

**MINUTES OF VIRTUAL MEETING
OF CITIZENS ADVISORY COUNCIL
April 20, 2021**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Robert Barkanic, Lehigh County	John St. Clair, Indiana County
Jacquelyn Bonomo, Luzerne County	James Schmid, Delaware County
Cynthia Carrow, Allegheny County	Thad Stevens, Tioga County
Mitch Hescox, York County	John Walliser, Allegheny County
Duane Mowery, Cumberland County	Jim Welty, Cumberland County
Trish Salvia, Cumberland County	Tim Weston, Cumberland County
Jerome Shabazz, Philadelphia County	

CALL TO ORDER:

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

Pursuant to an April 16 letter from the Speaker of the House of Representatives, two members whose terms had expired, Mark Caskey and John Over, are no longer on the Council, and replacements were named for those members.

APPROVAL OF MEETING MINUTES:

Chairman Shabazz solicited additions or corrections to the March 16, 2021 Minutes. Hearing none:

Jerome Shabazz moved to approve the Minutes of the March 16, 2021 meeting. Mitch Hescox seconded the motion, which was unanimously approved.

DEP REPORT:

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

Pennsylvania's Solar Energy Commitment

On March 22 Governor Wolf announced a clean energy initiative called Pennsylvania PULSE (Project to Utilize Light and Solar Energy) that will produce nearly 50% of state government's electricity through seven new solar energy arrays to be built around the state which will go into operation on January 1, 2023. The arrays will be built in seven locations in six counties, including Columbia, Juniata, Montour, Northumberland, Snyder, and York. When completed, the project is expected to supply 100% of electricity for 16 state agencies. The PULSE initiative will create 400+ jobs and bring long-term economic benefits to local communities through increased tax revenues.

Discharge Permits with PFAS Limits

DEP has begun including PFAS effluent limitations as part of National Pollutant Discharge Elimination System (NPDES) permits for facilities where there is reason to believe discharges may exceed the health advisory levels established by the EPA. Although the Department does not have specific numeric water quality criteria for PFAS, it does have general narrative water quality criteria that must be protected. The EPA has established a drinking water health advisory

level of 70 parts per trillion for the combined concentration of PFOA and PFOS. Using these regulations, DEP has translated the general narrative water quality criteria into specific numeric effluent limitations that have been included in several permits.

Pick Up Pennsylvania Update

Pick Up Pennsylvania is a volunteer-based litter cleanup event that takes place annually from March 1 through May 31. Keep Pennsylvania Beautiful coordinates the litter cleanup campaign, while DEP and PennDOT provide gloves, safety vests, and trash bags to volunteers, as well as coordinating with the Pennsylvania Waste Industries Association to sponsor free or reduced cost trash disposal for registered Pick Up Pennsylvania participants at participating landfills.

Department's Diversity Initiative Update

DEP has partnered with DCNR to put out an RFP for a training specialist on diversity, equity, and inclusion efforts. DEP's Diversity Committee, with the assistance of DEP's legal counsel, has also developed language to be included in cooperative agreements, grant agreements, or other documents between DEP and other partners to emphasize and promote the importance of diversity, equity, and inclusion. The Diversity Committee has also updated the Advisory Committees' webpage to provide a means for qualified new and diverse individuals to submit a resume for consideration by the Department when there is an advisory group vacancy.

Reminder on Tick Season

Folks were reminded about the importance of taking precautions against ticks when spending time outdoors.

In response to questions from Council members, Ramez will follow up with the Department and provide feedback on the following:

- How the PULSE infrastructure will be paid for
- Whether the solar renewal energy credits will be retired or sold into market
- Methods to create standardized guidance for local communities
- Strategy for overcoming objection to the power lines
- Sourcing requirements/restrictions being considered for materials and panels
- Availability of monies for decommissioning of solar sites

CAC COMMITTEE REPORTS:

Environmental Quality Board

The EQB acted on two matters: a stream redesignation rulemaking involving Dunbar Creek and 12 other stream segments and a stream redesignation petition for unnamed tributaries to Whetstone Run. The rulemaking for redesignations was adopted and will be published in the PA Bulletin with a 45-day comment period. On the unnamed tributaries to Whetstone Run, the EQB voted to maintain the current designated use as a warm water fishery. The petitioner had requested redesignation to a high-quality warm water fishery.

