

**MINUTES**  
**CITIZENS ADVISORY COUNCIL MEETING**  
**February 4, 2016**

**CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:**

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

**CITIZENS ADVISORY COUNCIL STAFF PRESENT:**

Katherine Hetherington Cunfer, Acting Executive Director

**CALL TO ORDER:**

Chairman Bill Fink called the meeting to order at 10:01 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA with a quorum. The meeting was also broadcast via WebEx for the public.

**APPROVAL OF NOVEMBER 17, 2015, MEETING MINUTES:**

With corrections from Thad Stevens and Tim Weston, Chairman Fink asked for a motion to approve the November 17, 2015, Council meeting minutes.

**Tim Weston moved to approve the November 17, 2015, meeting minutes as presented to Council with corrections. Thad Stevens seconded the motion, which was unanimously approved by Council.**

**PUBLIC COMMENT:**

Public comment was moved to earlier in the agenda due to additional time until the Secretary's DEP Report to Council. The first speaker was Steve Kunz, Senior Ecologist, Schmidt & Company, Inc. on behalf of the Citizens' Coal Council in response to the DEP Act 54 report responses. Mr. Kunz's comments were as follows:

1. Although the 4th Act 54 Five-Year Report was compiled by the University of Pittsburgh ("Pitt"), it was prepared on behalf of the Department, which by law (by ACT 54) is responsible for it. This Workgroup assessment, an "internal review" of the Act 54 Report, in part takes exception to some of the things discussed in the Department's Act 54 Report; it disputes some of its findings and it rejects some of its recommendations. So one important question is: Just how much oversight and involvement did the Department have in preparing its Report?

Here's an example: On page 12, the Workgroup clarifies that the main GIS mining database known as BUMIS only contains information about impacted features, not about all features undermined. This apparently was a significant misunderstanding on Pitt's part, and not only during this most recent assessment but during the 3rd Act 54 assessment which Pitt also assisted in preparing. Because the information in BUMIS has been crucial to these Act 54 reviews, this fundamental fact is something the Department should have straightened out long ago.

This raises another important question: Why didn't the Department become aware of this misunderstanding when it reviewed drafts of its Report? Four months elapsed between when Pitt delivered its final product to DEP in late August 2014 and when the Department released its Report in late December 2014. The kinds of important clarifications and corrections that this Workgroup raises should have been addressed before the Report was released to the public. Now a year later, it seems as if the Department's 4th Act 54 Report is inaccurate and still incomplete.

2. This internal Workgroup assessment gives the appearance of being a Comment/Response document, but clearly it is not. A typical Comment/Response document actually would have been much more useful. Instead, the Workgroup has combined and summarized some of the comments and recommendations into its own list of "issues", and has ignored others, including some from the CAC.

3. Most of these Workgroup recommendations are very weak or vague, and none has a specific timetable for implementation. This internal assessment gives the appearance that things are being done, when in reality, nothing much is being done. It has lots of hollow statements like: "Consider research into evaluating \_\_\_\_\_", "Consider improvements in \_\_\_\_\_", "Examine how to improve \_\_\_\_\_", "Plan to coordinate action on changes", "Encourage the use of spreadsheets", "Consider more frequent stream sampling...". Just buzzwords --- no teeth and no timetables. Every recommendation should have a specific action item tied to it and a specific timeframe. Otherwise, none of the fundamental changes that are urgently needed to protect landowners, surface waters, and groundwater has any hope of being implemented any time soon.

4. One Workgroup recommendation is: "Review the TGD on stream protection to assess changes that need to be made." This is an excellent recommendation, but it was already made (even more forcefully) by Pitt, CCC, and others. Even so, there are two problems with it: (1) Formal changes to the TGD realistically could take 2 or 3 years to be adopted and then another year or two to be implemented. (2) As noted in the 4th Act 54 Report nearly 10 years after the 2005 TGD was adopted, neither the mine operators nor the Department is consistently following its directives. So a new or revised TGD is not a silver bullet, especially if it is ignored. Likewise, the USGS/PADEP streamflow modeling study now underway isn't scheduled to be completed until September 2017; so any changes coming out of that will take several more years to occur.

