

**MINUTES OF VIRTUAL MEETING
OF CITIZENS ADVISORY COUNCIL
February 16, 2021**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Robert Barkanic, Lehigh County	James Schmid, Delaware County
Cynthia Carrow, Allegheny County	John St. Clair, Indiana County
Mark Caskey, Washington County	Jerome Shabazz, Philadelphia County
Mitchell Hescox, York County	John Walliser, Allegheny County
Bill Fink, Bedford County	Jim Welty, Cumberland County
Duane Mowery, Cumberland County	Tim Weston, Cumberland County

CALL TO ORDER:

Chairman Shabazz called the meeting to order at 12:30 PM.

APPROVAL OF MEETING MINUTES:

Chairman Shabazz solicited additions or corrections to the January 19, 2021 Minutes. Hearing none, the Chairman requested a motion to approve the Minutes.

Thad Stevens moved to approve the Minutes of the January 19, 2021 meeting. Tim Weston seconded the motion, which was unanimously approved.

DEP REPORT:

In Secretary McDonnell's absence, Executive Deputy Secretary Ramez Ziadeh provided a brief update on the following:

January Radon Awareness Month

DEP conducts annual outreach to raise awareness of the prevalence of radon in Pennsylvania. This year, the Department created and broadcasted a public service announcement for TV that aired 425 times across the state and put up nine billboards along major highways in the most radon-prone counties. Numerous TV and radio news clips and interviews also aired throughout the month. The Department began using social media for these efforts, including a Facebook live event. Bob Lewis, DEP's Radon Program Manager, conducted a Q&A video event discussing the importance of home radon testing, demonstrated how to do a radon test, and answered questions from the public. Next year, in addition to considering more outreach strategies, DEP is planning to create a radon Public Service Announcement in Spanish to air throughout the state.

Chapter 102 Electronic Permit

DEP previously launched the ESCGP for oil and gas activities in ePermitting. On January 24 the Department launched the PAG-02 permits in the ePermit system and, to date, approximately 40 applications were started in the system but have not yet officially been submitted. This is an effort to increase efficiency of permit submissions and review of permits applications. The next phase would include other authorizations, such as individual permits and erosion and sediment control permits for other activities, including transmission pipeline projects that were not included in the first rollout of the ESCGP. DEP continues to work with PennDOT, which has its own ePermit system called KEES, to build a bridge between PennDOT's system and DEP. More information can be found on DEP's webpage entitled *Chapter 102 ePermitting* which has written and video instructions about registering and using the system. The webpage also contains a tentative rollout schedule for the rest of the Chapter 102 permits in the ePermit system. Paper applications are still an option for the time being.

Agricultural Energy Use Analysis and Outreach

In 2018 DEP's Energy Programs Office convened a stakeholder group to discuss industrial energy efficiency programs and received technical assistance in the form of a program gap analysis from the American Council for an Energy Efficient Economy. The agricultural sector in PA was identified as needing energy assistance, both in a financial and technical sense. DEP contracted with EnSave, Inc. in 2019 to analyze energy usage in the agricultural sector, and the assessment was completed in March 2020. The analysis found that dairy and poultry farms have the greatest energy use, greatest energy intensity, and the highest potential for energy savings through measures such as variable frequency drives for ventilation and pumps, efficient motors, and LED lighting. The analysis also found that lighting efficiency, primarily conversion to LED lighting, could present the greatest opportunity for energy savings across all agriculture sectors. In response to the energy assessment, a list of recommendations was compiled, which included developing best practices and educational materials, developing financial incentives, and direct install of low-cost energy saving measures to farms. These recommendations have since been presented to the agriculture energy stakeholder group, and DEP is in the process of expanding its education and outreach efforts to farmers. As part of this outreach, DEP is contracting with Penn State Extension for the delivery of an eight part "Farm Energy Day" webinar series to highlight eight different farm energy topics. The series starts on March 18. Registration and more information are available on DEP's "Agricultural Energy Use" webpage. Pennsylvania farmers attending the workshops will receive an engine block heater timer to provide immediate energy savings. The timers were funded through the

Department of Energy's State Energy Program. The Department is also beginning to develop a series of publications focused on different farm energy efficiency topics and planning to update the DEP "Agricultural Energy Use" webpage to include more resources for farmers. Next fiscal year the Department has plans to develop a pilot agriculture rebate for specific technologies, such as LED lights, and will continue outreach efforts to the agricultural sector through additional webinars or workshops.

