

**MINUTES OF  
CITIZENS ADVISORY COUNCIL  
February 10th, 2026**

**CALL TO ORDER:**

Robert Barkanic called the meeting to order at 12:35 PM.

**CITIZENS ADVISORY COUNCIL (CAC) MEMBERS' PRESENT:**

Robert Barkanic, Chair	Jerome Shabazz
Trisha Salvia, Vice-Chair	Thaddeus Stevens
Jacquelyn Bonomo	John Walliser
Carol Collier	James Welty
William Fink	Timothy Weston
Jason Foster	Jessica Shirley
Dwayne Mowry	

**DEP STAFF PRESENT:**

Ian Irvin, Executive Director, Citizens Advisory Council  
Casey Damicantonio, Policy Office  
Joshua Neyhart, Policy Office

**JANUARY MEETING MINUTES:**

The January Meeting Minutes, along with the February Meeting Minutes, will be reviewed at the Council's meeting on March 10th.

**DEP UPDATE:**

**Jessica Shirley- Secretary, Department of Environmental Protection**

Governor's budget was presented last week, and key initiatives were announced. Overall, this budget reflects a disciplined approach to governing, cutting costs, protecting taxpayer dollars, and making critical investments to ensure PA remains on the rise and one of the strongest economies in the Northeast.

The Department issued its second SPEED permit, which was out of the Northwest Regional Office. DEP is still working out the SPEED process, however it is an alternative for an expedited permit with DEP ultimately retaining authority. There was also a \$3.7 million increase to the Commonwealth Office of Digital Experience (CODE PA), which develops IT programs, services, and solutions for agencies and set up the permit tracker for DEP.

The Governor, in his budget proposal, has proposed a \$20 million transfer from the general fund into the Hazardous Sites Cleanup Fund under the Hazardous Sites Cleanup Act (HSCA). The HSCA fund was established in 1988, providing a stream of funding that enabled the Department to clean up legacy pollution sites, toxic sites, and hazardous sites where there is no responsible

party. It also provides a 10 percent match requirement that the state requires Superfund sites, plus all the operations and maintenance, so once the site is cleaned up, we can chip in. The other 90 percent of cleanup costs see contributions from the U.S. Environmental Protection Agency, then it is turned over to the state to maintain it. DEP is projecting a negative balance this year and, without an influx of funding, would have to eliminate the program. Eliminating the program would be a huge detriment because these sites are in our communities but are not contributing, and continuation of the program would encourage redevelopment of these sites. DEP wants the sites cleaned and redeveloped instead of making them green fields, which the Department is seeing more of, approving more than 13.

HSCA also supports our land recycling program, which is where a developer or another responsible party would have to clean up the site and meet criteria in Chapter 250. The land recycling program was established in 1994 by Act 2 and approved more than 13,688 remedial actions, which resulted in cleanups at 8,816 sites.

The Department has been working to restore abandoned mine lands and plug oil and gas wells. DEP has received significant funding from the Federal Government through the Infrastructure Investment and Jobs Act to restore our abandoned mine lands and plug oil and gas wells this year. The Governor's budget proposes \$19 million general fund transfer to the oil and gas while plugging fund continues progress since receiving the federal dollars. The proposed budget otherwise costs carry all other funds for DEP.

DEP had a small reorganization, creating an Office of Permitting. The Department combined the Office of Program Integration and the regional permit coordination offices and named them the major project office. This reorganization will enable DEP to work on higher profile projects, and larger scale higher priority projects for economic development in the state. Another part of the small reorganization is moving the SPEED Office to the Office of Permitting. With these moves, DEP will have one person who oversees these initiatives, and DEP is currently interviewing for that position.

The Department is also reestablishing the Office of External Affairs. A lot of environmental work happens in and with communities, conservation districts, township supervisors, municipal officials, elected individuals, but the Department's relationship could be stronger. Therefore, DEP is reestablishing the Office of External Affairs by moving the Department's local government liaisons under this office. Each region will have one or two managers, and they will be out in the local communities informing them about grant programs, assisting with compliance initiatives, and being DEP's main connection. The focus is shifting to service delivery for not just state officials but local officials as well. David Lapadat is the new Director of External Affairs, bringing more than 15 years of experience at PennDOT most recently serving as deputy legislative director.

