

**MINUTES OF VIRTUAL MEETING
OF CITIZENS ADVISORY COUNCIL
October 19, 2021**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Bob Barkanic, Lehigh County
Jacquelyn Bonomo, Luzerne County
Jaime Bracey-Green, Philadelphia County
Cynthia Carrow, Allegheny County
Lori Dayton, Greene County
Mitch Hescoc, York County
Trisha Salvia, Cumberland County

James Schmid, Delaware County
Jerome Shabazz, Philadelphia County
John St. Clair, Indiana County
Thad Stevens, Tioga County
John Walliser, Allegheny County
Jim Welty, Cumberland County
Tim Weston, Cumberland County

Executive Director

Keith Salador

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 July 20, 2021 Minutes. Hearing none:

Chairman Shabazz made a motion to approve the Minutes of July 20, 2021. Thad Stevens seconded the motion, which was unanimously approved.

DEP REPORT:

Secretary McDonnell provided a brief update on the following:

Climate Action Plan

On September 22, DEP released the 2021 Pennsylvania Climate Action Plan. The biggest greenhouse gas emission reductions will come from creating a carbon-free electric grid using renewable and nuclear energy, increasing industrial energy efficiency and transitioning industrial-process heating away from fossil fuels, getting more electric cars and trucks on the road, and carbon capture and sequestration can be increased by reforesting marginal crop lands or abandoned mine lands. The Climate Action Plan looks at the health and safety of all Pennsylvanians, especially those who live in environmental justice areas who will be at significant risk from heatwaves and flooding. Infrastructure is at greatest risk from flooding and landslides, farmers from an overall warmer and wetter climate, and recreation and tourism, as well as forests, ecosystems, and wildlife, and the 2021 Climate Action Plan charts an adaptation pathway for each of those areas.

Climate Leadership Academy

With the recent launch of the Pennsylvania Climate Leadership Academy, DEP and the Pennsylvania Green Gov Council have made Pennsylvania the second state in the nation to

provide state-sponsored climate training. The Academy provides free online programs to leaders in state and local government, business and industry, agriculture, infrastructure, and community organizations who want to help Pennsylvania meet the challenges of climate change. Two programs are being offered: the Climate Leadership Activator and the Certified Climate Change Professional. DEP's Energy Programs Office is using US Department of Energy funding to pay a contractor, the Association of Climate Change Officers, to administer the Academy and conduct a series of related trainings. As such, the virtual trainings are free-of-charge to all registered participants.

Regional Greenhouse Gas Initiative Rulemaking Update

On September 1, the Independent Regulatory Review Commission approved the CO₂ Budget Trading Program final rulemaking (RGGI) by a 3-2 vote. The General Assembly is now considering whether to adopt a concurrent resolution to disapprove the rulemaking. The Regulatory Review Act gives the House and Senate 10 legislative days (or 30 calendar days, whichever is longer) to vote on the resolution after it is reported to the General Assembly.

Zero Emission Vehicle Rulemaking Update

DEP is currently working on a proposed rulemaking to amend the existing Pennsylvania Clean Vehicles Program. The proposed rule will require that a percentage of zero emission electric vehicles be offered for sale in Pennsylvania. The proposed rulemaking was presented to the Air Quality Technical Advisory Board on October 14, and it is anticipated that the rulemaking will be presented to the Environmental Quality Board in the first quarter of 2022 with the final rulemaking completed by the end of 2022.

Update on Federal Infrastructure Bill

The federal Infrastructure Investment and Jobs Act is the legislation that includes extensive federal investments in America's infrastructure. It passed the Senate this past summer but has not yet passed in the House. A vote is expected by the end of October. The Department has been closely monitoring the status of the federal infrastructure bill as many of its program areas could benefit from the potential additional funding.

