

**MINUTES OF COMBINED MEETING OF THE
CITIZENS ADVISORY COUNCIL AND
THE ENVIRONMENTAL JUSTICE ADVISORY BOARD
NOVEMBER 19, 2019**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Cynthia Carrow	Jerome Shabazz
Mark Caskey	Thad Stevens
Duane Mowery	John Walliser
John St. Clair	Jim Welty
James Schmid	

CITIZENS ADVISORY COUNCIL (CAC) STAFF PRESENT

Keith Salador, Executive Director

ENVIRONMENTAL JUSTICE ADVISORY BOARD (EJAB) MEMBERS PRESENT:

Heather Bedi	Rafiyqa Muhammad
Adam Cutler	Jerome Shabazz
Arthur Frank	Tom Torres
Hazem Hijazi	

ENVIRONMENTAL JUSTICE ADVISORY BOARD (EJAB) STAFF PRESENT

Allison Acevedo, Executive Director
John Brakeall
Justin Dula

CALL TO ORDER:

Chairman Jerome Shabazz called the meeting to order at 10:45 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:

Growing Greener Plus

The latest round of funding opened on November 4. There is \$30 million available in the current grant round to address nonpoint source pollution, agriculture activities, abandoned mine drainage, stormwater runoff, energy resource extraction, streambank and shoreline degradation, and legacy mining impacts. Grant applications are submitted online through the Commonwealth's Electronic Single Application website, eGrants, until 5:00 PM on December 20. The Department plans to hold two additional Growing Greener Plus grant rounds in 2020, most likely in the spring and late summer.

Driving PA Forward Grant Program

Between September 14 and October 16, 50 new locations and 194 new plugs were approved under the Level 2 EV Charging Rebate Program. To date, 223 projects have been approved for almost the full \$3 million available. The application submission period will close briefly later in

2019 for program updates but will reopen shortly thereafter. There are many other programs available under Driving PA Forward.

Performance Based Budgeting

The Commonwealth is moving toward more performance-based budgeting based on legislation that was passed. The Independent Fiscal Office (IFO) oversees that process. A draft report should be available next month, and a final report be issued in January of 2020.

E-Enterprise Leadership Council (EELC)

The Secretary is currently Vice President of the Environmental Council of States (ECOS) and Chair of the E-Enterprise Leadership Council (EELC), a national organization that uses a shared governance model to address leverage technology and business processes to advance environmental protection. Much of the discussion at a recent meeting surrounded taking proper advantage of electronic processes in order to do the work and how to utilize those processes to make information more available to environmental justice communities and others.

Climate Issues

DEP has several ongoing initiatives to support local communities as they engage on climate issues. The Energy Programs Office is partnering with the Local Governments for Sustainability to connect college students and municipalities to develop local greenhouse gas inventories. There are 37 students from 11 higher education institutes and 20 local governments, including Erie, Chester, Center Region Council of Governments, and the cities of York and Reading. The primary purpose is to get students involved with municipalities to help with redevelopment of greenhouse gas inventories and then ultimately to develop plans for addressing those. There are 10 additional local governments interested in the next round of the program for 2020-2021.

PRESENTATION:

Regional Greenhouse Gas Initiative (RGGI)

Jessica Shirley, Policy Director at DEP, discussed the proposed CO2 Budget Trading Program, referred to as the Regional Greenhouse Gas Initiative (RGGI). RGGI has been around for 10 years, taking effect on January 1, 2009, and was the first mandatory cap-and-trade program for greenhouse gas (GHG) emissions. It currently includes nine Mid-Atlantic states. The system applies only to carbon dioxide emissions from the electric power plants with capacities to generate 25 megawatts or more. Creating the program as directed by Governor Wolf would put a direct price on the carbon pollution emitted by larger power plants. A draft rulemaking will go to the Environmental Quality Board (EQB) for consideration in the summer of 2020. There will be an extensive outreach period on the proposed and final to our advisory committees.

Under the Air Pollution Control Act, any funds received must be used in the elimination of air pollution. Additional considerations DEP is investigating right now include electricity rates costs. DEP is working with the PUC to address utility burden for low-income residents which recently resulted in a new policy statement from the Commission lowering the maximum “energy burden” thresholds for low-income individuals to 6% of income. DEP is also evaluating nuclear facilities and other non-carbon emitting energy resources not required to purchase credits because of zero carbon emissions. DEP will be working with the PUC and the grid operator PJM to identify solutions to help prevent PA’s electricity generators from being disadvantaged based

on the Commonwealth's participation in RGGI compared to generators in the non-participating states.

Next steps: DEP will be seeking opportunities for engagement by the General Assembly, key stakeholders, and residents and businesses of PA. A draft Annex of the regulation is expected to be presented at an Air Quality Technical Advisory Committee and other advisory committees in the first quarter of 2020.

OFFICE OF ENVIRONMENTAL JUSTICE UPDATE:

Allison Acevedo, Director of OEJ, stated that seven environmental justice roundtables have been held across the state in the last year. OEJ has focused on building relationships through these roundtables. OEJ anticipates that roundtables will continue in 2020 with a report being developed in 2020 about the roundtables.

Another core piece of the work of the OEJ is interagency initiatives. A great deal of the work focuses on health impacts and disparities. The OEJ is also working with DCNR to look at their work around their agency's diversity policy.

John Brakeall and DEP's Environmental Cleanup and Brownfields program to partnered secure and administer a small communities assistant grant for Shamokin. A contractor AECOM was recently hired to prepare a brownfields inventory while DEP focuses on education, partnering with the City, organizations and others to understand brownfield sites in Shamokin and prioritize sites for redevelopment.