Questions:

- The Senate passed a bill to define attainable bottom so that well plugging can become more biddable. Can the department support the bill and assist moving it through the House?

The Department has some concerns about the way the bill is written, and there is some misinterpretation or inconsistency. Even if it doesn't pass through the house, we have been doing work behind the scenes and working with a group to have an agreement about what reasonable effort means.

- Chapter 71 has had two or three draft proposed rules written and published to the public for preliminary comment. A Council member is frustrated to hear it has moved again without collaboration with the Sewage Advisory Committee.

Our SE are locally driven by different dates months to month, and they cannot predict what the landowner may encounter as he moves through the planning process. A suggestion was made for additional lines of communication so that the Department can inform the community what the Department will be doing since there may be changes.

As for the Sewage Advisory Committee, the Department held 21 meetings on Chapter 71 updates with the committee and various other work groups. The regulations have not been updated in 25 years, which is a long time. Typically, a program adjusts along the way as it finds issues. So, it looks like there is one big change all at once. The committee wrote us a letter with concerns about the current draft regulations, and the Department is reviewing that letter to see if there are changes that should be made before moving forward to the Environmental Quality Board. However there has been significant input from our stakeholders, including from the Sewage Advisory Committee.

Finally, there was a request that a letter that outlines the Department's changes. This was a past practice of DEP, but now it has not been done in several years. The Department will be looking at restarting that letter to Sewage Enforcement Officers.

- If 20 million does not get funded to HSCA, DEP has obligations for engineering controls and monitoring old sites, how would we get those funded?

This would come from the general fund, which means individuals in other programs may have to be laid off. There are several programs that are not adequately funded, but DEP can discuss these items in future discussions with the Council.

#### **PRESENTATIONS:**

**Evan Franzese-Peterson, Executive Director, House Environmental and Natural Resource Protection Committee, Pennsylvania House of Representatives**

**and**

**Matt Osenbach, Executive Director, Senate Environmental Resources and Energy Committee, Pennsylvania Senate**

Mr. Franzese-Peterson discussed the recent separation of the House Environmental Resources and Energy Committee into the House Environmental and Natural Resources Committee and the House Energy Committee, chaired by Representatives Greg Vitali and Elizabeth Fiedler, respectively. Scope of the House Environmental and Natural Resources Committee includes the oversight of DEP and DCNR and a lot of legislation with the Energy Committee and Consumer Protection Committee.

So far, the House Committee has passed 13 House Bills, 1 Senate Bill, and 7 resolutions. Mr. Franzese-Peterson mentioned several of the bills that the House Committee is considering before turning to some of the primary interests of Rep. Vitali, including climate change, more specifically the energy generation mix in Pennsylvania, the oil and gas industry, emissions, and the industrial sector within the state. Rep. Vitali is also interested in DEP's funding and staffing, ensuring they are adequate to meet the Department's statutory obligations. Other items of interest include impaired streams and improving stream quality, abandoned and orphaned wells, waste coal industry, liquified natural gas export terminal, environmental justice considerations, and PFAS and PFOS. The Committee, this year, is working on a series of legislations around data centers, food processing residuals, and solar panel decommissioning

Mr. Matt Osenbach of the Senate Environmental Resources and Energy Committee first discussed some of the bipartisan efforts of the Senate Committee, including expansion of the SPEED Program and facilitating DEP's hiring of additional staff. Mr. Osenbach turned to some of the energy interests of the Senate committee, including interactions with the Public Utility Commission, PJM, and data centers. The Senate Committee would like to create an environment in Pennsylvania so that energy producers will want to responsibly work within the Commonwealth.

Mr. Osenbach moved on to a concern that the Committee had, the Regional Greenhouse Gas Initiative, or RGGI. The Committee has been asked about its plan which is to see more generation being built to address the energy concerns of the state and how nothing else can happen if you cannot turn the lights on. The Senate Committee recently passed the Grid Stabilization Security Act to find sites for natural gas generation. Mr. Osenbach talked about other legislation in the Committee, including attainable bottom for wells, steam cleaning bills, the Chesapeake Bay, federal funding opportunities with the U.S. EPA Region 3 Administrator coming from Senator Yaw's district, and the Clean Streams Fund obtaining a reoccurring revenue of \$50 million/year. Mr. Osenbach also discussed the strides Pennsylvania has made regarding the Chesapeake Bay, as well.

