COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: ENVIRONMENTAL JUSTICE LISTENING SESSION

BEFORE: CARL JONES, JR., ESQUIRE, DIRECTOR
PATRICK MCDONNELL, SECRETARY
JOHN BRAKEALL, REGIONAL COORDINATOR

HEARING: Tuesday, May 23, 2017
5:06 p.m.

LOCATION: Chester City Hall
One East Fourth Street, 2nd Floor
Chester, PA 19013

WITNESSES: Dr. Roberta Winters, Len Wen, Alice Wright, Reverend Dr. Horace Strand, John Butler, Sue Edwards, Drew McGinty, Tom McKeon, Aurora Winslade, Mark Wallace, Portia West, Peter Osaba, Melissa Tier, Christine Adova, Dr. Marva King, Carol Armstrong, John Shelton, Jocelyn Basamanti, Catherine Flag, John Scott, Thurman Brendlinger, Sarah Casson, Livia Smith

Reporter: Nicole B. Slick

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APPEARANCES

ALSO PRESENT:
1 M.J. Bennett
2 Ms. Shelton
3 Kelly Woodland
4 Laura McKinley
5 Logan Williams
6 James Brunswick
7 James Houtsel
8 Jean Davis
9 Sierra Williams
10 Rick Kauffman
11 Jean Stratton
12 Vanessa Dressick
13 Louis Grand
14 Saiga Elliott

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DIRECTOR JONES: Welcome to our eighth listening session. Before we begin with the program, I'll sort of give you an overview of how things will work tonight.

So after I sort of give you framework, we'll have open remarks from our secretary. I will then come back and give a brief presentation of the Office of Environmental Justice, the history of Environmental Justice and sort of why we're here today, which will sort of act as a frame for how this conversation continues.

At the conclusion of that presentation, we'll then have remarks from you all and your testimony. At the conclusion of us receiving all of the testimony from you, we will them put up another slide that will have more contact information for us. We will constantly reference this brochure which has all our contact information. It's from our website.

We hope this to be the beginning of the conversation with you all. So without further ado, I'll turn over to Secretary McDonnell.

SECRETARY MCDONNELL: Good evening. I
am Patrick McDonnell, Secretary of the Pennsylvania Department of Environmental Protection.

The couple things that I want to say first, thank you. Thank you for your getting here tonight. Thank you for your interest. Thank you for your comments you're about to provide us. It's critically important for us.

One of the things I'd like to say about my job in the Department is, you know, I sit behind a desk in Harrisburg and I need to get out and I need to be out interacting with people and doing more of that kind of thing. So I want to thank you for the interaction in advance.

As Carl said, expect this to be the beginning, not end, of a process. Not the end of the conversation in terms of the interaction. It's been over ten years since we first looked at the Environmental Justice policies, put them together, and - and really hadn't revisited them in a serious way since.

This is the first time we're doing that. I don't want that process to get to lie dormant for that long again. So expect us to be in here to - as we accept the comments through these listening sessions and sometimes through the website
and start reflecting that back in the policies, then we'll be back out to continue the conversation on an ongoing basis.

So I'll stop there, because part of this evening is to hear from all of you. And I'll turn it back over to Carl. Thank you.

DIRECTOR JONES: Thank you, Mr. McDonnell.

You guys can turn your attention to your right. There is a brief PowerPoint presentation that will sort of lay out sort of the history of why we're here and some of the framing questions that we submitted out to the public before we began our listening tour.

Firstly, what is Environmental Justice? Environmental Justice is not a new concept. It is a concept that has existed for many decades, sort of pulling its roots of origin to the civil rights movement of the '60s and the continuation of that through environmental rights movements of the '70s.

However, it was in 1991 that we got the sort of core 17 principles that outline about how we frame Environmental Justice today. If you look on our website, a link to those 17 principles
is available.

Here in the Commonwealth, our history with environmental justice is about 20 - 20 some odd years old. The story began in the late 1990s with the sort of internal creation of a working group. This sort of determined the need for environmental justice in the Commonwealth. That was as a result of many of the community issues that were faced here in Chester.

In 2001, we had the creation of a document that sort of set out the framework for the Office of Environmental Justice. In 2004, we had what we called our Environmental Justice Oath Participation Policy. That policy basically guides the way the Department has defined and looked at environmental justice so far. In Pennsylvania, according to the current definition, we have about 851 communities that fall into the definition of environmental justice communities.

The purpose of this listening session - or one of the purposes is to determine how we are doing those things and are we reaching all the right communities with our current definition.

The Office of Environmental Justice has three main goals, and I will only sort of touch
on the bullet points. Minimizing adverse
environmental impacts, empowering communities and
fostering economic opportunities. You can find this
brochure on our website. There is more information
about each one of those bullet point so you can get
a little bit of a further breakdown of how we
attempt to achieve those three goals.

Framing questions. When we began our
listening tour, we wanted to make sure that we had a
sort of frame for receiving testimony from all of
you. These suggest a guide for some of the areas
that we hope provide some sort of guidance about the
sort of topics that we have been wrestling with
internally and are looking for feedback from you all
with how we handle environmental justice currently
in the Commonwealth.

A few sort of housekeeping rules.
Bathrooms are not on this floor. So if you go down
the stairs and go past where you first came in, turn
right, the restrooms are located there.

The structure of receiving testimony.
There will be three minutes per testimony. After we
have heard from everyone, if there is remaining
time, there will be an additional three minutes for
people to come back up and continue to speak.
The purpose of this is so that we can hear from as many people as possible. So there may be a time when you ask a question and you may not get a response back from us. Please don't get - our purpose is here for us to listen and we're trying to hear as much from you as possible. You have not not been heard. We've heard you and we'll continue to follow up with you.

In case of a need for emergency evacuations, again, down the stairs, both exits are directly behind you. And we look forward to receiving testimony from you.

At the end of our testimony portion, I'll come back up. I will put up this slide again, which is also the last page of our brochure. We have all of our contact information.

One thing that we want to continue to stress is that this is the beginning of a dialogue. We are here to get facts and information from you so that when we come back, we can have a real conversation.