PUBLIC COMMENT:

Eric Epstein, Chairman of Three Mile Island Alert, Inc., expressed multiple concerns about TMI:

- 1) Exelon Generation Company is requesting that of a portion of the funds from the TMI-1 decommissioning trust fund be allowed for the management of spent fuel and is also requesting an exemption to allow TMI-1 decommissioning trust fund disbursements for spent fuel management to be made without prior notice.
- 2) Mr. Epstein encouraged the CAC to request that the Susquehanna River Basin Commission require TMI to determine how much water is needed for clean-up and that any excess water be put back in the river.
- 3) TMI never signed up to be a waste site. The waste needs to be removed.

PRESENTATIONS:

Radiological Decommissioning

Dave Allard, Director, Bureau of Radiation Protection (BRP)

Bryan Werner, Program Manager, BRP

The presentation provided an overview of the Bureau of Radiation Protection's role in facility decontamination and decommissioning in the Commonwealth, described the various categories of decontamination and decommissioning projects, and noted the various state and federal standards and agencies involved.

CAC COMMITTEE REPORTS:

Act 54 Committee

The committee had two separate charges: formulating a response to the most recent five-year Act 54 Report and to provide preliminary feedback to the Department on a draft TGD for surface water protection. The workgroup brought in external stakeholders to get additional feedback on the draft TGD language. Comments from the workgroup members were consolidated into a single document with the intention of providing feedback to the Department in the preliminary stage, not as a formal recommendation or response from the CAC at large. After lengthy discussion, Chairman Shabazz charged the committee to work with Executive Director Keith Salador to disseminate further details. CAC members will be given time to review the documents and provide comments, and the Chairman requested that the committee have recently developed materials to share at the next CAC meeting in November.

Public Participation Committee

The public participation documents are very much out-of-date. The committee will continue its review and offer a critique next month of the first two documents.

EPA Clean Air Act Advisory Committee

The new source existing methane rules should be out soon and will be published in the Federal Register for comment. The EPA, in conjunction with the Forest Service, has created a real-time website which monitors wildfires, forest fires, and the dangers of their pollution.

Legislative Committee

The Legislative Committee met shortly after the July CAC meeting to consider a request received to support HB16 which would amend the definition of economic development agencies in Act 3 to include land banks and provide them with environmental liability protection. The committee requested an analysis from DEP to help inform the committee's opinion, but that has not yet been received.

EQB

The EQB accepted for further study by DEP a petition for stream redesignation of Salt Lake Run in Clearfield County from High Quality to Cold Water Fishes. Secondly, a rulemaking was adopted by the EQB to modify the Department's NPDES regulations that concerns schedules of compliance to allow for a period of time greater than five years for a permittee with combined sewage overflow discharges. The rulemaking was adopted with a 45-day comment period and one public hearing.

BYLAWS AMENDMENT:

Past internal concerns prompted the Executive Committee to review the CAC Bylaws. Changes were proposed to Section 11.2, Respect and Professionalism. Comments were solicited from the members prior to the meeting and the floor was opened for additional concerns or questions about the proposed changes. Hearing none:

**Tim Weston motioned to adopt the amended Bylaws as circulated.
Cynthia Carrow seconded the motion, and all were in favor.**

EQB ELECTIONS:

Elections were conducted by Keith Salador via electronic ballot. CAC members elected as EQB members for next year are Bob Barkanic, Cynthia Carrow, Trisha Salvia, John Walliser, and Jim Welty. Alternates are James Schmid and John St. Clair.

NEW BUSINESS/OPEN DISCUSSION:

The November 16 CAC meeting will be a joint meeting with the Environmental Justice Advisory Board. The meeting will be in-person and via Webex. Members who plan to attend in person were asked to notify Keith Salador so proper considerations can be made.

ADJOURNMENT:

**With no further business, Chairman Shabazz moved to adjourn the meeting. Trisha Salvia seconded the motion, and all were in favor.
The October 19, 2021 meeting of the CAC was adjourned at 3:05 PM.**