dave Hess and thanked Mr. Hess for his service to the CAC.

Acting Secretary Quigley updated Council on the number of comments DEP received in response to the ANFR the Department issued on April 4, 2015, on the Chapter 78 and 78a regulations. The comment deadline for the ANFR was May 19, 2015. He stated that DEP received comments on the regulations from approximately 3,100 commentators, and noted that all but 320 of those commentators provided comments to DEP in the form of various form letters. He noted that all comments received by DEP on the ANFR would be posted on the Independent Regulatory Review Commission's website. He also noted that DEP would accept comments on the ANFR that are post-marked by May 19, 2015.

Acting Secretary Quigley updated Council on testimony DEP provided to the House Consumer Affairs Committee on May 12, 2015, concerning H.B. 48. H.B. 48 calls for the establishment of statewide water well construction standards by requiring DEP to adopt such rules and regulations recommended by the National Groundwater Association. Acting Secretary Quigley noted that Deputy Secretary for Water Management Kelly Heffner provided testimony on the legislation at the May 12, 2015, hearing, and while noting that the proposed legislation was a step in the right direction toward establishing statewide standards for well construction, she offered a number of considerations to the bill on behalf of DEP. Those considerations included adding details to the legislation that would establish minimum requirements for licensing, providing DEP with the regulatory authority to establish permitting or registration standards, and a funding mechanism to provide DEP with the necessary resources to implement the program.

In other topics, Acting Secretary Quigley updated Council on DEP's recent release of 2013 air emissions inventory data from the natural gas drilling industry. The data included in the inventory represents 2013 emissions from Marcellus Shale natural gas production and processing operations, as well as compressor stations. He noted that the data shows increases from 2012 levels in sulfur dioxide, volatile organic compounds, particulate matter, and nitrogen oxides, but decreases in methane and carbon monoxide emissions. Acting Secretary Quigley stated that the emission increases were not unexpected given the growth of the industry.

In response to confirmation that a small-mouth bass with a cancerous tumor was caught in the Susquehanna River in November 2014, Acting Secretary Quigley maintained that DEP is continuing to monitor and assess the water quality of the river and will continue to work with the PA Fish and Boat Commission, including conducting appropriate biological assessments to study the river. He emphasized that DEP is committed to a science-based approach to guide work on

monitoring the health and water quality of the Susquehanna River.

Acting Secretary Quigley expanded upon the DEP permitting processes impacted by the recent listing of the Northern Long-Eared Bat as an endangered species by the U.S. Fish and Wildlife Service. He noted that the threatened status for the bat went into effect on May 4, 2015, and that the Department of Conservation and Natural Resources (DCNR) updated its PNDI tool to include the listing and has addressed operational issues that were created as a result from high volume use of the tool. With the listing, he stated that all pending DEP permit applications must include an updated PNDI Receipt that is obtained after May 4, 2015. He emphasized that DEP cannot issue a permit until the application contains a PDNI receipt obtained after May 4, 2015.

In conclusion, Acting Secretary Quigley updated Council on the number of comments received by DEP in response to the release of two interim final technical guidance documents that explain the Department's policy for assessing riparian buffer equivalency and offsetting, as authorized by Act 162 of 2014. He noted that DEP has received comments from approximately 400 commentators, but acknowledged that number may change as today is the last day the public can submit comments to DEP on the documents. He noted that a majority of the 400 comments received to date include form letters.

PUBLIC COMMENTS:

Tom Schuster, Sierra Club: Tom Schuster provided comments to the CAC regarding DEP's draft final regulations on Additional RACT Requirements for Major Sources of NO_x and VOCs. While he commended DEP for making significant improvements to the proposal, he noted that the Sierra Club's chief remaining concern with the rulemaking is that it creates a special category of requirements for coal-fired units that are neither circulating fluidized bed boilers, nor have SCR or SNCR for NO_x control installed, thereby creating a loophole or de facto exemption for a single large NO_x polluter, which is the Brunner Island coal-fired power plant. He noted that the Brunner Island plant is the only coal plant in the state that falls into this special category created in the draft final regulations, of which he noted that the plant has emissions limits nearly three times higher than limits for SCR-controlled units.

