

**MINUTES OF
CITIZENS ADVISORY COUNCIL
October 14th, 2025**

CALL TO ORDER:

Robert Barkanic, CAC Chairperson called the meeting to order at 12:34 PM.

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Robert Barkanic, Chairperson	Dwayne Mowry
Trisha Salvia, Vice-Chairperson	John St Clair
George Ambrose	Jerome Shabazz
Jacquelyn Bonomo	Thaddeus Stevens
Carol Collier	James Welty
Katherin Hetherington Cunfer	Timothy Weston
William Fink	

DEP STAFF PRESENT:

Ian Irvin, Executive Director
Casey Damicantonio, Policy Office
Joshua Neyhart, Policy Office
Ali Tarquino Morris, Deputy Secretary Office of Waste Air, Radiation and Remediation

APPROVAL OF MEETING MINUTES:

Ian Irvin solicited additions or corrections to the September 9, 2025, Minutes. Hearing none,

Tim Weston moved to approve the Minutes of the September 9, 2025, meeting with no corrections. Thaddeus Stevens seconded the motion, which was unanimously approved.

DEP UPDATE:

Ali Tarquino Morris- Deputy Secretary- Office of Waste Air, Radiation, and Remediation-WARR.

Deputy Secretary Tarquino Morris provided an overview of the Office of Waste, Air, Radiation, and Remediation (WARR).

Waste Program is handled through Bureau of Waste Management for statewide hazardous municipal, residual waste programs, and implementation of municipal waste planning and recycling. Aspects include ensuring that there is remaining waste capacity across the state and assuring that one disposal facility is not overloaded in comparison to another. The program also deals with recycling, including curbside recycling collection, industrial-scale recycling from businesses and industry, and the beneficial use of waste material.

Another aspect is the Covered Device Recycling Act, which prohibits certain materials (e.g., desktops, laptops, tablets, televisions, and peripheral equipment related to those devices) from being disposed of in the landfill and establishes a recycling program.

FRIDGE, which stands for the Food Infrastructure Recovery Grant, is a program to take fresh and processed foods that enter the PA waste streams and incentivize nonprofit agencies to provide this food to the public instead by diverting edible food products out of the waste stream and back to feed citizens. In 2020 or 2021, DEP determined that almost 40% of food is disposed of. FRIDGE is budgeted for about \$10 million, but DEP is looking for a sustainable funding source. However, the overall recycling program turns about \$30 million/year.

Air Quality – The Bureau of Air Quality is responsible for safeguarding the health of Pennsylvanians by achieving goals of the federal Clean Air Act and Pennsylvania Air Pollution Control Act. The Bureau develops regulations, conducts meteorological tracking and air quality monitoring studies, permits major sources of air pollution, develops transportation control measures to consider other, non-permitted, mobile sources. The Bureau also helps to improve the economic climate for firms and businesses to relocate and expand in Pennsylvania, like the Small Business Assistance Program.

Radiation Protection as a statewide program with goal of protecting people from unnecessary radiation exposures. The Radiation Protection Bureau ensures public and occupational exposure from man-made sources and controllable natural sources, including corresponding impact on the environment (including decontamination and decommissioning activities), is As Low As Reasonably Achievable. The program manages the regulation and inspection of radiation sources, performs inspections of radiation sources, conducts safety reviews, and overseas emergency radiation response programs. Additionally, it implements a statewide radon awareness program, informing the public of radon and its risks. Since becoming an Agreement State with the U.S. Nuclear Regulatory Commission in 2008, the Bureau licenses, registers, and inspects radioactive materials users in Pennsylvania and separately license and registers all radiation producing machines.

Remediation - Bureau of Environmental Cleanup and Brownfields develops and manages the Pennsylvania Storage Tank program, which includes the registration, location, and inspection of all tanks, and site remediation. This Bureau also has oversight of federally funded cleanups, which are also known as Superfund sites, and the Act 2 program, which is also known as the Brownfields program, and voluntary clean-up program for development of blighted properties and Brownfield sites.

Currently, WARR is staffed with 330 employees and manages 38,000 under and above ground tanks across 12,000 regulated facilities.

PFAS is an ongoing concern. One of the first steps is for the community to manage waste containing PFAS and PFOS under the hazardous waste regulations. DEP is currently exploring facilities that have accepted PFAS containing waste over the decades, including landfills.

Questions:

A Council member had a question about characterizing the PFAS and PFOS in the leachate from landfills and the appropriate pretreatment for PFAS and PFOS before reaching municipal wastewater plants. This work is currently underway by the Bureau of Waste Management so that the Department understands the four corners, the current treatment technology, and what additional steps will be needed and/or appropriate.