So without further ado, I will turn it over to you. John Brakeall will be reading the list of names. If you would like to give testimony, please let him know. If you do not, please let him
know of that as well. But we will be calling out
the names on the list. Thanks.

MR. BRAKEALL: First up is Kasia

Printer? Okay.

Robert Winters?

DR. WINTERS: Thank you for this

opportunity. My name is Roberta Winters. I live at

326 Williams Road in Bryn Mawr, Pennsylvania.

Now is the time for local agencies and

state agencies to act by taking extraordinary

interventions to compensate residents for

extraordinary sacrifices that have been made and

continue to be made by those contributions. How?

Here are a few suggestions.

Promote ongoing listening, education

and action. Please work with churches and schools

to educate young and old about how to care for their

environment and how to mitigate risks.

Hold regularly scheduled meetings with

residents and operators of facilities to address

questions and improve conditions. Steer ahead

visiting sessions to provide hope and meaning to the

future. Facilitate job training for residents to

work in local facilities. And this is done by

acting on input and not just forwarding lip service.
Second, balance Environmental Justice by helping those who are harmed. Please promote early childhood intervention and enable these parents to give youngsters that needed head start. Support meaningful programs and activities that provide productive outlets and opportunities for youth from morning to night.

Sponsor adult activity centers to prompt meaningful social interaction and community projects from community gardens to sports clubs. Provide quality public health facilities for residents from prenatal care to the grave. And develop private public partnerships to support public education, the health department, neighborhood parks and recreational facilities and other necessities in this region to improve the quality of life.

And finally, use your regulatory power to be part of the solution and not part of the problem. Please gather data through additional monitoring of air, land and water. Mandate the industry to assess available practices to reduce pollution and promote emergency preparedness.

Prohibit the issuance of permits or anything that will do further harm. Avoid
grandfathering of facilities to operate under outdated rules and regulations. Require accountability for cleanup of past, present and future sites before permitting new or renewing operations.

Be proactive in providing strategies to cope with rising waters in this area, compliments of climate change. And conduct epidemiological studies to gather data and help quantify impacts.

It's easy to see problems with environmental justice in areas where poverty and minority populations exist. Please do your best to act to make a difference. As Ben Franklin so wisely said, an ounce of prevention is worth a pound of cure.

Thank you.

MR. BRAKEALL: Thank you.

MR. WEN: Thank you very much for allowing us to speak today. My name is Len Wen. I'm a student at Windham Law School in Bryn Mawr, Pennsylvania.

I want to address this in relation to law, which includes a law in its creation. Title XI of the Civil Rights Act of 1964. The courts are the forums to see the results in this law protecting and
enforcing in a fair and rational manner.

Twenty (20) years ago, Chester residents sued the DEP for permitting waste processing facilities to operate in their community. And the case was called CRCQL versus Seif, 132 F.3d 925. And that was in 1997.

This case was dismissed by the US Supreme Court on the basis of mootness — sorry — on the mootness but not the merits. Before dismissal, they are actually found in favor of the residents because discrimination under the DEP at that time was a violation of Section 602 of Title VI within the Civil Rights Act.

And the EPA at that time, and even now, has regulations that states a recipient shall not use a criteria or methods of administering its program which have the effects of subjugating individuals to discrimination due to their race, color, nationality, with respect to individuals of particular race, color, national origin or sex. And that's 40 CFR Section 7.35 (b).

Now, the DEP is still funded by the EPA. And similar facts could be heard again in five courts in an effort to get a favorable outcome for the citizens if they choose to bring it to court.
again. How would the DEP fair in that circumstance? Because it's an accident, have violated the information rule. And I have further questions to kind of think about a little more. Is the decision to litigate DEP abilities, how it complies with certain standards. In other areas other than Chester, such as Marcus Hook. Information on the health and safety of the community in Chester. And with the examination of the children indicated the level of toxins had a causal relationship to the harmful educational --- and fundamental to ensuring the rights of the law of our land and our Commonwealth. It's still unjust. Thank you.

MR. BRAKEALL: Thank you. Alice Wright?

MS. WRIGHT: Good evening, everyone.

MR. BRAKEALL: Good evening.

MS. WRIGHT: First and foremost, I have to tell you, I signed the wrong paper. But at any rate, as a former Department of Environmental Protection employee, Office of Environmental Advocate, I would like to see a relationship in all the municipalities and towns with the zoning board and DEP. When zoning boards are making decisions
about facilities in a zone named environmental justice communities, they have some kind of a understanding of environmental justice and what that industry's effect can have on that community. Thank you.

**MR. BRAKEALL:** Reverend Strand?

**DR. STRAND:** I'd like to thank the secretary and Carl for bringing this listening session to our city. As a member of the environmental board to the secretary of the EPA --- I will complete my term in June. I was the Vice Chairman of the Department of Environmental Protection EP Board in Harrisburg where we bring to the forefront environmental justice issues.

I found myself in a position that I have not been in for many years. And that is to thank the Department for the sensitivity, your hard work to help a community that worked very hard to help itself, protect its own interest, accomplishing many things that they're accomplishing.

Many of you know that this community was the community that propelled EJ forward in the state and even some parts of the country. And we're known throughout the world for the work that we've done environmentally. But this is an example of
what can happen if people come together and work well.

And Chester Environmental Partnership is a committee that has acted on a regular basis. We meet monthly. And on that committee, we have government officials, we have academia, we have the Department of Environmental Protection, the EPA, industry and all concerned citizens coming together on a daily basis and addressing issues that affect our environment. Monitoring industry's performance on a daily basis. And what we have found is that the industry did not do well, that we do have the support of the Department and they will run effectively so that they can address and correct their behavior.

Case in point, the EP Corporation which is now in trying to bring out of --- 3 billion, 1.7 million fine that the DEP has imposed upon them because of their flagrant violations of our airways and refusal to follow the guidelines that are established to protect the health and welfare of our community.

So we applaud the DEP for taking the stand it took and making a message to anyone that wants to operate within our borders incorrectly that
it's not going to be tolerated. I want to thank
everybody that has a part to play in helping make
the DEP a successful organization where we are
working hard --- we still have problems in this
community, we got to solve them. But we do have a
mechanism in place that is government that is a
mayor and council that has supported us
wholeheartedly.