He elaborated that the Sierra Club believes the loophole in the regulations is a critical flaw for 4 key reasons, including:

- Brunner Island is the largest stationary source of NO_x within the 12-county southeastern Pennsylvania region, and thereby subjects its neighbors and those living downwind to significantly higher levels of smog-causing NO_x pollution.
- With the exception of Brunner Island, all other large, conventional coal units in the state have already applied SCR technology, making SCR technology RACT in Pennsylvania for Brunner Island's source category.
- The loophole would reward PPL for delaying the installation of controls to reduce NO_x emissions at Brunner Island, thereby creating a disincentive to other operators in Pennsylvania contemplating the installation of controls to reduce NO_x emissions.
- If approved by EPA, the loophole would establish a precedent that could likely be replicated by other states, resulting in Pennsylvania encountering difficulties in attaining the federal ozone standards, which are set to become more stringent this fall.

Mr. Schuster emphasized that not only are Sierra Club members and other Pennsylvanians living downwind of Brunner Island concerned about DEP's regulatory proposal but at least four

downwind states of Pennsylvania have also expressed their concerns about Pennsylvania's plan. In closing, he called upon the CAC to recommend to the EQB that the Brunner Island loophole be closed and that the plant be held to the same standards as its peers.

Justina Wasicek, Clean Air Board of Central Pennsylvania: Justina Wasicek provided comments to the CAC on DEP's draft final regulations on Additional RACT Requirements for Major Sources of NOx and VOCs. She prefaced her comments by emphasizing the poor air quality that currently exists in Pennsylvania and then referred to a recent survey by the American Lung Association that ranked several metropolitan areas in Pennsylvania as some of the dirtiest for ozone pollution nationwide. She also noted the number of "Air Quality Action" days called by DEP for the Susquehanna Valley in the summers of 2012 and 2013 and urged the public to heed those warnings by finding solutions that abate pollution.

She emphasized that coal-fired power plants are the single largest source of smog-causing pollution in Pennsylvania and that many of these plants in our state do not use available technology to reduce nitrogen oxides. She explained to the CAC the RACT requirements included in the federal Clean Air Act but stressed that DEP's regulatory proposal does not impose uniform RACT requirements for all Pennsylvania coal plants. She stressed that the current proposal includes emission limits that would allow the Brunner Island coal plant to avoid the installation of SCR technology. She urged the CAC to advise DEP to change its proposed regulations to require the Brunner Island coal-powered plant to install and use SCR.

Dr. Craig Jurgensen, Clean Air Board of Central Pennsylvania: Dr. Jurgensen provided comments to the CAC in which he emphasized the neurological, cardiovascular and pathogenic effects resulting from air pollution. He noted that such effects have been documented, studied and established through a number of scientific and scholarly studies. He also emphasized that air pollution is being linked with diseases of the central nervous system, including Alzheimer's disease, autism, and other disorders, which he stressed are increasing in prevalence.

Patricia Longenecker: Patricia Longenecker spoke to the CAC about concerns from local residents who live near PPL's Brunner Island facility. She said she spoke on behalf of her many neighbors who live in proximity to the facility and urged DEP to regulate and reduce the harmful levels of pollution that are emitted by PPL's Brunner Island facility. She inquired about the measures DEP employs to regularly monitor ambient air quality statewide and emphasized the poor ratings Lancaster County receives in air quality. She urged DEP to reduce the environmental imprint of PPL's Brunner Island facility to minimal levels and to make the public's welfare its chief priority when serving the community's best health interests.

Gerald Brown: Gerald Brown expressed his concerns with the level of emissions of the PPL Brunner Island plant and the importance of ensuring proper regulations are in place to hold industry accountable to certain emission limits. He also emphasized the economic considerations that are contemplated by industry when choosing compliance options, including the installation of control technology, and noted that it is not fair to place a price on people's health.

