

**ENVIRONMENTAL JUSTICE ADVISORY BOARD**  
**CONFERENCE CALL**  
July 9, 2019

**Voting Members Participating:**

Adam Cutler  
Arthur Frank  
Clea Hollis  
Gary Horton  
Carol Parenzan  
Allison Robinson  
Jerome Shabazz  
Tom Torres

**Non-Members Participating:**

Allison Acevedo – DEP  
John Brakeall – DEP  
Abbey Cadden – DEP  
Glenda Davidson – DEP  
Justin Dula – DEP  
Audrey Kulberg – DEP  
Bert Meyers – DEP  
Nora Alwine – DEP  
Alice Wright (for Horace Strand)  
Tamara Peffer – PDE

**Call to Order:**

Chairman Cutler called the conference call to order at 1:00 P.M. with a quorum.

**Approval of Minutes:**

The Chairman solicited comments or corrections to the Minutes of the May 14, 2019 meeting. Hearing none, the Chairman requested a motion to approve the Minutes.

**Arthur Frank moved to approve the Minutes of the May 14, 2019 meeting. Allison Robinson seconded the motion, which was then unanimously approved.**

**Review of Agenda Items:**

**Boards and Commissions**

The Office of Environmental Justice (OEJ) staff met with DEP's Policy Office to identify boards or committees with vacancies that are actively seeking members. The Water Resources Advisory Committee (WRAC) was identified as a priority. WRAC is focused on several issues regarding water resources in the Commonwealth and membership is at the Secretary's discretion. The committee currently has 17 members; there is no limit on membership in the by-laws. Qualifications include individuals with technical backgrounds and experience in biology, geology, toxicology, hydrology, engineering, or other areas related to surface or ground water environments. The committee makes recommendations and provides advice on water regulations and issues before DEP. The liaison who oversees the committee is seeking more membership diversity. Allison Acevedo asked whether EJAB members could identify someone from the community who might be interested in joining the WRAC or whether any EJAB members are interested. OEJ will then take the recommendations to the Secretary for his approval. No legislative or other approval is required. Gary Horton indicated an interest in joining the committee.

## **Act 2 Follow Up – Municipalities Engagement**

Justin Dula explained that OEJ is creating a pilot fact sheet in the Southeast Region to explain the Act 2 law. The draft was circulated between the Regional Director, the Communications Office, and the program staff in the region. Unfortunately, this project has been delayed by the urgent need to focus resources on the Philadelphia Energy Solutions emergency. EJAB members would like to see the draft and be able to provide feedback before the fact sheet is released to the municipalities. Justin agreed to share the draft with EJAB members before the next meeting, contingent on DEP staff completing their review.

## **Waffenschmidt Symposium**

The symposium subcommittee has not been able to meet because of other commitments. A meeting is anticipated to be scheduled in the near future.

## **DOH Subcommittee**

Allison Robinson indicated that a recent introductory conference call was held. The parties included Allison Robinson, Arthur Frank, and Allison Acevedo, as well as three people from the Department of Health's (DOH) Environmental Health and Epidemiology Department. The goal of the conference call was to frame the committee's charge, challenges the committee faces, and potential needs. A follow-up call will be held in July to continue formatting the framework.

Allison Acevedo stated that OEJ met with DOH too. Ongoing meetings will be held to identify issues that may be important for the two departments to address, including health data and health equity. DEP's Policy Office will be looped into the meetings.

## **OEJ Updates:**

### **EJ Policy**

The EJ policy is being routed internally and should be published as final and publicly available in the next few months.

## **Transportation & Climate Initiative**

OEJ is still involved in the Investment and Equity Group. The group is focused on looking at investment strategies that may be useful for communities, electric vehicle discussions, transit system discussions, other transportation alternatives, and tools to model investment strategies.

## **DOH Meeting**

The OEJ is working with DOH Office of Health Equity and Division of Environmental Health Epidemiology to identify critical common issues addressing EJ populations or principles that are important for both agencies. Climate is one relevant area to both DOH and OEJ. The Climate Change Action Plan has a section dedicated to human health and vulnerable populations and how climate change affects EJ communities. OEJ and DOH will continue meeting to discuss collective resources around identified issues.

DEP's internal EJ Workgroup has discussed how the work of the various programs intersect with EJ.

Opportunities will exist for EJAB to be involved in OEJ initiatives as planning and implementation moves forward.

**Nora Alwine – SWRO/NWRO Regional Coordinator**

Due to its ongoing and persistent violations, DEP denied Erie Coke’s Title V permit on July 1. An injunction was filed in County Court to shut down the facility, which was appealed by the operator. The Air Quality program staff of the NWRO will participate in a hearing before the Environmental Hearing Board to defend that position. There is currently a stay, and the facility will remain operating until a decision is made. OEJ and NWRO staff will convene the Erie stakeholder group for a meeting later this month to provide updates and next steps.

In the Southwest Region, there have been several informal public conferences with the mining staff regarding revisions to permits on the Bailey Mine and Enlow Fork Mine in the southwest portion of the state.