And so I want to say to you, Mr.
Secretary, that although you're looking for
problems, you're coming to a community that is
perfect example of what can happen when people work
together. I want to thank you.

MR. BRAKEALL: John Butler?

MR. BUTLER: Good evening. John
Butler, 208 Laurel Lane in Broomall, PA. I live in
a community basically upstream from the EJ
communities. I’ve tried to foster responsible
development in our community so that we don't
increase the flooding. It has not worked.

I'd say we’d probably make floods for
Darby Creek. There's major development proposed
there. And I tried to get support from Eastwick and
Darby to help fight because we need that watershed
to protect the area from flooding. And we didn’t
get results there. And I think DEP should maybe
look at stormwater regulations, especially upstream.
And PennDOT, they're going to do like
a $3 million change - an interchange. They're
saying any storm water management will be only at
25-year level. So that's going to increase flooding
in Darby Creek.

And the other - the other thing, there
is a - TIP, which is Transportation Improvement
Program, that is on the agenda and is scheduled for
2019 for Chester. And that should be - I don't know
how you'd move that up to increase lighting on the
streets here and put cameras.

And I think the protection of the
residents is - is a primary thing, too. So I don't
know how it all fits in with the DEP, but the groups
should be working together. And if we could move
that up it would help the citizens in this area.

MR. BRAKEALL: Sue Edwards?

MS. EDWARDS: Hi. My name is Sue
Edwards. I live at 32 College Avenue in Swarthmore,
just up the road.

As a volunteer for the Sierra Club,
the southeastern Pennsylvania group of the Sierra
Club, I want to say that the Sierra Club is taking
it very seriously the need for environmental
organizations to get involved with and represent
every part of the community and lift up the
environmental justice issues where they occur.

As I'm sure you're aware,
environmental justice is not just a matter of
fairness and not just a matter of race or economic
status. It is a matter of health, and in some
cases, life or death.

Therefore, it is essentially key to
avail yourselves of up-to-date research of health
statistics and counties that post census tracts even
down to --- they're including industries and also
where such industries already exist.

The DEP needs to attend to legacy
pollution problems, not just new facilities, and to
cumulative impacts and not just the impact of one
additional request for a permit.

Pollution doesn't stay in artificial
boundaries. Just for example, not just southeastern
Pennsylvania, but also Connecticut and Delaware are
impacted by the ongoing pollution from the Brunner
Island coal-fired power plant in York County, but it
has not --- it has not been required to install
selective catalytic reduction technology to reduce
its toxic pollution.

This pollution is being wafted by the prevailing winds right towards this part of the country and leaving a telltale trail passing on ugly respiratory diseases. The effects not just - this affects not just the EJ areas, but all communities in its path.

I believe that in addition to - in addition to the 20 percent poverty and/or 30 percent minority rule defining an EJ area, there should be a measure of disproportionate burden. It should not simply suggest not to continue to have waste and trash facilities bringing in refuse in piles inside the city itself. Instead, the DEP's EJ session leads us to see that jobs are generated in the new energy economy that is essential to protect not just our area, but our country and the climate. Seeing renewable energy generation, particularly solar and wind power.

By this direction, the DEP would be seeking not just to prevent entities from polluting, but also to speak with members for a green future.

Thank you.

MR. BRAKEALL: Thank you.

Drew McGinty?
MR. MCGINTY: Hi. Good evening, everyone. And thank you for letting me speak.

Just briefly, I want to thank you for all the new work you're doing and service now more than ever, with the Trump Administration's and Mr. Trump's allies and supports in congress and their attack on the EPA. The work you're doing now is more valuable and important and needed than ever before. So thank you again. Keep up the great work. And thank you again for your service.

MR. BRAKEALL: Tom McKeon?

MR. MCKEON: Well, first, thank you, DEP, for holding these listening sessions.

My name is Tom McKeon. I come from Philadelphia. And my testimony is more a comment. I'm a new liaison from the Community Outreach and Engagement Core at the Center of Excellence in Environmental Toxicology at the University of Pennsylvania.

And I would just present myself as resource to the community. The Center has been working with --- and I'm new to this position. And I'm just here to participate in the listening session so I can highlight that there will be a town hall meeting at the Faith Temple Holy Church on
Monday June 19th in Chester.

And Linda Birnbaum, the Director of the National Institute of Environmental Health Sciences will be coming and addressing the issues we have. So if you're interested in learning more about this and if you want to talk to me about any ways that the University of Pennsylvania and see if you can be connected those vast resources, I'd be happy to act as that liaison.

So again, my name is Tom McKeon and thank you for allowing me to speak.

MR. BRAKEALL: Thank you.

Ms. Bennett?

MS. BENNETT: I didn't have anything.

MR. BRAKEALL: Okay.

MS. BENNETT: Thank you.

MR. BRAKEALL: Ms. Shelton?

MS. SHELTON: Oh, thank you. No, I wasn't intending to speak. But I'm very interested because this is much needed.

MR. BRAKEALL: Thank you.

Kelly Woodland? Laura McKinley?

MS. MCKINLEY: I'll pass.

MR. BRAKEALL: Okay.

I apologize if I'm mispronouncing your
Aurora Winslade?

MS. WINSLADE: Good evening. I work as the Director of Sustainability at Swarthmore College. I am relatively new to this area. I've only been here a little more than a year. So I'm mostly here to learn.

But I did want to thank you for being here. And what Roberta said earlier about the need for a vision of where we're going. In my previous work in Hawaii, there was a public-private partnership that got together, public sector and private sector, colleges and universities around the shared vision of goals and also the metrics that we can use to reach our goals.

And I'd be very interested in how Swarthmore College and our students and faculty could contribute and support this work. And I'd really like to see this done.

MR. BRAKEALL: Logan Williams?

DR. WALLACE: It might be Mark. Could that be it? Mark?

MR. BRAKEALL: No, I think I have you next, though.

DR. WALLACE: Mark Wallace?
MR. BRAKEALL: Yeah.

DR. WALLACE: All I heard was Williams.