5. We are now halfway through the 5th Act 54 study period (Aug. 2013-Aug. 2018). The Workgroup (on page 3) says of its assessment: [it] will be reviewed by DEP executive management to consider and provide guidance on development and implementation of a work plan. The next [Act 54] report will include an assessment on the extent to which DEP followed through on the work plan. In effect, we now have one more round of proposed recommendations, but this effort has simply served to delay any real action or improvements by more than a year. That's just not acceptable. It's already too late to be able to evaluate the effectiveness of any of these recommendations in the 5th Act 54 Report, even if they all could be implemented today, so

we're looking at the 6th Act 54 Report (coming out around 2024 or 2025) at the soonest. There should be a Work Plan in place already, but there isn't, so it must be prepared ASAP. What's needed are specific timeframes set out to accomplish specific tasks. Plus, there needs to be an active, ongoing evaluation of progress --- the Department should update the CAC on its progress with specific Work Plan tasks every 2 or 3 months (at minimum). We've now had four Act 54 Reports, covering 20 years, and yet documented longwall mine-related damages keep getting worse. The Department's weak response each time serves only to further delay any meaningful action, perhaps intentionally, until the remaining coal has been mined out --- something that Pitt points out is likely to occur in only a few more decades. We need to work together to push the Department to make meaningful changes. The Citizens Coal Council thanks the CAC for the work you do and for the opportunity to provide these comments.

**DEP REPORT TO COUNCIL:**

Secretary Quigley stated that he would provide updates on a few items important to the Council.

Secretary Quigley started his update by recapping the Environmental Quality Board (EQB) meeting that happened February 3, 2016 where the board passed the updates to the Chapter 78 and 78(A) Subchapter C oil and gas regulations by a vote of 10-4. These updates have been five years in the making, including several legislative changes and volumes of time spent by staff, including nights and weekends, to craft and finalize this regulation package.

Secretary Quigley announced that the Pipeline Infrastructure Task Force, comprised of twelve workgroups, have submitted 184 recommendations and Best Management Practices (BMP). The report will be delivered to Governor Wolf in the coming weeks. The goal of the report is to assist in responsible development of shale gas infrastructure while ensuring the protection of natural resources. He also highlighted that the report is not a definitive plan, but a collection of recommendation for this process that need further assessment. Many of the suggestions are already things that should be happening or are required, but through the discussion with the 158 members of the work groups it was clear that some of these activities are not happening, including coordination between agencies, so it will be part of the work going forward to evaluate the recommendations and work towards ensuring these BMPs are followed or developed. The top two recommendations were more DEP staff and advance on electronic permitting (ePermitting), which is well underway across the department.

Also concerning natural gas development, the Secretary updated the CAC on the recently released natural gas production methane reduction strategy that seeks to reduce methane leaks from new and existing sources that will start with a concept discussion at the Air Quality and Technical Advisory Board (AQTAC) on February 11, 2016. The reduction of methane is a key factor in slowing down global climate disruption.

The Secretary updated CAC on the status of the update of the information technologies (IT) program. The investment in IT has steadily decreased with the decrease in general fund dollars and a review by Deloitte in February 2015 gave DEP a D- in terms of IT capabilities. The eFACTS database is an end of life technology and must be upgraded to a new platform to enable mobile inspection capabilities for inspectors. The costs for these upgrades will be included in fee package increases that will be rolling out through 2016. DEP is in a situation that we need to generate our own resources, and these investments in technology will greatly reduce the number of new positions needed because of increased productivity from the current workforce. The mobile inspection platform will be deployed through the oil and gas program and the next

ePermitting project will be the mining permits, both being used as pilots for these large scale IT developments. The ultimate goal for the department is to get off paper records.