**John Brakeall – NCRO/SCRO Regional Coordinator**

In the Northcentral Region, OEJ’s work has been focused on the City of Shamokin. DEP applied for and was awarded a Small Community Technical Assistance grant from the EPA, which focuses on providing education, building capacity, and some early phase strategic planning and inventory of brownfield sites. Internal meetings have been held to discuss use of the grant monies and the OEJ has met with the City of Shamokin and several other community groups. A draft scope of work has been prepared. A consultant will be hired in October to prepare a brownfields inventory, to prioritize brownfield sites, and next steps for brownfields redevelopment.

OEJ staff recently took a tour of the Shamokin Creek with the Secretary, Northcentral Regional Office staff, mining staff, and the Shamokin Restoration Alliance, which is a large nonprofit organization in the area that focuses on acid mine drainage. The group viewed acid mine drainage treatment systems, some of the proposed sites, and discussed possible funding mechanisms and opportunities to continue to advance the work in their area.

In the Southcentral Region, OEJ is working with the City of Harrisburg on several initiatives, including the City’s Environmental Teen Core program which is a summer work/learn program that the City hosts for approximately 100-110 youth ages 13-16. OEJ is working with the City to provide environmental programming and working with DEP’s Environmental Education Office and the Department of Education.

**Justin Dula – NERO/SERO Regional Coordinator**

Roundtables are being planned for the Northeast; one in the Lehigh Valley and one in Schuylkill County.

Underground stream conveyances carried through subterranean arches exist in older communities around Pennsylvania and structural concerns have developed. A Restore PA event centered around the issue is being held later this week in Pottstown. The problem has been identified in Pottstown, Norristown, and Scranton. It is an issue affecting older communities built during the turn of the century when rivers were covered, making them subterranean. This poses a significant financial challenge to local governments. Justin requested that members let him know if they hear of other communities dealing with subterranean arch maintenance issues.

An explosion at the Philadelphia Energy Solutions refinery occurred in Southwest Philadelphia. Initially DEP’s role was to evaluate what was necessary to maintain the facility, but DEP’s level

of involvement changed when the facility announced its closure. The Department of Labor and Industry is intervening to minimize the impact of job losses. At the time of the explosion, PES was undergoing environmental cleanup and its public involvement plan was posted online. For now, the website is a source for community members to get background on the project, but it should be noted that this is not a DEP operated website.

A discussion about methods to support the community, the ultimate closure of the plant, and the monitoring of public health ensued. Members expressed their opinions that the explosion is a huge opportunity for the OEJ to be proactive in terms of reaching out to the community to help them understand the resources that are available to support the recovery of their community and their lives after this major event. OEJ will provide EJAB with updates as more information is obtained, resources become available, and a strategy is developed.

### **Legislative and Budget Updates:**

Greg Kauffman, DEP's Legislative Affairs Director, indicated that the General Assembly is out until September. The House returns September 17; the Senate September 23. Several House Democratic Policy Committee hearings will be held this summer primarily focused on wind energy and sustainability.

The budget was passed this year on June 28, two days in advance of the deadline. There will be no tax increases, and the total 2019/2020 fiscal year budget is approximately \$34 billion, representing a 1.8% increase over the last fiscal year. There was a fairly large transfer to the Rainy Day Fund which will help the state weather the next recession.

DEP's General Fund budget is roughly \$135.15 million this year, representing about a \$20 million decrease over last fiscal year. When the special fund transfers are factored in, there is actually a slight increase over last fiscal year. A fiscal code provision allows the Secretary of the Budget to transfer an additional \$45 million from any fund under the Governor's jurisdiction to DEP and DCNR. Assuming half of those funds would go to DEP, the Department would be looking at roughly a 16% increase over last year's budget.

There are roughly 100 co-sponsors in the House and 25 in the Senate for Restore PA. The Department is continuing to its efforts to get that across the finish line in the fall.

Approximately \$200 per month in cash assistance was effectively eliminated in the budget. There are efforts to bring it back in a different form. Some of those funds were reallocated toward a housing program.

Greg anticipates no reductions in staff or inspection frequencies with the budget reductions. Fee packages are underway to try to support some of the operations, particularly in the water program.

### **Environmental Education and EJ:**

Tammie Peffer, with the Bureau of Curriculum, Assessment, and Instruction at the Pennsylvania Department of Education, gave a presentation regarding environmental education, the standards that are in existence presently, and how those standards are being used as themes and concepts in schools to promote environmental awareness. Tammie discussed the Department of Education's mission around environmental education, its core responsibilities, program objectives,

environmental education guiding principles, the Environmental & Ecology Education Program objectives and focus, avenues of support, and progress to date.

Bert Meyers, of DEP's Environmental Education Office, provided a detailed update on DEP environmental education (EE) grants. On June 28 a press release was issued that provided information to the public on which programs received grant monies from DEP's Environmental Education Grant Program. The grant program dates back to the environment and ecology agreement reached in 1993 mandating that 5% of fines collected by DEP be given back to various organizations in the Commonwealth to support EE programs. Bert reviewed the EE grants process and considerations and highlighted the projects with an EJ focus.

**August Meeting in Erie:**

The August 13 meeting of the EJAB will be held in Erie at the Urban Erie Community Development Corporation from 2:00-7:00 PM. The public is welcome.

**Adjournment:**

Chairman Adam Cutler requested a motion to adjourn the conference call.

**Arthur Frank made a motion that the meeting be adjourned, which was Jerome Shabazz. The call was adjourned at 3:15 P.M.**