

**MINUTES OF MEETING
OF CITIZENS ADVISORY COUNCIL
September 20, 2022**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Bob Barkanic, Lehigh County	Trisha Salvia, Cumberland County
Jacquelyn Bonomo, Luzerne County	James Schmid, Delaware County
Jaime Bracey-Green, Philadelphia County	Jerome Shabazz, Philadelphia County
Cynthia Carrow, Allegheny County	John Walliser, Allegheny County
Bill Fink, Bedford County	Jim Welty, Cumberland County
Duane Mowery, Cumberland County	Tim Weston, Cumberland County
John St. Clair, Indiana County	

CAC member Lori Dayton has moved out of state and has requested to be removed from the Citizens Advisory Council.

CAC STAFF PRESENT:

Keith Salador, Executive Director

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 19, 2022 Minutes. Hearing none:

Chairman Shabazz made a motion to approve the Minutes of the July 19, 2022 meeting. Tim Weston seconded the motion, which was unanimously approved.

DEP REPORT:

Acting Secretary Ramez Ziadeh provided an update on the following:

Abandoned Mine Lands: In 2022, Pennsylvania anticipates receiving a total of \$297.9 million for Abandoned Mine Lands (AML) and Acid Mine Drainage (AMD) restoration in the form of a traditional AML grant, an AML Economic Revitalization (AMLER) program grant passed by Congress, and a grant under the Infrastructure Investment and Jobs Act (IIJA). DEP submitted the IIJA grant application to the Office of Surface Mining Reclamation and Enforcement (OSMRE) on September 2 and requested an effective date of November 1. DEP is entering into agreements with 15 engineering firms to perform feasibility, design, and permitting to accelerate AML/AMD projects that will be issued for bids. DEP is also adding staff in the Bureau of Abandoned Mine Reclamation to support the effort.

Oil and Gas: In August, the U.S. Department of Interior (DOI) transmitted the official notice of award to DEP to acknowledge the allocation of \$25 million to be used to implement the provisions of the IIJA Initial Grant. The award allows for \$2.5 million to be allocated to DEP to cover administrative costs associated with administering the Initial Grant. The Office of Oil and

Gas Management (OOGM) is currently working to develop five separate bid solicitations for abandoned well plugging that are expected to be published soon in the Commonwealth's electronic bid tool called "Bid Express" (www.bidexpress.com). The Department of Interior (DOI) approved the applications as submitted for the full \$25 million on August 25, 2022 with an effective date of receipt of October 1, 2022. DEP will have 90 days from October 1 to obligate 90% of this initial \$25 million grant.

Energy Programs: DEP's Energy Program Office (EPO) will receive \$14 million under IIIA. The EPO is currently in receipt of the pre-awarded \$200,000 that became available to improve DEP's State Energy Security Plan (SESP) by September 30, 2022. The EPO hired a contractor and is working with partners such as the PAPUC to complete the SESP. The US Department of Energy (DOE) released the application materials for the remainder of the funds on August 26, 2022 with a due date of December 5, 2022, and the EPO is working on developing the application materials.

Litter Campaign: The Wolf Administration rolled out a new statewide anti-litter campaign called "PA Fights Dirty: Every Litter Bit Matters." The development of this litter prevention campaign was one of many state and local, stakeholder, business, and legislative recommendations included in the Commonwealth's first-ever Litter Action Plan released last year. The goal is to reduce litter-related expenses, which currently cost state and local governments about \$350 million each year.

Environmental Education Grants:

DEP hosted a live webinar to discuss the application process for its nearly \$900,000 in available grant funding for environmental education projects. The free webinar was held from on Tuesday, September 27, 2022, but registration is required. The Mini-Grant funding was increased to \$5000 and General Grant Funding Level I to \$30,000, and this grant round also expands eligible expenses to include personnel costs of up to 50% of grant funds, travel costs related to lodging, and equipment rentals.

Stormwater Management Funding:

Internal discussions are currently being held related to ensuring minimal administrative burden for potential grantees of the \$8.8 million available in Governor Wolf's FY2022-2023 state budget for grants and reimbursements to municipalities and counties for Stormwater Management Act (Act 167) planning. The CAC will be updated as more information becomes available.

A question and answer session followed centering on the state energy plan, well plugging, status of progress on negotiations with the EPA on the disallowed cover crop reporting and the unused wetland mitigation BMPs, and request for a presentation on the outcome of work at the Erie Coke facility.

PRESENTATIONS:

Ali Tarquino Morris

Waste Management Program Overview

This full report provided an update of the four divisions within the Waste Management Program: Municipal and Residual Waste, Hazardous Waste, Waste Minimization and Planning, and Reporting and Fee Collection, as well as two groups that are an offshoot of the Director's office: Program Development and Support and Fiscal and Administrative Support.

Members inquired about the Department's ongoing determination on conventional oil and gas wastewater used on roads, critical issues related to contaminants going forward, the increase in waste generation, EPA authorization for corrective action related to the Resources Conservation and Recovery Act (RCRA), and the burden of electronics recycling.

R. Timothy Weston, Chair - Statewide Water Resources Committee
James Horton - Environmental Group Manager, DEP Water Programs Planning and Conservation

This comprehensive report provided a briefing of the outcomes of the work done over the last several years to prepare the 2022 update and the recommendations that are reflected in the draft State Water Plan.

Members made several remarks including constructive suggestions related to data collection and sharing among agencies, affordability in PUC rate setting structure, and the prioritization of access to safe water.

CAC COMMITTEE REPORTS:

EQB

In response to Act 40 of 2017, the EQB adopted a final form rulemaking adding a manganese human health criterion to ensure adequate protection for all surface water uses. The rulemaking recently went to IRRC and was turned down.

The EQB approved final form amendments related to the general provisions of the standards for sources of NOx and VOCs to satisfy the federal Clean Air Act obligations for RACT statewide for the National Ambient Air Quality Standards for Ground Level Ozone.

Act 54 Workgroup

The committee is still working on a response to the Act 54 Report and plans to meet soon.

Solid Waste Advisory Committee

The committee recently met to discuss the nonregulatory items of the Bureau of Waste Management and the work that DEP is doing to clean up technical guidance documents for operators, with the expectation that five will be published by the end of the third quarter and an additional five by the end of the year.

Strategic Issues

The committee is interested in moving the transition paper to the next level and is standing by for what that work might look like.

Public Participation

The committee is scheduled to meet next week.

TRANSITION PAPER:

Another call was put out for volunteers to work on the transition paper.

NEW BUSINESS/OPEN DISCUSSION:

EQB Elections

EQB elections will be held in October. Members interested in serving on the EQB should contact Keith Salador.

Legacy Issues Report

Keith Salador advised that the Legacy Issues report was approved and published to DEP's e-Library. Methods of getting the information out to the public are to be considered by the Public Participation Committee, including a possible press release and standard channels of communicating with public officials.

Interactions Between DEP and Committees

Concern was expressed about the breakdown in communication between the Department and certain advisory committees and seeking a possible way forward through the challenges.

ADJOURNMENT:

**With no further business, Chairman Shabazz motioned to adjourn the meeting. James Schmid seconded the motion, and all were in favor.
The September 20, 2022 meeting of the CAC was adjourned at 3:35 PM.**