The Secretary turned towards the Fiscal Year (FY) 2015-16 state budget situation, explaining that a final budget has not yet been enacted with the Governor's line item veto of specific sections. The majority of DEP funding was passed and it was slightly more than the FY 2014-15 budget and DEP is still analyzing the figures. He also highlighted that the Chesapeake Bay Reboot has been launched and thanked the Water Program's team for all their hard work.

Tim Weston asked about the situation of the lead poisoning through the water system in Flint, Michigan and how Pennsylvania is reacting to it, how has communication between the state and federal agencies and water system operators been during this time, and how sure can we be that this type of situation will be avoided in Pennsylvania. The Secretary reassured CAC that the DEP has taken a hard look at our regulations and will be putting up additional information for the public and water systems operators related to lead and testing protocols on the DEP website. Flint was a wakeup call, a systemic failure, and a learning experience for everyone, and while we are short on staff, we closely monitor the 159 public drinking water providers across PA by enforcing our regulations, some of the most stringent in the country. What this situation provides is a chance for everyone to take a fresh look at the regulations to ensure standards are at their best and protocols are being followed.

Dr. Joi Spraggins brought to the Secretary's attention the Black Engineer of the Year Awards (BEYA) Conference and her praise for DEP and other state agencies helping to pull together the conference focused on workforce development for minorities in the fields of science, technology, engineering, and mathematics.

**PUBLIC COMMENT:**

Public comment continued with the second speaker, Wendi Taylor, on behalf of the Sierra Club on green infrastructure in Allegheny County and applications in the combined sewage treatment systems for the region. Ms. Taylor's comments were as follows:

The Pennsylvania Sierra Club is one of the founding members of the Clean Rivers Campaign in Pittsburgh, a coalition which includes Action United, Clean Water Action, Nine Mile Run Watershed Association, Pennsylvania Interfaith Impact Network and Pittsburgh United.

For four years our coalition of faith, low income, minority, labor and environmental organizations has been waging a campaign to end the practice of dumping 9 billion gallons a year of raw sewage into the three rivers.

Allegheny County Sanitary Authority (known as ALCOSAN) is under a federal consent decree to stop releasing its sewage into the rivers. ALCOSAN has proposed spending \$3 billion to fix the problem by building more than 14 miles of tunnels under the rivers to catch the storm water. This cost would be borne by the citizens living in the 83 municipalities served by ALCOSAN.

The Clean Rivers Campaign wants to solve this problem with a green-first approach. This means we would invest that \$3 billion in green infrastructure in a smart scientific way to keep as much stormwater as possible out of our sewers. Once we have done the maximum amount using green infrastructure, we would then figure out what other kinds of gray infrastructure we would need to finish the job of cleaning our rivers. Regions that have taken this approach have found that these

investments bring many benefits back to their neighborhoods such as local jobs, revitalized business districts, less flooding and a cleaner and healthier environment.

Green infrastructure is an approach to water management that protects, restores, or mimics the natural water cycle.

The PA Department of Environmental Protection took a very important and positive step when they gave the affected municipalities an 18- month extension on their consent orders and encouraged the 83 municipalities to use green methods to reduce their stormwater.

The Pittsburgh Water and Sewer Authority is attempting to conduct a system-wide study on green infrastructure and invited the affected municipalities to participate in this study. This would provide a first ever SYSTEM WIDE look at the potentials for using green infrastructure. Even though the campaign has been told that participating in this study would satisfy DEP, the water and sewer authority is having a hard time getting the municipalities to participate because they are under the false impression that it will not fulfill the requirements of the new DEP consent orders.

We need to get the word out to the municipalities. We have a letter asking Secretary Quigley to reassure municipalities that the Pittsburgh Water and Sewer Authority study would satisfy DEP's requirements.

We are asking that you, the Citizens Advisory Council, to deliver this letter to Secretary Quigley and with your recommendation to honor the campaign's request.

Thank you.

