

**MINUTES OF MEETING
OF THE CITIZENS ADVISORY COUNCIL
February 14, 2023**

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Bob Barkanic	James Schmid
Jacqueline Bonomo	Jerome Shabazz
Cynthia Carrow	Thad Stevens
Mitchell Hescox	John Walliser
Duane Mowery	Jim Welty
John St. Clair	Tim Weston

CAC STAFF PRESENT:

Keith Salador, Executive Director, Citizens Advisory Council

CALL TO ORDER:

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

APPROVAL OF MINUTES OF JANUARY 10, 2023

Chairman Shabazz solicited additions or corrections to the January 10, 2023 Minutes. Hearing none:

Chairman Shabazz made a motion to approve the Minutes of the January 10, 2023 meeting. James Schmid seconded the motion, which was unanimously approved.

PUBLIC COMMENT

Aimee Erickson, Executive Director, Citizens Coal Council

Comments and recommendations were given to the CAC on the proposed format and substance of the sixth Act 54 Five-Year Report. The Citizens Coal Council believes that the CAC should scrutinize and advise against DEP's proposal to change the process in which the sixth five-year report is prepared and requested that the public be kept informed.

CAC COMMITTEE REPORTS:

Strategic Issues

The committee approved hydrogen hub and carbon capture utilization and storage as the focus for 2023. Executive Director Keith Salador will be setting up a speaker from DCNR to talk about the agency's work over the last several years on carbon capture, which should take place in either March or April. The committee plans to bring in other speakers from entities involved in the proposed hydrogen hubs in Philadelphia and Pittsburgh areas, as well as speakers related to technologies attached to these issues, financing related to taxation opportunities, environmental impacts, and a suggested presentation related to legal issues. Any additional suggested topics should be relayed to Jacqueline Bonomo or Keith Salador.

Legislative

The committee met on February 10 and reviewed next steps regarding municipal and electronic waste. At the CAC meeting in November 2022, the Council passed a resolution requesting that DEP develop Fact Sheets on both municipal waste and electronic waste. The Executive Director will continue to follow up with DEP on those Fact Sheets. CAC members also agreed at that time that electronic waste would be the initial focus given the statewide difficulties to affordably recycle electronic waste and that the Council would send a letter to the General Assembly emphasizing the great need for legislative action to address this issue, with the Fact Sheet attached.

The committee also briefly discussed the new Water Plan and the recommendations included in it. Some of those might be of interest to the Council, such as setting private water well construction standards. DCNR is currently considering licensing criteria for private well drillers and setting industry standards so more will be heard about that.

The committee suggested that the Council focus on carbon capture and sequestration and all members agreed that the first step would be education.

The committee also suggested watching future legislation that is introduced and begins to move for which Council might like to provide comments.

Public Participation

The committee has been awaiting the new Administration and its Communications folks to get settled in before approaching about ideas for public participation.

Regulatory Affairs

The Pennsylvania State Water Plan was finally adopted by the Statewide Water Resources Committee, was signed by Tim Weston as Chair and the DEP Secretary, and it was published in January 2023.

ACT 54 RESPONSE LETTER:

An overview was provided of a draft comment document prepared by James Schmid based on comments received through the public comment period, as well as stakeholder input from individuals and entities around those comments. Huge gaps exist, suggesting the Department's inability to fill in the gaps by tailoring its request for information from permit applicants. Mr. Schmid believes the CAC should participate more fully in the design of the Act 54 Report and provide additional guidance to the Department, encouraging it to address the deficiencies that have been identified by many respondents over the last two decades. After lengthy discussion, a recommendation was made that CAC members get together for a comprehensive discussion to flesh out primary concerns and best practices with other states to come up with five straightforward recommendations to DEP.

DEP Report

Patrick Webb, Acting Director, Bureau of Abandoned Mine Reclamation

This presentation provided the February 2023 status of the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA), and the AML Fee Reauthorization, including a detailed timeline of events and upcoming BIL projects.

Q&A included discussion about percentage of total funds spent on AML sites, what the influx of funds has allowed the Department to do, the number of AML sites completed, the possibility of amending the BIL grant, whether the AML money can be used for long-term funding of water quality treatment projects, and discussion about the Glen Lyon mine fire and the Jeddo Tunnel in Luzerne County.

Kurt Klapkowski, Acting Deputy Secretary, Office of Oil and Gas Management

This presentation provided an update on where Pennsylvania is in terms of oil and gas well plugging, where Pennsylvania is in terms of the federal legislation, and some of the solutions being worked on as Pennsylvania moves through the grants program that the federal government has made available as part of the Infrastructure Investment and Jobs Act.

Q&A included guidance on formula grants, the federally mandated need for wells to be monitored until they are plugged, and the resources going into compliance and enforcement to try to stop abandonment issues.

MRAB/AAB ELECTIONS:

Executive Director Keith Salador announced that there were no disputes to the available seats on the Mining Reclamation Advisory Board and the Aggregate Advisory Board:

MRAB

Cynthia Carrow
John St. Clair
James Schmid

One slot is still available

AAB

John St. Clair
James Schmid
Thad Stevens
Tim Weston

Tim Weston made a motion to approve the two slates to the respective Boards. Jacqueline Bonomo seconded the motion, which was unanimously approved.

TRANSITION PAPER:

Executive Director Keith Salador provided details of changes made to the Transition Paper as a result of two recent meetings of the Council and the final layout of the document. The floor was then opened for comments, questions, or concerns. Thad Stevens noted that the first line of the Conclusion should state “working with the Administration and the Legislature.”

James Schmid made a motion to approve the addition of “and the Legislature” in the first line of the Conclusion to the Transition Paper. Mitch Hescoc seconded the motion, and all were in favor. Motion approved.

ADJOURNMENT:

With no further business, Mitch Hescox motioned to adjourn the meeting. James Schmid seconded the motion, and all were in favor. The February 14, 2023 meeting of the CAC was adjourned at 3:15 PM.