Mollie Simon, Outreach Coordinator, Clean Air Council: Mollie Simon submitted written comments to the CAC at the May 20, 2015, meeting, where she emphasized that while the Clean Air Council is supportive of the proposed Additional RACT Requirements for Major Sources of NOx and VOCs rulemaking, the Clean Air Council believes important provisions need to be added to the rulemaking in order to strengthen it and close the loophole that exempts the Brunner Island

coal-fired power plant from certain emission limitations. She emphasized that the Brunner Island facility is the only remaining large power plant that lacks modern pollution controls or SCR technology. She noted that DEP's current regulatory proposal would not require any reductions from coal-fired power plants without SCR technology or circulating fluidized bed boilers. She also emphasized that the Brunner Island plant is the largest emitter of NOx pollution in the southeastern Pennsylvania region and stressed that while all other large coal units in Pennsylvania have applied SCR technology, Brunner Island has lagged behind. In her concluding remarks, she noted the Council's major concern for those living downwind of the Brunner Island plant and how the American Lung Association just recently gave York County, PA – the home to the Brunner Island plant – an F grade for ozone pollution. She noted that the Clean Air Council urges the CAC to recommend to the EQB that the loophole in the current regulatory proposal be closed and that the Brunner Island coal-fired power plant be held to the same pollution standards as its competitors.

Wendi Taylor: Wendi Taylor submitted written comments to the CAC at the May 20, 2015, meeting, in which she urged that DEP's proposed Additional RACT Requirements for Major Sources of NOx and VOCs rulemaking be further strengthened by eliminating the loophole that excludes the Brunner Island coal-fired power plant from certain emission requirements. She noted a study of the Political Economy Research Institute at the University of Massachusetts, which ranked PPL 54th in the amount of air pollution released in 2013 among all corporations in the United States, and 6th in the United States for water pollution. She emphasized the importance of diligent regulatory oversight of PPL and stressed that the Brunner Island facility should not be given the right to emit one-third of the NOx pollution from all facilities located in a 12-county area in southeastern Pennsylvania.

Jennie Demjanick, PennFuture: Jennie Demjanick submitted written comments to the CAC on May 20, 2015, on behalf of PennFuture. While she noted PennFuture's support of recent improvements DEP made to the proposed Additional RACT Requirements for Major Sources of NOx and VOCs rulemaking, she urged DEP to remove certain provisions in the rulemaking that permit coal fired power plants with tangentially-fired boilers without existing NOx controls to emit .35lbs of NOx per MMBtu in comparison to requirements in the rulemaking that mandate facilities with installed SCR technology to reduce emissions to .12 lbs. per MMBtu. She emphasized that RACT requirements are, by definition, intended to require the installation of widely available pollution control technology, which will improve public health and protect the environment without overburdening industry. She noted that Brunner Island power plant is not only one of the biggest polluters in the state, but is the only coal fired power plant in Pennsylvania to not yet install SCR technology. She stated that it would be reasonable to expect that the Brunner Island plant would be compelled to reduce the most emissions in order to comply with the proposed rule; however, as the regulation is currently drafted, the rulemaking would allow plants that do not have SCR technology installed to continue operating without facility updates. She stressed that this exception or loophole effectively allows the Brunner Island plant to release almost three times the amount of pollution allowed at facilities with up-to-date controls installed, which places an unfair burden on residents in Southeastern Pennsylvania. In her concluding remarks, Ms. Demjanick urged DEP to remove the Brunner Island loophole from the proposed rulemaking.

Susan Carty, League of Women Voters of Pennsylvania: Susan Carty submitted written comments to the CAC at its May 20, 2015, meeting on behalf of the League of Women Voters of Pennsylvania. The League focused its comments on two critical issues, including the need for an

unconventional natural gas development health registry and the conclusions and findings contained in the most recent Act 54 Report. Concerning the health registry, the League stated their long-standing support of the creation of such a registry and pointed to the work of Governor Corbett's Marcellus Shale Commission which recommended that the Department of Health play an important role in collecting and evaluating clinical data from health care providers and working with medical institutions to establish a population-based health registry. She also noted the League's support of the work conducted by Geisinger Hospital System and the Southwest Pennsylvania Environmental Health Project, which underscores the significant concerns that many Pennsylvanians share about the impact natural gas operations have on public health. She stressed the League's support not only for a registry for areas in close proximity to drilling sites, but also those areas located near compressor stations, processing plants, and storage facilities that are growing increasingly prevalent throughout the Commonwealth.