MR. BRAKEALL: Okay.

Next is James Brunswick?

DR. WALLACE: So can I speak?

MR. BRAKEALL: Sure.

DR. WALLACE: Good afternoon. My name is Mark Wallace. I'm a professor of religion and environmental studies at nearby Swarthmore College. I want to thank the members of the DEP staff for being here, for the secretary. This is an extraordinary occasion for you to be here and to listen to the community members about our concerns about the environment. So thank you.

As a professor at Swarthmore College, I live just a couple of miles north from here. I've been in this area now for 25 years. It is the case that Chester City has suffered incredible disproportionate environmental impacts over the years. It has a giant trash facility that dumps heavy metals and particulate matter into the surrounding area.

PCBs are all through Delaware River. Lead paint is in people's homes. Chester, as we
know, suffers from disproportionate impacts, particularly with regards to children. The infant mortality rate and the— the low birth weight in Chester City is one of and a half to two times higher than in any other place in the Commonwealth.

No other town or community would endure the degrading environmental impacts that Chester has. But Chester has put up with this because folks in Chester, largely African American, oftentimes middle to low income, have not been able to leave this area in spite of the impacts.

The town where I live, in Swarthmore, or take another majority white, largely well-to-do suburban neighborhood in and around Chester, would not put up with the sorts of things that have happened here.

Just to the west end of Chester, now on the boarder of the west end of Chester is in the position of a new biohazard. It's a highly volatile gas pipeline sponsored by Sunoco Logistics, or now referred to as Energy Transfer Partners, that is coming into this area because somehow, in the Commonwealth of Pennsylvania, private for-profit gas line purveyors are able to claim imminent domain and public utility status and impose their industrial
infrastructure on communities like Chester and Marcus Hook irrespective of the environmental impacts these new positions will have.

So I want to say a couple things. First of all, the historic environmental racism and environmental injustice that has characterized Chester is not just something that’s happened in the past. It is something that continues. And the imposition of this pipeline in and around the community of Chester is a good example of that.

Secondly, I would like the EPA, as Aurora just said, to help the community members like us better facilitate our connections with friends and neighbors in Chester so that we can band together to resist this imposition of these biohazards in the future.

I help with an organization called Swarthmore Chester Leadership Institute. It’s a fellowship of Swarthmoreans and Chesterites who have gotten together to intervene around the education crisis in Chester, specifically with regards to early childhood education. We are working against the rising tide of biohazards in Chester which undercuts the ability of children to learn and to progress and to flourish in the classroom.
So as we focus on new challenges to this community with, for example, the imposition of the Sunoco pipeline, also could you help us better the connections amongst ourselves so that we can work together to resist future impositions and also work together on the education crisis and healthcare crisis to Chester City. Thank you.

MR. BRAKEALL: Thank you.

MS. WEST: Good evening, everyone.
MR. BRAKEALL: Good evening.
MS. WEST: I thought I was signing the sign in sheet as well.

But first of all, I'd like to thank the Department of Environmental Protection for their assistance that you have provided to us here in Chester, your partnership with the Chester Environmental Partnership, which I'm a member. And we are very grateful for the things that you have done and the things that you will continue to do to make sure that we have a safe environment.

I'd like to know - I just want to set the record straight. There are a lot of people here in Chester. We do not want to move. We love it
here. As a matter of fact, I'm looking to purchase some land and to buy a house here, not Delaware or anywhere else. Chester. I love Chester. And there are a lot of us who feel the same way. So it's not that we can't get out. A lot of us can and some of us do. But some of us choose to stay here. And we choose to stand and fight for a safe environment for ourselves and our children.

I'd like to know more about the Swarthmore and Chesterites we have in the room. I'd like to know more about you. I've never heard about you and would like to know more about what you're doing because there are some of us that maybe you should be talking to so that we can stand together.

So thank you all for coming out and bringing comments and what have you. And I'd like to thank this gentleman for your participation to come out to all of our CEP meetings. And I want to thank you for your support. And to secretary of the DEP, thank you for being here to speak.

MR. BRAKEALL: Thank you.
Peter Osaba?

MR. OSABA: Hi there. I actually didn't have anything planned to say until I walked in here. I'm a member of an organization just -
which there are a number of members that pointed out
to me yesterday to us - to me about multiple groups
that I'm a member of.

My deepest concern for the State of
Pennsylvania is the impact of gas powered fracking
in the state. I've spoken to a couple of
politicians locally after meeting them and they were
doing some things about, you know, cleaning the air
around the pipe fracturing sites.

My concern is that we don't become
another earthquake center like Oklahoma. So I'm not
sure what is happening. There's never been an
earthquake in Oklahoma until high pressure fracking
became a developing industry in that state. Also
the policing of the aquifers, because many of us
have no idea what's occurring from the dumping of
the noxious water that goes into running these
facilities.

I think the concern about us being a
Commonwealth when in fact I'm deeply more concerned
about us being a corporate wealth. Corporations
have their fingers in just about everything we do
and sadly to say they are bothering many of the
public-private partnerships deliberately to give
everyone the impression that we are joining hands to
help one another. That can be furthest from the truth as you wish to take it.

I'm not familiar with the gentlemen at the front of the room because I came in a little from training session. But I'm very, very concerned about the impact of this industry in the State of Pennsylvania. And I believe that all of us should call our politicians and our agency heads and request them that these industries be closed down and put out of business so as to not poison the water that we drink and the air that we breathe and the land upon which we walk.

MR. BRAKEALL: Melissa Tier?

MS. TIER: Hi everyone. My name is Melissa Tier. I'm the Sustainability Manager, also at Swarthmore College. And I live in Media, Pennsylvania. Thank you, first of all, for your time.

I want to just basically give a perspective from the community. And highlight especially the - the environmental injustices across the world. We know that young people are some of the most harmed by biochemical toxins and related impacts. Young folks, most of their bodies are growing. And in the future, as the younger
generations face all of the many disasters that our world is facing.

We need to highlight that fact that there are many assets to environmental justice community groups that are disproportionately affected. As someone who works with students and as still quite young myself, this is the focus of many people.

