

**MINUTES
CITIZENS ADVISORY COUNCIL MEETING
OCTOBER 16, 2018**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Cynthia Carrow, Allegheny County	Jerome Shabazz, Philadelphia County
Bill Fink, Bedford County	Thad Stevens, Tioga County
Duane Mowery, Cumberland County	Don Welsh, Chester County
John Over, Fayette County	Jim Welty, Cumberland County
John St. Clair, Indiana County	Tim Weston, Cumberland County
James Schmid, Delaware County	

CALL TO ORDER:

Chairman Don Welsh called the meeting to order at 10:00 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum.

DEP REPORT:

The Secretary provided a brief update on the following:

PFAS Update

PFAS are chemicals found in everything from cookware to microwave popcorn bags to firefighting foam to stain resistant carpet and furniture coverings. The Department has been dealing with drinking water contamination in the southeastern part of the state for the last couple of years connected to Department of Defense facilities that used PFAS as a firefighting foam. Through an Executive Order on September 21, the Governor established a multi-agency PFAS Action Team. The team, led by DEP, will be responsible for developing a comprehensive response to identify and eliminate the sources of PFAS contamination. The PFAS Action Team is comprised of the Department of Health, the Department of Military and Veterans Affairs, the Department of Agriculture, the Department of Community and Economic Development, the Department of Transportation, the State Fire Commissioner, the Public Utility Commission, and the Fish & Boat Commission. DEP is developing a sampling plan that will gather occurrence data from across the state and provide a more complete picture of impacts from PFAS contamination. The Department of Health is considering hiring toxicologists, who will be instrumental in the development and analysis of state-level data. In addition, the Governor has sent a letter to EPA Acting Administrator Wheeler to again urge the EPA to move forward to establish MCLs for PFAS and PFOA.

Driving PA Forward

This is DEP's program for using the \$118 million Volkswagen settlement money. The Department opened a grant program on September 20 for DC fast charging and hydrogen fueling equipment. The application deadlines are January 25, July 15, and December 16, 2019. EV fast chargers must be installed in community charging hubs, transportation corridors, or destination locations. Hydrogen fuel cell equipment must be installed in a place available to the public. DEP also opened a \$3 million rebate program for Level 2 EV charging stations. That application period is continuous until funds are exhausted and rebate vouchers will be issued on a first come, first served basis. More information is available through DEP's website.

New Director of Business Transformation and OPE

Jennifer McClain-Miller is DEP's new Director of Business Transformation. Jennifer came to DEP from the PA Department of Military and Veterans Affairs where she developed and implemented a continuous process improvement strategy for that agency. Jennifer will be engaging with all levels of DEP from the bottom up and across all program areas. She has begun conducting Lean awareness trainings Department-wide to engage with employees on Lean concepts and tools that can be used to make their jobs easier and improve outcomes for the agency, the government, and the citizens. The Office of Performance Through Excellence (OPE), established by Governor Wolf in February 2018, will bring together the Lean Management initiative, the existing GO-TIME initiative, and performance data analysis into one office. Lean practices have been adopted in 15 agencies, and more than 130 Lean projects have already been completed by Commonwealth employees.

Brownfields Conference and Northeast Regional Visit

On October 2, the Secretary spoke at the Pennsylvania Brownfields Conference at the Sands Casino in Bethlehem and spent three days in the Northeast Regional Office on the front end of the conference. The Secretary toured a farm engaged in no-till, streamside buffers, and streamside fencing and an all-organic dairy farming operation that does its part to conserve soil and manure waste to protect environment. In the Lehigh Valley, the Secretary had his first spotted lantern fly experience. The Secretary encouraged the CAC members to take the spotted lantern fly training.

Flooding Update

The Department is taking advantage of federal funding through the United States Department of Agriculture's Natural Resource Conservation Service (NRCS) in providing funding to 17 Pennsylvania counties related to the flooding events that occurred in summer 2018. The grants are available to local governments with a 25% cost share. DEP will be providing the cost share so the projects will be essentially free for local governments. The application period closed on October 15, 2018.

APPROVAL OF SEPTEMBER 18, 2018 MEETING MINUTES:

Chairman Welsh solicited additions or corrections to the September 18, 2018 Minutes. Duane Mowery requested the addition of the following language:

Following a question from Duane Mowery, Secretary McDonnell acknowledged that the recent Sewage Advisory Committee meeting cancellation on very short notice and without communication with the Chairman was not in line with his expectations for the process.

With this amendment, Chairman Welsh requested a motion to approve the Minutes.

**James Schmid moved to approve the September 18, 2018 meeting Minutes.
Tim Weston seconded the motion, which was unanimously approved.**

CHAIRMAN'S REPORT:

Terry Fabian, a former Deputy Secretary at DEP, passed away a week or 10 days ago. He was an accomplished man in the environmental area and a nice man.

A conference call was held with the Environmental Justice Advisory Board (EJAB) to plan for the November 13th joint CAC/EJAB meeting from 10:00-12:00. After lunch, business of the CAC and EJAB will be conducted separately. The joint meeting agenda will include a presentation from the Governor's Office on PA Smart (a workforce development initiative), DEP's Office of Environmental Justice will provide an update on their environmental justice technical guidance policy, and a presentation from DEP's Small Business Ombudsman about the programs offered and public outreach. The day will finish up with discussion on how to move forward on shared interests.