### **Chesapeake Bay Reboot Strategy**

Dana Aunkst, Deputy Secretary for the newly restructured Office of Water Programs and the Chesapeake Bay Reboot, but began his remarks by talking about the lead poisoning situation in Flint, MI. PA has a great track record adhering to the lead and copper rule. One of the elements not discussed in the Flint is that this source that, while previously permitted, had gone unused for a long time and had not been tested before connection. DEP's requirement that permitted drinking water facilities must be used within the last 10 years or get recertified helps protect against sources falling out of compliance. DEP plans to review that provision to ensure it is protective enough.

Mr. Weston highlighted that a lesson from Flint is that when a financially distressed community enters receiverships, environmental regulators and experts need to be included in the planning and that changes in the process related to public water supplies should have better planning in the onset. Walter Heine commented that the water was not necessarily of poor quality, but that it's level of acidity was high enough to corrode the lead pipes leading to the poisoning. Don Welsh commented that, like in the case of the DC lead poisoning, the technical staff only focused on the numbers being high and tried to quality control the tests instead of signaling that there was a problem. In the DC cause, they added additional checks to management staff to signal high lead levels and alert the public about a potential health and safety issue while the technical staff continues to re-review. Discussions also centered around the sensitive and variable nature of water samples at the "tap" in a private home.

Deputy Aunkst continued his remarks by explaining the newly reformed Office of Water Programs and the separate Office of Water Resources. Water Programs houses the more regulatory side of the water related activities including permitting while Water Resources includes more of the water planning aspects including the individual water way commissions, conservation district support, and state water plan development. An additional office has been created under Water Programs is the Chesapeake Bay Office to focus on the federal nutrient reduction targets for the Bay by 2025.

Deputy Aunkst then turned to his presentation on the Chesapeake Bay Reboot. The goal of this reboot is to find new and lasting ways to address the EPA's Total Maximum Daily Load (TMDL) for the Chesapeake Bay, reach the milestones for PA, and instill a "culture of compliance" within the agricultural community and landowners within the basin. This will be accomplished by collecting better and higher quantities of data on the BMPs being employed by farmers and get that information, including non-cost shared data, into the TMDL model for credit. This data will be collected by requiring the 41 County Conservation Districts in the basin to conduct 50 inspections annually, a change from 100 educational visits, to meet the 10% of all farms inspection requirement from the EPA. The districts will not be part of the enforcement process, but will share the inspection with DEP and DEP will act on enforcement actions, where necessary. This data is needed because the actual water quality samples for the basin are showing considerable decreases in nitrogen, phosphorus, and sediment while the model is showing Pennsylvania lagging behind.

DEP is also seeking legislative solutions including changes to the nutrient trading program, updating elements of the program, seeking technology solutions, working with public private partnerships to address watersheds, and overcome barriers to BMP installations including riparian buffers. Chairman Fink asked if the survey being developed will be accepted by the EPA and if it will be circulated through the various committees including the Agricultural Advisory Board for their input. Deputy Aunkst explained that the survey will not go through those channels and that the survey was not developed for the EPA, but for DEP to collect the data for further analysis and then look at possible additional, more targeted surveys to help make the case for changes to the EPA model. Chairman Fink stressed that there are practices being utilized, like Phytase, a feed additive enzyme that assists in the metabolizing of phosphorus, in hog production that producers and scientists have shown is a proven method of reducing phosphorus in manure, but this method still is not accepted by the EPA for the PA Watershed Improvement Plan (WIP). Deputy Aunkst was hopeful that this and other practices could be accepted by the EPA as the changes to the model for 2017 are developed.