And to - to the DEP, I guess my request is to - as you identify goals for - for developing goals in these communities to reach out to young people and figure out who to engage them and to make it known what you’re doing. I think you do incredible work and I have a lot of respect for you. But we don’t really know what you’re involved with. And these sessions are a great place for young people who are starting to get more prepared.

Thank you.

MR. BRAKEALL: Thank you. Jean Straton?

MR. STRATON: I don’t have anything.

MR. BRAKEALL: Francis Baker?

Christine Adova?

MS. DOVA: Good evening everyone. My name is Christine Adova. I am a lifelong resident
of the City of Chester. I am here on behalf of State Representative Brian Kirkland who wanted me to give you his regards. Currently, he is in Harrisburg. He is in session today. But he wanted to say thank you for coming out to the Chester community and hearing the voice of the 159th District.

Also, in our office, we do have many services. And we want to encourage everyone in here to stop in our offices to see exactly all the services that we do provide. And again, I just wanted to say thank you all for coming out and voicing your opinion, as it is important. What you have to say is very important. And I thank the DEP for coming to this community again. Thank you.

MR. BRAKEALL: Thank you.

Abdul Muhammad? Dr. Marva King?

DR. KING: I'm Dr. Marva King, but I'm letting everybody that I thought that was sign in sheet too. So I'm just - well, I'm just bringing great greetings from the Environmental Protection Agency in Washington, DC. I work in the Office of Environmental Justice.

And I got my Master's writing a thesis on Chester at the University of Delaware. There
have been change - a lot of changes since then. But
there's still a lot of work that has to be done.
And a lot of work. And actually got my Ph.D. from
George Mason. And my distinction was on community
collaboration and environmental justice. And I say
this to the academia in the room, I'm glad you're
here. Make sure you - the mass of the EJ movement
is we speak for ourselves. So don't speak for them.

I would also like to tell - a little
critique. And it's basically on the signage
downstairs. There's no signage. And I think - I
almost didn't walk in the door because it said the
door closed at 4:30. And so we'd like to be very
open and public when we have meetings.

And I highly am really pleased about
this meeting. I had to work at home today. I had
to get up here fast and see what was happening. The
Department --- DEP has changed tremendously. And I
will say you're right on the road to South Carolina,
who I think is one of the best EPAs out here. And
It's not everyone who would think that. Right? But
they really are very good. And I think that you
guys are right there. Thanks.

MR. BRAKEALL: Thank you.

Carol Armstrong?
MS. ARMSTRONG: Hello. I'm Carol Armstrong. I live in Chester County. I've been a scientist professor of brain science for the past 35 years, oncology for the past 20 ---- brain cancer and radiation for the past 25 years. And I am now switching my career to a volunteer career I begun as trained by Penn State extension. And I'm spending my time at the - on trying to work with the wonderful many government and private groups trying to restore our Pennsylvania waters.

Here - here are my comments. Engaging people and raising a discussion defines our role as citizens in democracy. One of the top priorities for improving - I'm sorry - I want to thank the DEP for your persistence in these demoralizing times, for - you've had cuts to your budgets for more than 20 years. Still trying to serve the people of Pennsylvania and our environment by maintaining our constitutional rights. And I appreciate you having a vision that you're trying to carry out. So some of these things that I say you may already are trying to incorporate. But I want to make the points.

One of the top priorities of improving environmental justice in Pennsylvania is to provide
more information to the residents and citizens of Pennsylvania so that they are better prepared to participate in the process of environmental regulations. In order for citizens to participate in risk decision, they need to have fuller and earlier access. More participation may contribute to better decision making by government, the inclusion of a broader range of values in its decisions and reduction in the probability of error.

Citizen involvement and democratic processes and the institutions in which democracy forms and enforces our society has increased significantly in 2017. Citizens have been handicapped by not knowing early enough the potential risks of climate change, environmental damage, and planned appropriations through development and the placement of infrastructure or new resource acquisition.

Citizens are also handicapped by not participating in environmental decision making. For example, the heightened risk to the City of Chester for the effects of climate warming, which according to Pennsylvania's --- is the highest of the major cities in the state.

There has been an unfair imbalance of
knowledge which is giving corporations the advantage and impacts citizen participation in our efforts to meet. Public hearings are one form but are often too late in the process – maybe not in this case – but too late in the process and they are the only institutional form of interaction between DEP and the affected public.

It is well known that this mechanism of hearings is flawed by weak prehearing procedure, problems in providing good technical information in a way that provides testament of the implications of proposed actions and alternatives, a biased court participation of parties that have high economic stake in the decision and are biased against quality of life in regional planning by those living in impacted environments. And by the foundation by organized interested whose main effect – those main affects are on residents' lives.

We need to be able to place issues on the ballot for voter approval which is the prototype of the democratic process. So while this is a process in need of the state as a whole, the DEP might find that its own decision making process could be improved by greater citizen involvement in general. And by direct holds on specific
environmental issues especially when the regional impacts have begun.

Another option is for DEP to establish citizen review panels in order for the public to participate in technically based decisions. This gives access to technical information and opportunity for debate of evidence in issues. In this case, parties have had access to information as needed which is historically lacking as it is now and is a major component of their unrest and complaints.

There is an increasing available pool of residents - residents who are scientists in the field of environmental studies and other relevant fields. Review panels should always include residents from the affected areas who are involved in the institutions of that area such as schools and groups to help environmental welfare.

In summary, the public needs to participate on some basis for equality with federal and state administration officials as experts and corporate interests.

Many policies and processes have been incompatible with democratic ideals. The DEP’s efforts will only achieve its goals in environmental
justice if the public can review a request early in this decision making process rather than in the last steps of granting approval.

Furthermore, acknowledgements - acknowledgement that more public participation is needed aside from public participation and decision models that underlie policy decisions. Although the public tends to emphasize catastrophic effects on low probability events their participation would inform policy makers about how to weight sources of insurgency and risk assessments, how to compare risks, and how to balance scientific concern against the magnitude or irreversibility and ecological effects.

Thank you for this opportunity.

MR. BRAKEALL: John Shelton?