Justin Dula has been working on efforts to look at the Philadelphia Energy Solutions (PES) site and future use. Justin has also been working with academic institutions in the northeast, working with Misericordia University and Nanticoke City for an economic development project with university students. He is also partnering with Delaware County Community College to bring their wastewater and drinking water operator program to the William Penn School District in Delaware County.

OEJ will be hiring a regional coordinator for the western region.

Moving forward, the OEJ wants to continue to engage internal programs to ensure that internal initiatives have an environmental justice and equity focus.

ENVIRONMENTAL EDUCATION OFFICE UPDATE:

Bert Myers, Director of Environmental Education (EEIC) discussed the environmental education grant program. Priority topic areas for the grant program include climate change, water, and environmental justice. The application period opened on October 31 for the 2020 EEO grants and will end on December 31.

The EEIC hosts an annual webinar to promote the grant and walk applicants through the process of applying for a grant. The amount of monies that will be administered through the grant program this year will be \$300K. Bert also mentioned the Environmental Literacy Forum that is scheduled for January 2020. The OEJ and EEIC will be attending the Forum and participating in

roundtable discussions that include environmental justice, workforce development, sustainable schools, and an evaluation of challenges and successes.

Bert Myers also reiterated that the OEJ and the EEIC have been working in collaboration on a variety of activities. Through the collaboration of DEP's OEJ and EEIC, DCNR, PDE, and the Penn State Extension an environmental education program was developed for Environmental Teen Corp in Harrisburg. The students rotated through a variety of educational stations led by the participating agencies.

ACT 54 REPORT UPATE:

Bill Allen and Sharon Hill from DEP's Bureau of Mining Programs offered specifics on the fifth report covering the time period from August 2013 to August 2018 prepared by the University of Pittsburgh. The report was received by the Department in final on August 31. The cost of the report was \$727,250, and it will be released to the public in the next several weeks and posted to the website. Fifty-six issues in six different categories were identified. The categories are: wetlands; how the data was collected and how to use it; monitoring; the process of investigating complaints; California District Mining Office procedures; and stream recovery evaluations. Assessments and responses to the recommendations are being done and a data snapshot will be prepared for the years 2018 and 2019 and the data will be placed on the website for public comment in early 2020. The Bureau is also planning to do a stream policy revision. Public meetings will be held to discuss the latest research and a workgroup will be formed to discuss issues and changes to the policy before publishing a draft for comment. Yearly data snapshots will be posted to the website and public comments will be solicited. The next five-year report will be due the second quarter of 2023.

John Walliser requested that the Act 54 Report be a CAC agenda item when the report is public in order to have an opportunity to formally hear the Bureau's recommendations about the report and its contents.

CHAIRMAN'S REPORT:

Chairman Shabazz recognized Mark Caskey and John Over, Jr. for five years of service on the CAC with certificates signed by the Secretary. Tokens of appreciation were presented to Thad Stevens and Cynthia Carrow for their long-standing service of 22 years.

A draft SOP for conducting CAC business was presented to the members. The SOP will provide the council with a standard way to break out in subcommittees to address issues and concerns in a more substantial way. It is hoped that the SOP will provide the members with an opportunity to flesh out issues in a civil, responsible way in order to have outcomes that are meaningful to the organization. The SOP is a vehicle to capture intellectual property. As members come and go, the input provided by members will not be lost. Members were asked to review the document and come back with comments at the February meeting and vote on it accordingly.

COMMITTEE REPORTS:

Policy and Regulatory Oversight Committee

Filling in for Tim Weston, Keith Salador advised that the committee met with the Air Quality program on October 28 to discuss the draft final form rulemaking, 25 Pa. Code Chapter 123, Revision of Sulfur Limits in No. 2 Unleaded Commercial Fuel Oil. The rulemaking reduces the limit of sulfur in fuel oils from 500 ppm to 15 ppm. There were 23 commentators, only one of which opposed the rulemaking. The committee voted unanimously to recommend that the CAC recommend the rulemaking be presented to the EQB.

Chairman Shabazz requested a motion to recommend the draft final form rulemaking be presented to the EQB.

Thad Stevens moved to recommend the rulemaking be presented to the EQB. Mark Caskey seconded the motion, which was unanimously approved.

EQB

Mark Caskey stated that there were many presentations at the meeting: the land recycling program dealing with brownfields; the Federal Office of Surface Mining Reclamation Enforcement from Bill Allen in the Bureau of Mines; and a rulemaking on triennial review of the Water Quality Standards by Aneca Atkinson.

APPROVAL OF OCTOBER 15, 2019 MEETING MINUTES:

Chairman Shabazz solicited additions or corrections to the October 15, 2019 Minutes.

Duane Mowery requested a change on Page 4, under EQB Elections, to correct the spelling of his name.

With this correction, James Schmid moved to approve the Minutes of the October 15, 2019 Minutes. Mark Caskey seconded the motion, which was unanimously approved.

NEW BUSINESS/OPEN DISCUSSION:

CAC's next meeting will be February 18, 2020. The Chairman wished everyone a Happy Holiday.

Keith Salador would like to hold a strategic planning meeting to determine where the Council is going in 2020. The members were asked to think about that and provide comments at the February meeting.

Thad Stevens referenced the previous budget presentations given to the CAC. He expressed interest in seeing a document showing what the budget is and where the money goes.

ADJOURNMENT:

With no further business, Chairman Shabazz requested a motion for adjournment. James Schmid moved to adjourn the meeting, which was seconded by Mark Caskey, and all were in favor. The November 19, 2019 meeting of the CAC was adjourned at 1:40 PM.