Strategic Issues Committee

The committee has developed an outline of the work it would like to complete on legacy environmental issues and is attempting to flesh out information already received from DEP to see where gaps in knowledge may exist.

Legislative Committee

Executive Director Salador drafted a letter to the PA delegation in support of reauthorization of the federal Abandoned Mine Land Reauthorization Act. The committee is looking to the Council for approval of the letter, which was distributed in advance of the meeting.

A proposed letter asking for appropriate funding for the Hazardous Sites Cleanup Fund was distributed prior to the meeting. HSCA has been foundering since the expiration of the Capital Stock and Franchise Tax in 2015.

A third letter was proposed regarding the Sewage Facilities Planning Act within Act 34 of 2020 to encourage DEP to make sure it is working with all involved stakeholders to resolve the issue. Members expressed concern that DEP is attempting to deflect what is a clear directive by the legislature.

Chairman Shabazz solicited comments or concerns on the three proposed letters. After discussion, a motion to approve the letters was requested.

Thad Stevens moved to approve the proposed letters. Cynthia Carrow seconded the motion, and the letters will move forward.

Nominating Committee

Cynthia Carrow will convene a Nominating Committee for June's election of a new Chair and Vice Chair. Members interested in joining the committee should notify Cynthia or the Executive Director.

Act 54 Committee

The public comment period on the five-year report closed on April 9. A virtual public hearing was held on April 8 with 7-9 participants. The committee is awaiting the draft technical guidance document from the Mining Bureau.

Public Participation Committee

The committee is reviewing DEP's regulations on public comment looking for gaps and loopholes and reviewing details of the regulations to see where improvements might be made.

Advisory Boards and Subcommittee Vacancies

Vacancies exist on the Mining Reclamation Advisory Board and the Aggregate Advisory Board, as well as on the Strategic Issues and the Public Participation subcommittees. The Executive Director will send a follow-up email detailing what is available and the method to express interest.

NEW MEMBER INTRODUCTIONS

Laurie Dayton and Jaime Bracey-Green were unable to attend today.

Jacquelyn Bonomo has been active in environmental and conservation issues around the state for 35 years, including nine years with the Western PA Conservancy. She has been working with DEP's Office of Environmental Justice and the Environmental Justice Advisory Board and believes it is important to grow capacity within those bodies at a time when environmental justice and the current impacts of pollution on marginalized communities is in the forefront.

Trisha Salvia has been a PA staff attorney with the Chesapeake Bay Foundation for the past three years. Prior to that Trisha was an attorney in DEP's Bureau of Regulatory Counsel. Her expertise in water discharges and withdrawals has been expanded by her work with the Chesapeake Bay Foundation.

PRESENTATIONS:

Draft Final CO2 Trading Rulemaking

Allen Landis, a member of DEP's RGGI project team, provided details on the key changes from the proposed to final rulemaking, the public comments, and modeling inputs. A modeling results presentation and CAC vote on the Annex A will occur at CAC's May 19 meeting.

NEW BUSINESS/OPEN DISCUSSION:

Thad Stevens requested follow-up on issues related to the Sewage Facilities Planning Act, requesting that a stronger letter be drafted notifying the Department that folks are discouraged and angered by the actions it has taken. The Executive Director will work with Thad to develop framework for a letter, which will be circulated to the Council members for further discussion.

The May 18 meeting is being moved to May 19 because of the primary election.

ADJOURNMENT:

With no further business, Thad Stevens moved to adjourn the meeting. John Walliser seconded the motion, and all were in favor. The April 20, 2021 meeting of the CAC was adjourned at 3:00 PM.