

**MINUTES  
CITIZENS ADVISORY COUNCIL MEETING  
FEBRUARY 19, 2019**

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

Cynthia Carrow, Allegheny County	John St. Clair, Indiana County
Mark Caskey, Washington County	Thad Stevens, Tioga County
Terry Dayton, Greene County	John Walliser, Allegheny County
Duane Mowery, Cumberland County	Jim Welty, Cumberland County
John Over, Fayette County	Tim Weston, Cumberland County
Jerome Shabazz, Philadelphia County	

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

Bill Fink, Bedford County

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

Keith Salador, Executive Director

**CALL TO ORDER:**

Vice Chairman Jerome Shabazz called the meeting to order at 10:05 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum.

**APPROVAL OF JANUARY 22, 2019 MEETING MINUTES:**

Vice Chairman Jerome Shabazz solicited additions or corrections to the January 22, 2019 Minutes.

**Thad Stevens moved to adopt the January 22, 2019 meeting Minutes.  
Tim Weston seconded the motion, which was unanimously approved.**

**DEP REPORT:**

In the Secretary's absence, Jessica Shirley, Director of DEP's Policy Office, provided a brief update on the following:

*PFAS*

DEP has been working with various Secretaries across the agencies to evaluate the PFAs issues. The first public meeting was held in November. A second public meeting was scheduled for February, but was canceled due to inclement weather. The meeting will be rescheduled and will be held in the southeast region of the state. The Bureau of Safe Drinking Water created a draft PFAS sampling plan, which is currently going through the review process and should be released in early March. The plan targets water intake locations across the state. The information collected from the samples will provide baseline data and identify potential hotspots for PFAS contamination. While the plan undergoes internal review, the Department is moving forward with purchasing laboratory equipment, training staff for sample collection, and contracting with a toxicologist to research PFAS studies and recommend a scientifically defensible maximum contaminant level (MCL) for drinking water. EPA Acting Administrator Andrew Wheeler and

Region III Administrator Cosmo Servidio held a press conference during which the EPA's PFAS action plan was announced. The plan is a five-prong approach for managing PFAS contamination. Through 2019 the EPA will conduct a regulatory determination which will indicate whether an MCL should be set for those chemicals. The EPA plans to move forward with listing PFOA and PFOS as hazardous substances, continue enforcement actions, and create a list of cleanup recommendations. Additionally, monitoring will be expanded under the Uncontaminated Contaminant Monitoring Rule for PFAS substances, research in analytical methods will be expanded, and a risk communication toolbox will be developed to better share information with states and residents.

#### *Restore PA*

Earlier in the month Governor Wolf announced Restore PA, a plan intended to improve infrastructure, eliminate blight, prevent flooding, and expand broadband internet access. The plan calls for Pennsylvania to invest \$4.5 billion over the next four years on high-demand, high-impact projects. The proposed initiative is separate from the budget and would be funded through a natural gas severance tax. Through Restore PA, DEP would see an improvement in Pennsylvania's stormwater infrastructure, an increase in the number of communities using pollution reduction plans, growth in landbanks, and a decrease in the number of abandoned brownfield sites.

#### *Budget Hearing*

On February 14 Secretary McDonnell participated in the House Appropriation Committee's budget hearing. Representatives from both parties were particularly interested in pipeline safety and the permit process, the Susquehanna River Basin Commission's financial audit, third-party permit reviews, PFAS contamination, and workforce development. Although the Governor's Restore PA plan would run outside the budget process, the Secretary fielded questions about how the plan's dollars would help DEP to fulfill its mission.

#### *Climate Action Plan*

The Department is finalizing the Climate Change Action plan, which will then be sent to the Climate Change Advisory Committee for one last review and comment.

#### **VICE CHAIRMAN'S REPORT:**

Executive Director Keith Salador stated that CAC's 2022 transition report is now on the website and has been distributed to the Department, the Governor's Office, and published in the PA Environmental Daily Digest. A request was received to distribute the report to the House and Senate environmental committees.

