

MINUTES
ENVIRONMENTAL QUALITY BOARD MEETING
May 19, 2021

VOTING MEMBERS AND/OR ALTERNATES PRESENT

Patrick McDonnell, Chair, Secretary, Department of Environmental Protection
Erin Smith Wachter, alternate for Allison Jones, Secretary, Governor's Office of Policy and Planning
Michael Hanna, alternate for Russell Redding, Secretary, Department of Agriculture
Paul Opiyo, alternate for Dennis Davin, Secretary, Dept. of Community and Economic Development
Peter Blank, alternate for Alison Beam, Acting Secretary, Department of Health
Mohona Siddique, alternate for Jennifer Berrier, Acting Secretary, Department of Labor and Industry
Emily Watts, alternate for Yassmin Gramian, Secretary, Department of Transportation
Heather Smiles, alternate for Tim Schaeffer, Executive Director, Pennsylvania Fish and Boat Commission
Jeffrey Painter, alternate for Bryan Burhans, Executive Director, Pennsylvania Game Commission
Andrea Lowery, Executive Director, Pennsylvania Historical and Museum Commission
Regi Sam, alternate for Gladys Brown Dutrieuille, Chairman, Public Utility Commission
Nick Troutman, alternate for Senator Gene Yaw, Senate Environmental Resources & Energy Committee
Senator Carolyn Comitta, Senate Environmental Resources & Energy Committee
Glendon King, alternate for Rep. Daryl Metcalfe, House Environmental Resources & Energy Committee
Representative Greg Vitali, House Environmental Resources and Energy Committee
Robert Barkanic, Citizens Advisory Council
Cynthia Carrow, Citizens Advisory Council
James Schmid, Citizens Advisory Council
John St. Clair, Citizens Advisory Council
John Walliser, Citizens Advisory Council

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

Laura Griffin, Regulatory Coordinator
Jessica Shirley, Policy Director
Robert "Bo" Reiley, Bureau of Regulatory Counsel

CALL TO ORDER AND APPROVAL OF MINUTES

The virtual meeting of the Environmental Quality Board (EQB or Board) was called to order by Chairperson McDonnell at 9:03 a.m. via Webex. The Board considered its first item of business: approval of the April 20, 2021, EQB meeting minutes.

Representative Vitali made a motion to adopt the April 20, 2021, EQB meeting minutes. James Schmid seconded the motion, which was unanimously approved by the Board. (19-0)

CONSIDERATION OF PROPOSED RULEMAKING: RADIATION SAFETY REQUIREMENTS FOR NON-HEALING ARTS RADIATION GENERATING DEVICES
(25 Pa. Code Chapters 225, 227, 227a and 228)

Krishnan Ramamurthy (Deputy Secretary for Office of Waste, Air, Radiation and Remediation) provided an overview of the proposed rulemaking. David Allard (Director for Bureau of Radiation Protection), John Chippo (Radiation Control Division Chief for Bureau of Radiation Protection) and Christopher Minott (Assistant Counsel for Bureau of Regulatory Counsel) assisted with the presentation.

There was no discussion following the Department's presentation.

Representative Vitali made a motion to adopt the proposed rulemaking. Robert Barkanic seconded the motion, which was unanimously approved by the Board. (19-0)

CONSIDERATION OF PROPOSED RULEMAKING: ADDITIONAL RACT REQUIREMENTS FOR MAJOR SOURCES OF NO_x AND VOCs FOR THE 2015 OZONE NAAQS
(25 Pa. Code Chapters 121 and 129)

Krishnan Ramamurthy (Deputy Secretary for Office of Waste, Air, Radiation and Remediation) provided an overview of the proposed rulemaking. Mark Hammond (Director for Bureau of Air Quality) and Jesse Walker (Assistant Counsel for Bureau of Regulatory Counsel) assisted with the presentation.

There was no discussion following the Department's presentation.

Representative Vitali made a motion to adopt the proposed rulemaking. James Schmid seconded the motion, which was approved by a majority of the Board. Nick Troutman (alternate for Senator Gene Yaw) and Glendon King (alternate for Representative Daryl Metcalfe) voted in opposition. (17-2)

OTHER BUSINESS:

Laura Griffin provided a regulatory update.

- The Noncoal Mining Clarifications and Corrections proposed rulemaking was published in the *Pennsylvania Bulletin* on March 20, 2021, opening a 45-day public comment period which closed May 4, 2021. Four comments were received. The Independent Regulatory Review Commission's (IRRC) comments are due June 3, 2021.
- On March 16, 2021, the Board adopted the Water Quality Management and National Pollutant Discharge Elimination System Permit Application Fees and Annual Fees final rulemaking. This final rulemaking will be considered by IRRC at its May 20, 2021 public meeting.

Glendon King asked when the carbon dioxide budget trading program (RGGI) final regulation would be brought to the Board for consideration. Policy Director Jessica Shirley responded that it is anticipated to be considered by the EQB this summer in July or August. She specified that while the exact date is currently undetermined due to pending review, it will not be considered at the June EQB meeting.

NEXT MEETING:

The next meeting of the EQB is scheduled for Tuesday, June 15, 2021.

ADJOURN:

With no further business before the Board, Representative Vitali moved to adjourn the meeting. Robert Barkanic seconded the motion, which was unanimously approved by the Board. The May 19, 2021, meeting of the Board was adjourned at 9:55 a.m.