CAC's letter recommending advancement of the PM2.5 rulemaking has been placed on CAC's website. The Executive Director is in the process of updating the "What's New" section.

PRESENTATION:

Veronica Kasi, Director of DEP's Chesapeake Bay Program, provided an overview on the workings of the Chesapeake Bay Program, including funding, agricultural BMP special projects and the agriculture plan reimbursement program, progress tracking, reporting, and verification, the 2014 Watershed Agreement, the bay "partnership" organization, the accountability framework for the TMDL, and planning targets.

Chairman Welsh stated that the CAC will watch carefully to see if there are ways the Council can assist with expressing the will of the citizens or assist with putting additional pressure where it is needed to move the TMDL process forward.

COMMITTEE REPORTS:

LEGISLATIVE COMMITTEE

After a presentation by George Hartenstein at last month's CAC meeting regarding the Hazardous Sites Cleanup Fund, an action item was proposed that the Legislative Committee draft a letter urging the General Assembly to find a funding source. The Committee came to an understanding on the draft letter, which CAC's Executive Director shared internally with DEP to solicit comments. Ahead of the November 13 meeting, a draft will be sent out the CAC members to spur discussion.

Two issues the Legislative Committee would like to tackle:

- Funding for the Chesapeake Bay
- Pipeline legislation

AD HOC BUDGET COMMITTEE

The various regulatory fee reports have been gathered and the data is now available. Mark Caskey, Chairman of the Ad Hoc Budget Committee, will be tasked with scheduling a call to determine where the CAC should go with that data. Chairman Welsh solicited additional members to join the committee.

POLICY & REGULATORY OVERSIGHT COMMITTEE

Regarding the Management Fill Policy, Tim Weston indicated that a number of issues have come up recently dealing with historic fill on old industrial sites. There is interplay between the

Management Fill Policy and Act 2. The general permit is out right now for regulated fill and the fill policy will be out in the next few months.

MRAB

John St. Clair attended the MRAB meeting in July. Concerns from operators, from the Department OSM, and from the regulated public regarding water supply regulations were discussed. The regulatory package should be coming up for formal vote at the next MRAB meeting.

SOLID WASTE ADVISORY COMMITTEE

On September 20, CAC's Executive Director attended, as an alternate, a joint meeting of the Solid Waste Advisory Committee and the Recycling Fund Advisory Committee. Discussion revolved around the state of the fund and public outreach regarding recycling. The Solid Waste Advisory Committee will work on a state-wide outreach message to municipalities. Additionally, the fill policy was discussed. An opportunity still exists for someone to step up from the CAC for service on this committee, which meets quarterly. The Executive Director has been attending as an alternate. The committee is in discussion about the Recycling Fund.

WATER RESOURCES ADVISORY COMMITTEE

The Executive Director attended this committee meeting where presentations were given by DEP's Compacts and Commissions Office related to Delaware River flow issues and the Great Lakes Office. Since the Delaware River flow management is particularly complex with various Supreme Court decrees and other state and the federal government involvement, Keith thought perhaps the CAC would benefit by hearing from the Compacts and Commissions Office in 2019.

LOW LEVEL WASTE ADVISORY COMMITTEE

The Executive Director also attended this committee meeting. The main discussion there was the potential closure of Three Mile Island, which will stir a lot of activity in the future.

PUBLIC PARTICIPATION COMMITTEE

This committee has not met for some time. There is ripe business for discussion surrounding interactions between the Department and its committees. The Chairman solicited additional volunteers to serve on the committee.

ENVIRONMENTAL QUALITY BOARD

The EQB did not meet this month. The next meeting of the EQB is scheduled for November 13.

CAC annual elections to the EQB occur in October. Five members: Cynthia Carrow, Jim Welty, Bill Fink, Don Welsh, and John St. Clair have expressed an interest in filling those five seats. Terry Dayton, John Walliser, and James Schmid have also agreed to serve as alternates.

After a vote, the appointees to the EQB are Cynthia Carrow, Jim Welty, Bill Fink, Don Welsh, and John St. Clair. Alternates appointed are Terry Dayton, John Walliser, and James Schmid.

NOMINATION COMMITTEE

After indicating his willingness to serve, Jerome Shabazz was nominated to serve as Vice Chair of the CAC, as reported by Nomination Committee Chair Cynthia Carrow. After a vote, Mr. Shabazz was unanimously elected to the position of Vice Chair.

DRAFT TRANSITION DOCUMENTS:

Several draft transition papers have been prepared; several are still outstanding. These include: waste recycling, climate change, electronics recycling, legacy contamination, and business transformation. Volunteers were solicited for these papers and asked to work with the Executive Director on completion of those documents. The Chairman solicited thoughts on doing a global visionary piece, indicating that there is no requirement to do a transition document, but he believes it would be a great opportunity to review what the CAC would like their priorities to be with the administration. Tim Weston offered that he will work with the Executive Director on the global section.

ADJOURNMENT:

With no further business, Chairman Welsh requested a motion for adjournment. Thad Stevens moved to adjourn the meeting, which was seconded by Cynthia Carrow, and all were in favor. The October 16, 2018 meeting of the CAC was adjourned at 12:00 PM.