#### **PRESENTATIONS:**

Laura Bray, Program Manager for the Pennsylvania Environmental Council's Reforestation Program, and Eric Oliver, a Program Specialist with DEP's Bureau of Mining, discussed in detail the Appalachian Regional Reforestation Initiative (ARRI), a collaborative program across several states that includes industry, state governments, federal governments, citizens, citizens groups, and environmental groups. The presenters provided a history of mining in Pennsylvania, the Surface Mining Control and Reclamation Act (SMCRA) of 1977, and discussed some of the unintended consequences of SMCRA, including soil compaction, competition from aggressive

groundcover, mining operations moving away from forestry reclamation, exotic species that thrive without management, and arrested succession. The speakers provided details of the five-step process for forestry reclamation and the benefits of reforestation. ARRI's goals are to plant more high-value hardwood trees on reclaimed coal mined lands in Appalachia, increase the survival rates and growth rates of planted trees, and to expedite the establishment of forest habitat through natural succession. The presentation concluded with a discussion of ARRI's regional accomplishments from 2009-2017.

### **PRESENTATION:**

Ed Boito, DEP's Small Business Ombudsman, discussed the Department's Small Business Environmental Assistance Program which is available to small businesses (fewer than 100 employees) in Pennsylvania at no cost. Approximately 99.6% of all of Pennsylvania's employers are considered small businesses. The Federal Clean Air Act of 1990 required every state to have a Small Business Ombudsman, a Small Business Compliance Advisory Committee, and a Small Business Compliance Assistance Program. The Ombudsman's role is to work with small businesses in disputes with the Department, review proposed regulations to determine the impact on small businesses, investigate complaints, and provide information on energy efficiency and pollution prevention opportunities. A separate component of the Small Business Compliance Advisory Committee is the Environmental Management Assistance Program (EMAP) consisting of four technical service providers around the state, funded by a DEP grant, that provide free environmental compliance services, energy efficiency and pollution prevention, waste minimization, and water conservation. The Ombudsman offered that there are additional small business resources, including the Emerging Technology Applications Center (ETAC) and the Pennsylvania Technical Assistance Program (PennTAP), both of which receive grant money through DEP, to assist with the implementation of new technologies and reduce pollution and energy usage. The programs are free to Pennsylvania's small businesses.

### **COMMITTEE REPORTS:**

#### **PUBLIC PARTICIPATION COMMITTEE**

Executive Director Keith Salador solicited volunteers for the Public Participation Committee which currently consists of two members. An email will be sent to members detailing the committee's mission.

### **BYLAW UPDATES:**

The Bylaws were recently updated to clarify the process for replacement of a CAC member, upon resignation, who held an office on the Council or was a member of the EQB. Cynthia Carrow recommended the adoption of the Bylaw revisions, which was seconded by Tim Weston. No opposition was heard, and the revisions to the Bylaws were adopted.

### **CHAIR AND EQB ELECTIONS:**

With the resignation of Don Welsh as Chair of the CAC and the adoption of the revisions to the Bylaws, Cynthia Carrow stated that the Nominating Committee wished to nominate Jerome Shabazz to the office of Chair and Tim Weston to the office of Vice Chair for the remainder of the vacant term, until June of 20109. Terry Dayton seconded, and all were in favor.

Executive Director Keith Salador offered that Mark Caskey had expressed interest in serving on the EQB and solicited interest from others. Hearing none, Chairman Jerome Shabazz solicited a motion to elect Mark Caskey to the EQB.

**John Over moved to appoint Mark Caskey to fill Don Welsh's seat on the EQB. Terry Dayton seconded the motion, which was unanimously approved.**

**NEW BUSINESS:**

With two potential presentations scheduled to be given at the March CAC meeting postponed, Executive Director Keith Salador solicited ideas for the upcoming meeting. Hearing none, Chairman Jerome Shabazz canceled the March 19, 2019 meeting of the CAC.

**ADJOURNMENT:**

**With no further business, Chairman Jerome Shabazz requested a motion for adjournment. Tim Weston moved to adjourn the meeting, which was seconded by John Over, and all were in favor. The February 19, 2019 meeting of the CAC was adjourned at 1:30 PM.**