Mr. Welsh asked if senior level staff, Governor or Secretaries are attending the Chesapeake Bay meetings. He stressed that it is often the case that goals get met and work gets accomplished when the high ranking official has to attend and discuss the workings of a program much more expeditiously than when it is lower ranking bureaucrats representing at these meetings. Jim Welty asked if investment has been equal from the sources of pollution and Deputy Aunkst admitted that it has not be equitable because investments have been made more on the point source side as it is easier to see and target. This has led to the depletion of a viable nutrient credit trading market, but more information needs to be collected to understand the impact of all the funds invested. Mr. Waite asked about whether water chemistry samples are being physically taken along with the data for the computer model and Deputy Aunkst assured that there are more monitors on the river than there ever have been. The current analysis shows better water chemistry than the model is predicting and the model is due to be recalibrated in 2017. The goal

is to get the model more in line with the trend lines for the water chemistry.

### **Susquehanna River CADDIS Report**

Dustin Shall, Water Quality Specialist from the Bureau of Clean Water and Gary Walters, Section Chief for Assessment in the Water Quality Standards Division in the Bureau of Clean Water gave a presentation on the Causal Analysis/Diagnosis Decision Information System (CADDIS) Study of the Smallmouth Bass Decline in the Susquehanna and Juniata Rivers. This study has been focused on identifying possible impairments and deficiencies affecting the Young of Year (YOY) smallmouth bass in the rivers that have led to declining numbers, lesions, and intersexing.

The study, comprised of taking samples through continuous instream monitoring, increased number of monitors, and new testing methods for water and sediment chemistry were used to track fourteen potential causes for these maladies. During the study, the biologists also discovered that the tributaries for the Susquehanna and the main river stems do not mix for up to 40 miles after connection, leading to five separate rivers using the same channel at the Rockville Bridge. This will be addressed in further study of the river to help better pinpoint sources for contamination and ways to address the issues.

The current CADDIS review points to the likely candidate causes as endocrine disrupting compounds and herbicides as well as pathogens and parasites as being the affecting causes for the impairment to the smallmouth bass population. The CADDIS study does not show what specific compounds or combination of compounds are affecting the fish, the pollution source, or how they combine with the parasites and pathogens in the estuary. Additional CADDIS studies will need to be conducted to more closely determine the sources of impairment and this study does not currently deem the Susquehanna River impaired for federal impairment standards.

### **DEP Comments on the US Office of Surface Mining (OSM) Proposed Stream Protection Rule**

Bill Allen, Permits Division Chief for the Monitoring and Compliance Division in the Bureau of Mining Programs gave a presentation DEP's comments to the US Office of Surface Mining's Proposed Stream Protections Rule. DEP's participated in the public hearing in Pittsburgh as well. DEP focused their comments on the rule, identifying errors in the rule where necessary tables had been removed and other construction problems, requested clarifications and further detail in the rule's preamble, requested the ability to tailor the rule where needed at the state level, sought clarification on the applicability of the proposed regulations at existing sites, and how these regulations will interact with existing Clean Water Act requirements.

DEP's specific comments addressed a number of issues including the new rule's call for more robust sampling requirements and that they should allow states to focus on local issues, the Cumulative Hydrologic Impact Assessment for Hydrologic Unit Code 12 watersheds is not practical, requesting adding the definition for "water supply", clarifying US Fish and Wildlife Service collaboration and set deadlines for process, set numerical and narrative standards for findings, clarify metadata required to be submitted, address reclamation costs as rule seems to preclude use of actual contracting cost data, define where up gradient baseline and monitoring must be used and realize it is not always possible, clarify where site-specific precipitation monitoring should occur and recognize that it is not always needed, understand that biological

sampling for all applications is not practical and not useful for Ephemeral streams, better define numerical and narrative standards for Material Damage, allow for surety bonds for post-mining discharge site, clarify bonding requirements for stream reconstruction, and clarify the Draft Impact Analysis.

### **2008-2013 Act 54 Report Response**

A joint presentation from Sharon Hill, Chief of the Permitting & Technical Section for the Bureau of Mining Programs, Joel Koricich, District Mining Manager for the California District Mining Office, and Gary Walters, Section Chief for Assessment in the Water Quality Standards Division in the Bureau of Clean Water gave a presentation that explained the conclusions and path forward from the internal review conducted by the Mining Program of the responses from the CAC and other members of the public on the 2008-2013 Act 54 Report.