MR. SHELTON: Good morning. We’re glad that you’re here. We need you. First where we should have been years ago. I wish it had happened 40 years ago. But it’s happening now. Thank you.

MR. BRAKEALL: Jocelyn Basamanti?

MS. BASAMANTI: Hi. I’m Jocelyn Basamanti. And I’ve been a resident of the City of Chester since 1989. And I’m glad that the DEP is here to hear our concerns of the residents. And I
want to emphasize that there are problems to
pople's health here because of the pollution to the
vironment coming from several pollution industries
and that we need clean water, clean up the air, and
keep our lives up from - I don't know of how many
air monitors there are in and around City of
Chester.

But if there aren't any, there should
definitely be - monitored and to be sure that the
air is clean enough, especially because our children
live here and have asthma. And in addition to
Philadelphia having a high asthma rate, the City of
Chester does, too, and the hospitalizations because
of the respiratory problems here.

I wanted to say that the Pennsylvania
DEP gathered in August of 2016 to show the air
pollution of Pennsylvania's natural gas production
sites increased from 2013 to 2014. Unfortunately,
the data meets air emissions of Shale Gas emissions
in reports, but many other air pollutants could be
unreported - underreporting their presence in our
air because the data was supplied by the oil and gas
industry themselves. And they have been criticized
for producing inaccurate figures from outdated
methods and not verifying that they're taking - for
this year's direct source of a pollutant.

This increase in finely structured air pollutants happen while operational well sites and their supporting infrastructure might --- which also released pollutants declined by 2.7 percent, but the number of pipelines and their supporting infrastructure increased by 12 percent from 2013 until 2014.

Since these pipelines and their related infrastructure sites emit pollutants, they must be treated as a threat to our air quality. The air pollutants increased from 2013 to 2014. Our pollutants includes sulfur dioxide, which was 40 percent and contributes to acid rain and causes respiratory problems including asthma. Nitrogen oxide was 18 percent and included the foul smell of nitrogen dioxide and nitric acid which - which with other airborne chemicals help form smog and other particulate matter in the ozone. And all of these components have harmful effects on the respiratory system and can cause asthma or aggravate it.

Particulate matter and well-absorbed organic compounds rose 25 percent. Carbon monoxide rose 19 percent. And methane, which rose 12 percent, is a much more potent greenhouse gas than
carbon dioxide by trapping 28 times more heat.

Additionally, particulate matter causes heart attacks and can be fatal for people with heart and lung disease. While also organic compounds are irritants that can cause headaches, nausea and liver and kidney damage.

Carbon monoxide is undetectable to the five senses and is harmful and can be deadly because it displaces oxygen in the blood and denies the heart and other organs of oxygen. Extended exposure to a lot of CO or carbon monoxide causes symptoms such as headaches, drowsiness, nausea, muscle weakness, unconsciousness and finally, suffocation.

The problem of methane is acid. Methane in air at 5 to 15 percent can be explosive, cause large concentrations of methane in enclosed areas, decreasing the amount of oxygen in the air, it can lead to humans experiencing nausea, headaches, dizziness, unconsciousness and potential suffocation.

And fossil fuels including natural gas here in Pennsylvania, the state's DEP should conduct frequent unannounced tests, measuring with instruments at multiple points in all commercial sites that are capable of releasing any type of
toxic emissions into our air and water.

    The daily monitoring of emissions
should happen in any industrial sites or coal-fired
and gas-fired power plants should be done by
equipment and instruments that have an accuracy
reliability frequently, verified by a state agency
so that these emissions is meant to protect our
health.

    The end of any production, transport
or burning of natural gas or any fossil fuel must
occur after 15, the rise in global warning to the
limit of to one and a half degrees Celsius will
stop the worst effects of climate change.

    Natural gas, which primarily contains
methane and small scents of other components,
including the pollutants I mentioned above, is
dangerous and contributes to climate change from the
moment of its extraction from underground through
the tubes and burning at the power plant, your home
or in a business where it releases CO2.

    This can lead to an explosion
happening at one of the natural gas drilling sites
and the pipelines carrying fossil fuel products into
the businesses and homes that use these products.
In total, these accidents have killed thousands of
people. And sometimes the natural gas explosions
have destroyed one or a few homes in the
neighborhood. And at other times, an entire block
of homes has been destroyed.

Do we really want to continue to live
with the anxiety of not knowing about the customary
use of fossil fuels in our businesses, schools and
homes?

The latest research shoes that
extinctions due to climate change have already
occurred in hundreds of plant and animal species
around the world. As we are known for our safe
forms of energy to power our electrical grid or
directly provide energy through work, through the
school or where you live. We in the future can
avoid the risk of not doing what we could to prevent
tragedies caused by recent fossil fuels or not doing
all we could to prevent the worst weather that's a
result of climate change and protect the health and
safety of future generations and our already
vulnerable adolescents.

Thank you.

MR. BRAKEALL: Vanessa Dressick?

Catherine Flag?

MS. FLAG: Good evening. I would like
to say to the DEP, thank you so much for coming. I'm one of the citizens who's lived in Chester all my life - most of my life, and I chose to stay here. And, you know, we need you. We desperately need you. Now, I'm encouraging you to work with local organizations. The EPA has been placed under a lot of strain. And the other organizations and city officials to make a difference in the city so there will be a healthy, safe place for us to live. Thank you.

MR. BRAKEALL: John Scott?

MR. SCOTT: Good evening, Mr. Secretary. Thank you, Carl, for doing this. I bring greetings on the behalf of Covanta. Covanta is the world's largest energy from waste facility. We have a facility here at Chester that's been here for over 25 years.

Ever since Covanta has assumed operation facility, we have acted within guidelines as well as EPA regulations. It's been a pleasure to work with Covanta and also Chester - the Chester community. To me, Chester is family. All of the folks that you see here I have grown very close to after five years of working here.

It's something that is gratifying to
me to be able to go out to the schools and talk about environmental education, to go to the universities of approved positions, to establish non-profits such as Keep Chester Beautiful, that focus on litter prevention and waste reduction. It's something that Covanta has had a part in. And I believe that the industry and community can continue to create a brighter Chester on a regular basis.