A Council member asked about a specific recycling service in the Philadelphia area, Rabbit Recycling, which is a monthly-paid service. Some high level discussion about how the recycling programs runs, including the Department's collection fees on every ton of disposed waste and its use in the recycling program and distribute grant money to municipalities, was discussed.

A Council member asked about the impacts of the state and federal budget impasses. The discussion was about how both budget impasses impacted the Department, but operations have been maintained with daily evaluation.

Another question was about recycling of solar panels. Discussion was about how this something that has been discussed for years with the manufacturers in anticipation of early panels reaching their end life and will need disposed of. There is value in dismantling the units and recycling them. Still more discussions to be had before the end of life for solar panels.

Another question was about PFAS sequestration and how is that done. Discussions were about how landfills are highly engineered facilities and, to stabilize the mass of waste, have a leachate management system. It encourages decomposition of biological components; however, PFAS and PFOS should not go through that leachate. Therefore, pre and post-treatment is important.

PRESENTATIONS:

Sharon Hill, Environmental Program Manager, Bureau of Mining Programs, Pennsylvania Department of Environmental Protection

The Bureau of Mining Programs serve as the policy and support staff for the six district mining offices across Pennsylvania. Currently, the Bureau manages regulatory packages, internal policies, procedures, technical guidance, documents, applications, permit forms and digital permitting applications. The Bureau also coordinates consistency across the six offices and provides support for any specific issues.

The Act 54 Report is under purview of the California office, situated in the Southwestern region of PA, because it has permitting authority for the entire state on bituminous underground mining and bituminous coal refuse disposal areas. Per the Bituminous Underground Mining Law and its amendments, DEP is required to compile data and report findings regarding the effects on land

structures and water resources every 5 years. The most recent, sixth report, covers the years 2018 to 2022 and was completed by staff out of the California District Mining Office. Previous reports were outsourced and compiled by the University of Pittsburgh. Because the Sixth Act 54 Report was done internally, the report looks drastically different than the Fourth and Fifth report because the DEP staff focused on the requirements within the Bituminous Underground Mining Law and its amendments. As a result, DEP posted data, worked through what the data represented, looked at ways to improve, and provided its findings, including being transparent with the data instead of writing a 600-page report and spending almost \$1 million, which the program could no longer afford to outsource.

The California office developed a templated format for this and future reports, which provides an easier comparison of data over this and subsequent reports. The 6th report covers 2018-2022 and, with the staff's newer processes, provides immediate benefits with collaboration, presenting data, fixing errors, and improving collection from operators. Outside comments from experts are considered as they are received, but no comments came from the Governor's Office or the General Assembly. The staff also looked at getting a better handle on reporting wetland effects and improving reporting my operators regarding mitigating wetlands and streams. DEP also established a database to collect and track damage claims and are growing utilization of digital tools. Field staff are actively monitoring the subsidence of mining panels and the effect on streams. DEP will continue to take this task seriously and work on improving permitting, monitoring, evaluation and responses. DEP requested that the CAC consider the situation of the Mining Program and the purpose of the Act 54 Report. Finalization of the 2023 to 2027 report will be in 2028.

Questions

One member asked about the digitization and availability of information online. Currently there is no replacement for E-permitting, and the Department encourage all applicants to submit information via Greenport or through a public upload system.

James Schmid- Schmid & Co., Inc., Consulting Ecologists on Act 54

A transcript of Mr. Schmid's presentation is available at [files.dep.state.pa.us/PublicParticipation/Citizens Advisory Council/CACPortalFiles/Meetings/2025_10/Jim Schmid - Act 54 Presentation \(Transcript of Presentation\).pdf](https://files.dep.state.pa.us/PublicParticipation/CitizensAdvisoryCouncil/CACPortalFiles/Meetings/2025_10/Jim_Schmid_-_Act_54_Presentation_(Transcript_of_Presentation).pdf)

Questions

A Council member asked about the rewards and incentives for Department staff for prompt permit review. According to Dr. Schmid, Section 5 of the Governor's Executive Order of July 2012 buttresses Dr. Schmid's concern about rewards and incentives for prompt permit review.

Another Council member asked whether the 6th Act 54 Report was published for public comment and was a response document prepared. Dr. Schmid replied that neither was done.

Another Council member asked about the inability of the Army Corps of Engineers providing wetland delineations and determinations for landowners and the increasing reliance of property owners to employ consultants.

Additional discussion was around the Council's next steps in response to the Sixth Act 54 Report. Part of this discussion mentioned the Department's technical guidance document, which is almost 15 years old and potentially dated.

York Energy Storage Project- Fritz Schroeder- President & CEO Lancaster Conservancy

The Lancaster Conservancy is a 56-year-old land trust that started in Lancaster County and had expanded into, along the Susquehanna River, York County. The Lancaster Conservancy was founded in 1969, providing wild and forested lands and clean waterways for communities with over 10,000 protected and 8,000 managed acres, and 50 unique nature preserves. The Conservancy works with the Department of Conservation and Natural Resources and other in the region.