The internal working group identified 45 recommendations which mining grouped into seven categories: Bituminous Underground Mining Information System (BUMIS), biology, data issues, DEP process, wetlands, policy, and future reports. Several elements are in process now including screen enchantments for BUMIS, switching to electronic data submission, working with the US Geological Society for a stream study through 2017, and improving CHIA. The Mining program is beginning to make changes for the future reports by identifying data and process gaps, upgrading IT systems, earlier outreach to operators and environmental organizations, and planning for the changes to the stream policy. The 45 recommendations are being considered for how they will affect future reports, how data is collected and analyzed, and how to better apply the information collected for regulatory and policy development.

John Walliser wanted to highlight that there are significant environmental harms still occurring due to mining activities and this report does not do enough to address those impacts, predict where they might occur, or find solutions to protect against them. He asked is DEP is doing any sort of internal analysis to update the regulations or Act 54 to help address these harms. Tom Callaghan, Bureau Director for Mining Programs addressed this topic, explaining that the goal is that all mining is to be done in accordance with the water quality protection standards in state and federal regulations. At this time, DEP is not planning any major revisions to the regulations, but there may be some changes to policies and there are planned changes to technology for better data gathering to help address some of the recommendations. Ms. Hill stated that the permitting process is the best predictive mechanism the DEP has for potential water quality impacts and it is part of the permitting process to identify those potential problems and seek to mitigate them before they occur through permit or process changes. Unanticipated impacts can occur, but that may be more related to the incomplete data DEP gets which is something they are trying to address with the technology upgrades.

Mr. Walliser also asked DEP to address that a large number of water quality violations are happening outside of the rebuttable presumption zones and what DEP is doing to reduce those instances. Mr. Koricich explained that the presumption zone standard talks more about how to process the complaint and resolving the impact than it stops all impact. The presumption zone is an area where the burden of proof is on the operator when the impact is within the zone and on the landowner when it is outside the zone due to the decreased probability of the mining activities being the cause of the issue due to a varying degree of factors. When it can be proven that mining activities did affect a water supply outside the presumption zone, it is then handled exactly the same way as if it occurred within the presumption zone from DEP and the mine operator. Mr. Walliser also asked has DEP considered variables to the standard for the



presumption zone based on the mine's activities or other geological factors. Mr. Koricich stated that certain activities such as mining depth will shift the presumptive zone, but it does not change how DEP will address water quality complaints for all complainants.

Mr. Callaghan reminded CAC members that the Mining and Reclamation Advisory Board (MRAB) and the Mining Aggregate Advisory Board (MAAB) are discussing fee increases with upcoming special meetings on February 18 and February 26.

### **CAC COMMITTEE REPORTS:**

#### **CAC Nominating Committee:**

Mr. Waite and Cynthia Carrow reviewed the names of CAC members interested in joining the many CAC subcommittees and the decision was made to continue the practice of letting all interested members serve on the committees they have expressed interest in serving on. The MRAB currently has a CAC vacancy and an alternate vacancy. Mark Killar of the Western PA Conservancy has served as an alternate in the past and is very knowledgeable on the subject.

**Mr. Walliser made a motion to appoint Mark Killar as a member of the MRAB and Mr. Wait seconded the motion. Discussion included noting that this was precedent setting by having a non-CAC member serve as a CAC appointee to the MRAB. It was agreed that if a member showed interest in serving that the appointment would be open to changing. All members were in favor.**

#### **CAC Bylaws Committee:**

Chairman Fink requested that a committee be formed to draft formal bylaws for the CAC, replacing the outdated Rules of Procedure to offer more structure for the council and staff. Mr. Weston volunteered to head up this committee and requested a copy of existing bylaws or other advisory committee documents be sent to him to formulate the bylaws. Other committee volunteers included Ms. Carrow, Mr. Walliser, Mr. Waite, and Mr. Welty with a conference call to be set up in the future.