Regarding the Act 54 Report, the League stressed the need for the state's long-wall mining regulations to be revised and urged the CAC to provide specific recommendations and timelines to DEP for implementing significant changes to the regulations. She emphasized that the dewatering of streams, beyond all efforts of restoration, is too high a price to pay for coal extraction processes that could be modified to prevent such degradation in the future.

In their concluding remarks, the League urged the CAC to call upon DEP to ensure provisions in the Chapter 78 proposed oil and gas regulations are not misleading. The League pointed to the provisions in the rulemaking that address freshwater impoundment pits, but noted that the rulemaking allows freshwater impoundment pits to hold mine-influenced water, which is a serious pollutant.

Maryland Department of the Environment: Representatives with the Maryland Department of the Environment submitted written comments to the CAC on May 20, 2015, regarding their concerns with Pennsylvania's RACT rulemaking, Additional Requirements for Major Sources of NOx and VOCs. In their comments, they stressed that Pennsylvania is a significant contributor to the problems with ground level ozone experienced in Maryland, New Jersey, and other eastern states and expressed their concern that Pennsylvania's lack of appropriate controls on EGUs will lead to Maryland being designated inappropriately under a new ozone standard.

In their comments, they noted that Maryland recently finalized regulations to further reduce NOx emissions from coal-fired EGUs, which became effective on May 1, 2015. A copy of the regulations was submitted to the CAC with their comments.

The Maryland Department of the Environment urged that DEP's RACT rulemaking be revised to incorporate language that:

- Requires sources to optimize and operate their installed pollution control technologies every single day in the summer;
- Adopts more stringent daily emission limits; and
- Ensures that all sources subject to RACT are controlled with post-combustion control technology, including SCR, SNCR, and SACR technology.

The Maryland Department of the Environment also recommended that Pennsylvania revise its RACT rulemaking to remove permit provisions that allow "optional" application of post-combustion controls and expressed the hope that Pennsylvania will develop optimization agreements with coal-fired EGUs to minimize NOx emissions during the summer of 2015, a

requirement that Maryland has already put in place in its regulations.

THE CASE FOR AN UNCONVENTIONAL NATURAL GAS DEVELOPMENT HEALTH REGISTRY

Raina Rippel, Director of the Southwest Pennsylvania Environmental Health Project (SWPA-EHP) provided a presentation to Council about the need for a health registry to document any health-related impacts from Marcellus Shale natural gas development and infrastructure. She was assisted by Jill Kriesky, who serves as the Associate Director of SWPA-EHP.

Ms. Rippel explained that the mission of the SWPA-EHP is to respond to individuals' and communities' need for access to accurate, timely and trusted public health information and health services associated with natural gas extraction. She identified the individuals who work for SWPA-EHP, which include medical health professionals from varied backgrounds and disciplines, identified the various kinds of health registries, and explained why a health registry associated with unconventional natural gas development is needed. She emphasized that a health registry is needed because there is inconsistent documentation of illness plausibly linked to unconventional natural gas development and there are gaps in knowledge between the full range of exposures.

Ms. Rippel also explained the number of activities SWPA-EHP is conducting to promote the need for a health registry, including the preparation of a white paper and attendance at a two-day workshop in Chicago, Illinois on May 4-5, 2015, where professionals from across the United States representing expertise in medical, toxicology, epidemiology, air and water emissions and community outreach and organizing converged to address questions raised in the white paper. She noted that one of the major points of agreement from the workshop is that it may be too soon for a registry as health symptoms collected appear non-specific to natural gas operations and emissions measurements from these operations are incomplete.

In conclusion of their presentation, various activities were noted that SWPA-EHP is conducting in response to the information collected and discussed at the workshop. Those next steps include revising the white paper to incorporate recommendations from the workshop, submitting the paper for publication, and widely disseminating the revised white paper to public health agencies at all governmental levels.