So again, I thank Carl for leading this. I know that he is pretty much a band of one at this point. And I definitely believe that, you know, moving forward, that a lot of resources should be put into environmental justice advocacy. So thank you.

MR. BRAKEALL: Thurman Brendlinger?

MR. BRENDLINGER: Thank you again for being here. I'm with Clean Air Council, and we're a non-profit organization helping to preserve everyone's right to breathe clean air.

And I think Ms. West mentioned earlier, everybody in Chester who lives in Chester shouldn't have to move away from the pollution that's here. And to see the situation conducted here in Chester is certainly not just one - a number
of plants to that cumulative effect has a huge health burden on the citizens of Chester.

So that plus - I don't know, someone had mentioned earlier, this is the 95 corridor. So there's diesel traffic going up and down 95, which causes emissions of 2.5 and is deadly. And so that along with everything else are all burdensome to this community.

So it's great that we're getting together here tonight to talk about an idea that we might put out there --- from the settlement fund, perhaps the funds from that could be shifted towards cities like Chester to help alleviate some issues.

So thank you again for the opportunity.

MR. BRAKEALL: Thank you.

Louis Grand? Saiga Elliott? Last on the list is Sarah Casson?

MS. CASSON: Good evening.

MR. BRAKEALL: Good evening.

MS. CASSON: Secretary McDonnell and Mr. Jones, thank you for being here. And hopefully, thank you for listening.

My name is Sarah Casson. I'm 82 years old. I've pretty much been dedicated to the
environment for most of my life. I went to college. I was a late bloomer. And I graduated with a Bachelor's in chemistry and biology and went to work for Temple Med School and then the University of Pennsylvania.

From there, I went back to school to get my certificate to teach high school chemistry and biology. And low and behold in 1988, I went to work for EPA here in Chester.

I worked in the super pond, I worked in waste management, and I worked in the inspection of aboveground tanks. Try climbing it, I was there.

So there's a history here. The history is our problem. And because of the history, we need to look at it carefully, like you said. We don't want this to continue. So let's start with fracking.

Fracking came in and in no time, they contaminated the drinking water which people rely, and nobody stepped in and said don't do this. The DEP did not. They were there but somebody should've stood up and said this is not right.

So let's move on from fracking. And we'll go now to pipelines. The same thing is happening. Nobody is informing people of the risks
of having a pipeline go by their hospital or school, et cetera. It is dangerous. And we can see it now. People are reading about it. Everything that has been happening with pipelines - so let's do something about it. And I'd like to make the Lancaster meeting.

    My colleague, Secretary McDonnell and others talked about what was important. But a dialogue is not just me talking to you. You've got to speak to us, too. You've got to the community organized. You've got to speak to them. You've got to work with them you've got to help communities know what they need to look out for, where they have a right, what they can say no to without being thrown in jail, sued for umpteen dollars or whatever.

    So communities, that's what I ask of you. Help us and we'll help you. Thank you.

    **MR. BRAKEALL:** That's everyone on our list. Is there anyone else that'd like to speak at this time that has not spoken?

    Yes?

    **AUDIENCE MEMBER:** I'd like to rescind my non-comment. And I've been inspired by this young lady because she says that she's 83 - 82, 80-
something. In the 80s. Well, I'm—this is your partner in crime. And if I see to it before, I think I may make 84.

But I'm sure you guys do good, but we also have to continue to work on our environment. We work hard here in Chester. And we've come a long ways. But I am concerned about our Delaware River.

I believe that it's not really as clean as it should. I really wouldn't even want to eat fish from the Delaware River.

I am concerned about a high rate of asthma. And I'm also concerned because I didn't hear this. We also have a high rate of glaucoma here in the city. You know all that.

Now, with this, we've come a long way, but we still have a ways to go because we have had a grant. And we had a grant from many programs. That was wonderful. But we no longer have it. So hopefully, there will be somewhere we'll be able to get some funds to continue that.

Global warming, I know through living influence— influence the people in D.C. that there is such a thing as global warming. And we know that just by this past winter. This past winter, we only had one kind of a snow, that maybe you could get one
or two shovels. But it was a warm winter. That’s
global warming. And we need to let them know in
Washington that - respect God’s work. It’s global
warming, but we are contributing. If we then
contribute, then it would do it a little
differently.

Now, another thing, I have to say that
Covanta, although they are - they might be known as
burning waste or whatever - I have to say publicly
that they are good neighbors. Covanta really helps
the city. I know that everybody has problems, but
because of CEP in this city, which many of us even
might remember, but because of Dr. Strand and CEP
and his board, they keep Covanta and anybody else
that comes into the city on their toes.

So to the young lady that said - I
think it was a young lady - that said we need to all
work together, we do here in Chester work together
even though we - we’re not perfect yet, but we’re
working in that direction.

What we need you fellows from
Pennsylvania to continue to fight the struggle for
us and please remind D.C. You know what I mean.
All right.

So I just brought my business card
because I was not aware of the Chester Swarthmore partnership. But I want to get the gentleman - I want to give the gentleman my card, because anything concerning Chester, I'm here by choice. I love Chester. I love the community. And I stay here - and I stay here because this is where my church family is.

This is where my community family. And if you ever come back to Chester, we stay here a while. You will know that Chester is one family. Because we have one high school, so everybody in Chester went to that one school. So we know each other. And we are connected some kind of way down the line. We are family. So we are very, very sensitive about what you said about our Chester.

But we're - we're on the move and thank God for Dr. Strand. Thank God for you gentlemen. And listen, if you really want to be continuously interested, come June 19th to our town meeting, Monday night at Faith Holy Temple. There's flyers on the table. And the national president will be here to speak to us. But we're - we're fighting, we're struggling and we need to continue to improve our city.

But thank you again, gentleman, for
coming and for listening. And thanks for all those that speak in and out of Chester. We do appreciate you coming down to see us. Thank you.

DR. STRAND: Last two here, we tried to stay within the three minutes.

DIRECTOR JONES: We were having John call the list. And then we will have people - we have more time, you can come up again for additional testimony.

DR. STRAND: Well, we only want to come up for -.

DIRECTOR JONES: You want to do it there?