Turning to Cuffs Run is currently known as one of the most challenging, yet beautiful, hikes along the Mason Dixon Trail. Therefore, Lancaster Conservancy, working with other bipartisan groups and organizations, does not support the York Energy Storage Project in hopes of protecting the Susquehanna River conservation landscape.

Lancaster Conservancy, describing the project from its perspective, believes that the project is outdated with technology from the 1950s. With the project, Lancaster Conservancy believes there will be impacts on aquatic ecology; losses or delays with migration and losses with animal habitat; the transfer of fish and other organisms; including exotic species; from one reservoir to another; geological and soil impacts; impacts on sensitive plant species; impact on land use, including 580 of forested land and farms; impacts on parks, recreation areas, and wilderness areas; and impacts of cultural resources. In total, the project will use 1100 acres of land, displacing many families. Lancaster Conservancy discussed the history of the project, several other energy generation alternatives that are now available in the Commonwealth, the economic viability of this project, and the administrative status of the York Energy Storage Project's permit from the U.S. Federal Energy Regulatory Commission. For these reasons, Lancaster Conservancy, associated institutions, and members of the public do not support the York Energy Storage Project moving forward.

Questions

There was some discussion about some of the presentation's points. One Council member asked about the other pump storage project in the lower Susquehanna River – Muddy Run – and the challenges that project has, which will need thorough study of the impacts, including comparing and contrasting the impacts of Muddy Run with the York Energy Storage Project.

Another Council member asked if the project developer owned the land, which they do not, how many families will be displaced, the number of families that could be displaced, which is about 40, and if there are any cultural impacts on Indigenous groups, which Lancaster Conservancy is pursuing with minimal success.

Another Council member asked about preservation of farmland over the last 50 years, hesitation of using eminent domain, and a way to balance the competing, yet important, interests.

Additional questions were about *Loper Bright*, the Chevron Doctrine, and the Federal Power Act vis-à-vis the permit for the York Energy Storage Project.

One final question was about the 401 process of the Department.

Public Comment Period

Ethan Story, Esq., Advocacy Director, Center for Coalfield Justice
Nate Eachus, Luzerne County Resident

Written comments from Mr. Story and Mr. Eachus can be found at the Council's website, which has the materials for the 2025 meetings. That website is available at:
<https://www.pa.gov/agencies/dep/public-participation/citizens-advisory-council/citizens-advisory-council-meeting-schedule>

CAC Committee Reports

The Legislative Committee

This committee was postponed for a couple of weeks based on the budget impasse at the state and federal level. We are currently in a holding pattern and scheduled to meet in November.

Public Participation Committee

At the last meeting of the Committee, it finalized a couple of items, including guidelines on public comments. An essential piece for public comments is being heard is essential and the Committee is making steps to do that.

Strategic Issues Committee

Committee has not met since the September 2025 CAC Meeting. However, Executive Director Irvin and the Committee Chairperson, Jacqui Bonomo, are taking the previously identified interest in data centers around the state and DE PS jurisdiction over them and how we could provide additional guidance or assistance to DEP going forward.

FYI- Radiation Protections meeting is tomorrow and MRAB is in a week and a half.

Environmental Quality Board

Annually, the CAC selects 5 members and 2 alternates to represent the Council on the Environmental Quality Board. Executive Director Irvin reached out to current members and alternates serving on EQB to see if they would like to serve for 2026, Robert Barkanic, John St. Clair, Tricia Salvia, Thaddeus Stevens, and John Waliser as members all said yes, and Carol Collier and William Fink as alternates said yes. Nominations slated for the members to the EQB from CAC and close nominations.

George Ambrose moved to close the nominations. Tim Weston seconded the motion, which was unanimously approved. The Council voted on the proposed slate, which was unanimously approved.

CAC also appoints four members to the Mining and Reclamation Advisory Board and the Aggregate Advisory Board. Unfortunately, the Council has only appointed three of the allotted four appointments last year. After discussions, Robert Barkanic is willing to be the fourth representative.

Tim Weston moved to approve nomination. Jerome Shabazz seconded the motion, which was unanimously approved.

The Council discussed the formation of an Act 54 subcommittee to review received comments and determine the Council's response vis-à-vis the Department's Act 54 Report, including reaching out to the General Assembly about resources .

ADJOURNMENT:

Next meeting will be November 12th, 2025, at 12:30 in Room 105 at RCSOB or online.

Robert Barkanic moved to adjourn the meeting. Thaddus Stevens seconded the motion, which was unanimously approved.

The October 14, 2025, meeting of the CAC was adjourned at 3:48pm.