In response to requests by members, Ramez will provide follow-up to the CAC on trends in radon outreach and will share the agricultural energy assessment with the Ag Advisory Board, as well as provide a copy of the energy assessment to the CAC members.

PRESENTATIONS:

Environmental Cleanup and Brownfields

Troy Conrad, DEP's Director of Environmental Cleanup and Brownfields, offered a presentation on the Hazardous Sites Cleanup Act (HSCA) which provides the Department with funding and authority to conduct cleanup actions at sites containing hazardous substances. Troy discussed HSCA's funded activities, the annual allocation of funds, a summary of the complement, projections for when the program will become insolvent, and potential impacts of HSCA deficits. Troy asked the CAC to consider crafting another letter to the legislature in support of HSCA.

Act 2 and Why It's Important The Redeveloper's Perspective

Joel Bolstein, an attorney with Fox Rothschild, discussed his years of work with Act 2 in both private sector law firms and during his time at DEP. He provided details about the impetus for Act 2, departmental mobilization, scope of work, issues that arise during the Act 2 process, and lessons learned from successfully remediated properties.

Joel Bolstein seconded Troy Conrad's request that the CAC consider crafting another letter to the legislature in support of HSCA.

CAC COMMITTEE REPORTS:

Strategic Issues Committee

After discussion about the various outcomes the committee would be looking to achieve, the following motion was made:

Bob Barkanic moved that the Strategic Issues Committee primarily, but not exclusively, investigate legacy issues around abandoned wells, brownfields, mines, and radiological contamination; investigate barriers to progress, whether regulatory or fiscal; look at incentives and public and private partnerships for making progress around legal issues; and provide a report with committee recommendations. Thad Stevens seconded the motion, which was unanimously approved.

Legislative Committee

Cynthia Carrow offered that the committee met on February 4 and was joined by DEP's Legislative Director, Greg Kauffman. Greg discussed a few of DEP's legislative priorities and indicated that the Department would be putting together a full list of priorities available to be shared with the CAC.

Executive Director Keith Salador and Cynthia Carrow identified four bills which would be of interest to the CAC. Those are:

- **HB 266** – Placing solar panels on the Covered Devices Recycling Act list of covered devices
- **HB 255** – Relating to transfer of various special funds to the General Fund, impacting several of DEP's grant programs
- **HB 319** – Providing for issuance of consolidated general microhydropower permits by DEP and establishing a microhydropower pilot program
- **HB 288** – Placing a regulatory compliance office advisor in each agency

The Legislative Committee agreed to watch movement on these bills and be ready to address them if necessary.

Cynthia will discuss with the Legislative Committee at its next meeting today's request that the CAC submit another letter to the legislature in support of HSCA.

Public Participation Committee

Mitchell Hescox, the new Chair, will get the committee up and running before the next CAC meeting.

Act 54 Committee

James Schmid requested follow-up on Chairman John Walliser's suggestion back in November 2020 that the committee could expect to see preliminary thoughts from DEP about revising the Technical Guidance Document on surface water

protection from underground mining. John Walliser offered that a slate of names has been provided to the Department for consideration in pulling together a working group. Executive Director Keith Salador stated that he has not heard about any updates on the TGD and would reach out to the Department again about the status.

NEW BUSINESS/OPEN DISCUSSION:

Executive Director Keith Salador indicated that a number of people had dialed into the call today. Anyone wishing to provide public comment at an upcoming CAC meeting should reach out to him.

Chairman Shabazz advised that DEP will offer a presentation at the March 16 CAC meeting on abandoned mines and land reclamation. Members wishing to provide any other recommendations or thoughts related to presentations should reach out to either Jerome or the Executive Director.

ADJOURNMENT:

With no further business, Mitchell Hescox moved to adjourn the meeting. John Walliser seconded the motion, and all were in favor. The February 16, 2021 meeting of the CAC was adjourned at 3:05 PM.