DR. STRAND: All right. If you don't mind.

DIRECTOR JONES: That's fine.

DR. STRAND: I just want to say a huge thanks because of the fact that we're trying to stay within the confines of three minutes.

Number one, we've been working hard in the city for years to try to address the issues of this time. One of the issues we've dealt with is the industry that are emitting, you know, the toxic fumes. We have a company under the name of Kimberly-Clark that has listened to the community,
met with the mayor and council. And at the advice of this community, we advised them to do away with their coal burning premises.

    We can all kind of talk to the communities there and to convert to natural gas, which is a much cleaner source for energy. This came because of a partnership between the community and industry. Right now they're, lobbying in the State of Pennsylvania, the Governor's Office, for support for over a hundred and some odd million dollars to make that conversion. That will eliminate a lot of the emissions here that we're dealing with.

    Also, DELCORA has converted its coal furnaces into natural gas, a much cleaner resource. We'll turn to fracking, they were going to bring all of the fracking water that they could down to DELCORA and do treatment and dump it in the Delaware River. This community, along with environmental organizations banded together and stopped them.

    So for the first time in history, we had the DEP rescind the permit that they - DELCORA - improperly - and had the secretary make a public announcement apologizing for the permit.
We're a proactive community here. As far as management is concerned, for ten years, we've worked with the DEP and the federal government to do an asthma daycare program and had the data, along with Crozer, that showed that because of our efforts, the children's asthma rate declined. Admissions to the emergency room and absenteeism in school declined as a result of the work that we did. And all the money was pulled. Okay?

We know what to do. We know what our problems are. We just need somebody to come in here and empower this community because we are competent, professionals, scientists and educators who are working to change this thing around. We took over the government and the bragging folks that was a part of the problem and created the math and put people in place that are sensitive and concerned about this community.

So on June the 19th, we got the director of an organization that's got a lot of money. Okay? And we need to be there to let her know that Chester's ready to move forward, give us the money. Help us do the research. Help us do the work.

And Mr. Secretary, if you could please
tell the government to just give us some money so we can have this.

DIRECTOR JONES: We have one more person that hasn't spoken yet.

MS. SMITH: Livia Smith. I'm the Director of the Health Services in the City of Chester. And some of the things that you all just said, I concur with. We have funding for asthma and lead. And over the years, it seems as if the money that I see - the money is pulled and redirected to other areas to take care of the bills that we have. Okay?

So I'm asking that we will seriously use the money we need in the city to redirect that funding back to the City of Chester so we can take care of our environment which is here.

Now, we have a very good health department and health education. And we do allow information or give out information to our citizens, and also our citizens including our students in schools so they can figure out and became aware of what the quality of air is like for them. I'm a retired teacher. And I can say I'm not told about the exterior air that we breathe in based on the quality of air issue internally in our aging school
district. I know you’re not the Department of Education. But you can just relay this.

Because of our aging schools - our newest schools are 40 years old. And some people here may be 40 years and younger. So I’m just saying that the air internally is - is a detriment as much as the air externally in our environment. We’re plagued by black mold and all those germs that contain allergens. Okay?

So I’m just saying from a health perspective, look at the internal structures of our aging buildings. Look at the external structures of our city because they aren’t just going to stop in Chester. It goes up through --- we might even want to have all the industries have --- the initiative takes place because of very unhealthy conditions.

It took me until the age 50 until I got asthma. So you can see how certain things can be within the system for a long period of time being dormant. And it just takes certain airborne things that will trigger some other illnesses that people have. So I just wanted to say that for the record.

Bring funding back home so we can continue to do the work that we need to do for us. And when you help us, the oldest city in the

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Commonwealth -

MS. SMITH: - the oldest city in Delaware County, that we will also share our air.

MR. BRAKEALL: Anyone else that would like to speak? Yes?

DR. WINTERS: Good evening. I'm Roberta Winters and at this time I would like to speak on behalf of the League of Women Voters of Delaware County which I serve in a leadership capacity. And I'd like to speak after the last speaker.

More than four decades ago, the League of Women Voters of Central Delaware County set up a meeting for the public health department. Since that position was updated in 2009, we have learned that the Delaware County, where we currently sit, is the largest county in the United States of America without a public health department. After we speak tonight to you so that you might join with us in supporting the formation of a Delaware County Department of Public Health.

Given the environmental justice concerns of this area and the need for the safety of our emergency preparedness in facing potential disasters of unknown proportion, a public - a Public
Health Department would provide basic public health services, find the problems and identify public health and safety issues and improve the health of residents. Promote public education on these issues and coordinate responses to public health and safety emergencies and meet state and federal requirements.

Further, by consolidating public health services in a single government entity that makes federal and state requirements in our county. This makes Delaware County eligible for the state and federal funds, bring tax payer dollars back in the county and provide additional resources that will improve the quality and scope of public health services to all county residents by ensuring government coordination and timely response to public health emergencies.

Thank you for your consideration and opportunity to address this matter with you.

MR. BRAKEALL: Thank you. Nobody else?

DIRECTOR JONES: Going once, going twice before we close out.

Again, I want to say thank you all for taking the time out this evening to spend with us, giving us information that we can use to start the
conversation with you all about how we view environmental justice inside of the Commonwealth. As I said at the beginning, up on the screen is our contact information. If you know folks who are not able to make it out tonight but who would like to give us testimony, please have them email us or send it to us in writing. We look forward to receiving as much feedback as we can. And it helps us in doing research. I'll turn it back over to Secretary McDonnell. But thank you again for being here tonight.

SECRETARY MCDONNELL: Thank you all for bringing incredibly thoughtful comments, the passion that everybody had for your area. You know, sitting up here, can't help but - the DEP was impacted by that, frankly.

So we very, very much appreciate all you've brought here both today and what you've brought in the past. And what you'll bring to the conversation in the future. And we very, very much look forward to working with each and every one of you. So thank you very much for your time and attention tonight. Thank you.

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HEARING CONCLUDED AT 6:33 P.M.
CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Director Jones was reported by me on 5/23/2017 and that I, Nicole B. Slick, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Nicole B. Slick
Court Reporter
Nicole B. Slick