At the conclusion of the presentation, Council members inquired about how control data is collected and analyzed to assure the accuracy of study findings and the challenges that can arise when self-reported information and data are used as a part of a health registry.

CAC COMMITTEE REPORTS:

Act 54 Report Ad Hoc Review Committee: Terry Dayton reported that the committee held a conference call on April 30, 2015, where it discussed the totality of public comments received on the Act 54 Report, including public testimony received, and discussed the need for additional information or clarification on several points by DEP. In response to that conference call, questions were developed by the committee for response by DEP, which indicated the need of DEP to advise the committee on the steps included in the mining permit process, including the information DEP reviews and assesses as part of the permitting process.

Mr. Walliser stated that in lieu of DEP providing that information to Council's committee, it may be more expeditious if the committee includes its questions as part of its overall comments on the Act 54 Report to ensure Council has the ability to conclude its review of the report by July 2015.

In response, Mr. Dayton suggested that another conference call of the committee be scheduled prior to the CAC's June 16, 2015, meeting, so that the committee can begin to construct its formal comments or questions on the report and have those comments in a draft form for review by Council at the next CAC meeting.

Legislative Committee: Cynthia Carrow updated Council on the committee's recent meeting with Senator Yaw on April 22, 2015, and announced that a similar meeting has been scheduled with Representative Vitali on June 15, 2015.

She also reported that the committee has been carefully reviewing several bills introduced in the General Assembly that call for the creation of statewide water well construction standards, including H.B. 48, H.B. 81, and S.B. 653. She noted that a hearing on H.B. 48 was recently held by the House Consumer Affairs Committee. Ms. Carrow explained that Council already adopted a policy paper in early 2015 which articulated Council's position on the need for this legislation, but wanted input from Council on whether the policy paper needed to be amended to highlight specific points. She noted it was the committee's intention to share such a policy or position paper, if approved by Council, to leaders in the General Assembly.

Several Council members noted previous failed attempts to adopt legislation on statewide water well construction standards and if lessons could be learned from those failed attempts to ensure passage of legislation in this session. Some members identified the skepticism that was previously raised that led to the failure of other bills, including rumors that DEP would use the legislation to gain authority to meter private water well usage. In response, some members questioned whether the passage of the legislation could be more easily secured if DEP was not included in the legislation as the agency responsible for implementing such a statewide standards program. Council concluded that it would investigate opportunities it may have to recommend amendments to the bills, including convening a conference call before the next CAC meeting to discuss the topic in more detail.

Policy and Regulatory Oversight Committee: Tim Weston updated Council on a conference call the committee held with staff from the Bureau of Air Quality on May 12, 2015, to discuss recent revisions DEP made to the RACT 2 (Additional RACT Requirements for Major Sources of NOx and VOCs) draft final rulemaking. Mr. Weston explained the federal requirements that guide states in the mandatory assessments under RACT, which require the operation of Reasonably Available Control Technology. He noted the recent changes that were made to the regulations by DEP and the rationale used by DEP for some of those changes. In conclusion, Mr. Weston expressed that the committee was uncomfortable about the precedent the rulemaking would establish through its creation of source categories based upon the operation of specific technology, in this case, the use of selective catalytic reduction technology. In response to Mr. Weston's comments, other Council members expressed confusion over the rulemaking, particularly in light of earlier public comments to the CAC on how the rulemaking establishes a regulatory loophole for PPL's Brunner Island facility. Council recommended that staff from DEP attend its next meeting so that DEP would have the opportunity to explain the rulemaking in detail and answer questions posed about it from Council.

NEW/UNFINISHED BUSINESS:

Chairman Dayton noted that it was announced earlier in the day that the EQB would not be meeting again until August. Since several members of the CAC also are members of the EQB, it was suggested that Council entertain the possibility of cancelling its July meeting and scheduling a meeting in August. When asked about the logistics of this potential change, Ms. Tate responded that if she received certainty from DEP that the EQB would meet in August, she would prepare a

public notice based on Sunshine Law requirements that would advertise the change in the CAC's meeting schedule.

ADJOURN:

With no further business, the May 20, 2015, meeting of the CAC was adjourned at 2:10 p.m.