#### **DEP Advisory Committee Reports:**

##### **Air Quality Technical Advisory Committee (AQTAC)**

Mr. Walliser reported that the next meeting is February 11 and the meeting will focus on the recently announced methane reduction strategy as well as the new general permit for natural gas production, processing, and transportation processes, replacing Exemption 38 for new and existing sources. Recommendations from the Pipelines Infrastructure Taskforce may also be looking at BMPs for pipelines that may be addressed by the board at future meetings and the discussion of air fees will be initiated at this meeting.

##### **Oil and Gas Technical Advisory Board/ Conventional Oil and Gas Advisory Committee (COGAC) Report**

Mr. Waite reported that the Chapter 78 and 78 (A) regulations passed EQB and the next meetings are March 30<sup>th</sup> and 31<sup>st</sup>. The next meetings will go over the forms and technical guidance documents related to the new rulemaking.

##### **Mining Reclamation Advisory Board (MRAB) Meeting/Mining Aggregate Advisory Board (MAAB) Meeting**

Ms. Hetherington Cunfer reported on both meetings stating that both group are discussing fee increases and expansions to cover the cost of the programs due to the dwindling General Fund

allocation for the management of these programs. Industry is allowed to rebut the proposals and offer a counter proposal, but mining is planning is hoping to get to EQB with these fee packages by this summer.

**Legislative Update:**

Ms. Hetherington Cunfer updated CAC on two pending bills, SB 1114 Change to Act 537 (PA Sewage Facilities Act) and HB 941 Historical Distillery License Fee Reduction which included changes to the Administrative Code and the charter for CAC. For SB 1114, Thad Stevens testified at the hearing put on by the Senate Environmental Resources and Energy Committee on the issue of alternative systems as addresses in the CAC Transition Documents.

**Mr. Stevens made a motion for CAC to write a letter of support for SB 1114 with a second from Mr. Waite. Discussion on the motion included that DEP has stated that they want to work towards comprehensive review. Ms. Carrow requested that the CAC Legislative Committee have the opportunity to review the legislation and report back to the full council before action was taken. Mr. Stevens was concerned that by waiting, the Senate may act on the bill before CAC can make a statement of support. The motion was then amended by Mr. Stevens and seconded by Mr. Walliser to move discussion on SB 1114 to the Legislative Committee for review and report back to CAC. All were in favor.**

HB 941 includes restating CAC's independence and giving the sole authority to hire and fire the executive director and makes the Secretary an ex-officio on the council, but it does not include a separate line item for the administration of CAC like the FY 2015-16 Fiscal Code proposal from the Senate that was proposed by ultimately not passed. The bill had passed the full House and is in the Senate Rules committee awaiting action. Chairman Fink requested that the Legislative Committee also review HB 941 during the conference call.

**NEW/UNFINISHED BUSINESS:**

Dr. Spraggins wanted Council to be aware of the Black Engineer of the Year Awards (BEYA) Global STEM Conference in Philadelphia, February 18-20, 2016 that she is coordinating. Several state and federal agencies, major companies, and area colleges will be participating in the conference to highlight the achievements of minority leaders in the fields of science, technology, engineering, and mathematics. The conference is also being opened to area students to encourage pursuing careers in these fields.

The CAC included several topics that they would like to see at future meetings including a presentation on the DEP disinfectant rule and the science behind the levels for public drinking water, the comments to the EPA on the Cross States Protection Air Regulations (CSPAR), the FY 2016-17 budget, the new methane reduction strategy, the Pipeline Infrastructure Taskforce Final Report, and the draft Clean Power Plan to include PJM and grid reliability discussions.

**ADJOURN:**

**With no further business, Chairman Fink requested a motion for Council to adjourn the meeting. Terry Dayton moved to adjourn the meeting, which was seconded by John Walliser. The February 4, 2016, meeting of the CAC was adjourned at 1:55 p.m.**