**Questions:**

- Are there some issues that both the House and Senate, Republicans and Democrats can find some place where they overlap and claim victory. If yes, what would that be?

While the parties and chambers may not be in full agreement on the policies to get there, there is quite a bit of consensus in terms of monitoring and remediation programs. The members of the General Assembly are always trying to figure out steps forward on some type of bipartisan efforts.

- With data center development in Pennsylvania, do you see a movement toward developing their own power source or do you see a movement toward co-subscribers with all the existing load on and off the grid?

In his budget proposal, the Governor presented the idea of data centers bringing their own power sources. One of the concerns the Senate Committee has with mandating bringing your own power generation is, because Pennsylvania is in the Regional Transmission Organization, data centers could be built on the other side of a state line and still use Pennsylvania's power generation. Such a scenario would mitigate economic development in Pennsylvania. Mr. Osenbach believes there is a solution to incentivizing data center's own power generation without mandating it because it could hinder development.

**David Masur, Executive Director, PennEnvironment  
&  
John Rumpler, Clean Water Director, Environment America**

David Masur is the Executive Director for PennEnvironment, a statewide non-profit group, and was joined by John Rumpler, the Clean Water Director at Environment America. The Delaware River is an incredible natural resource for those living in eastern Pennsylvania and in New Jersey. The Delaware River is think drinking water source for millions of Pennsylvanians. Recently, people are returning to the riverfronts, rivers, and streams feeding the Delaware River with increased recreational use. With the recreational and drinking water uses of the Delaware Riber, it is all the more important to face the big challenges of pollution and ensure a high level of water quality.

Through funding from the William Penn Foundation, PennEnvironment and Environment America began to look at fiscal year 2022 data for sewage pollution in the Philadelphia & Camden Region, but focusing on the Philadelphia side for today's presentation, subsequently incorporating data from fiscal years 2023 and 2024. One issue that was explored is the amount of sewage overflows connected to flooding in the city's streets and sewage backing up into people's basements. With combined sewer overflow, these systems do not have the capacity for the storm water to enter, which results in bacteria and pollutants flowing into rivers, lakes, and streams; flooding; and sewage backups into where they live and is an intolerable public health problem that hopefully we can resolve. Sewage flows into most local waterways 65 times or more per year. There are millions of instances across the country of people getting sick from swimming in contaminated waters and other recreational activities.

Goals of this project was to take data and put it into a format that will help tell a story of how it affects and what it can mean for everyday Philadelphians who are not scientists or policy experts. Subsequently, technical issues and policy issues can be looked at and addressed.

Cities across the country are dealing with sewage overflow issues and the trend is making more headway on resolutions and major reductions. Philadelphia is in the middle of the pack regarding median household income for large cities, however there are cities with incomes significantly lower that are finding feasible ways to get these projects completed. Long term control planning with the U.S. Environmental Protection Agency is planned to end in 2035. PennEnvironment and Environment America would like to update the control plan to lower pollution levels and review permits that were written more than five years ago considering new technology to implement better practices.

Additionally, PennEnvironment and Environment America would like to update the Triennial Review to give Philadelphia and the City of Chester the same pollution reduction standards as other cities, municipalities, counties, and communities all along the Delaware River because they currently have higher pollution levels, including wastewater flows from the suburbs to Philadelphia sewer systems. Finally, PennEnvironment and Environment America would like to see an increase in funding at the state, federal, and local level.

#### Questions

- How do you see these rising costs and the challenge of finding suitable densely developed parcels in the city to implement the Coordinated Capacity Strengthening initiative strategy?

A major distinction between Green City Clean Water Plan and other cities that are seeing 96 percent reductions in sewage overflows is that those other cities are not only implementing green infrastructure projects and conventional projects. The other cities are investing and placing major storm water tunnels to store the volume of storm water it is going to take to get the sewage overflows under control. In every city that has done both of these things, they have experienced dramatic reductions.

#### **Public Participation Committee**

Public Participation committee meeting was on Friday, February 6, wrapping up several initiatives. One of those initiatives was the submission of written comments and have a response back to commenter to potentially give a path forward. It is important that the public commenters are validated and get a response knowing the council did hear and respond to their testimony. The Public Participation Committee would like to figure out ways to respond and see how they fit within the Council's agenda and initiatives at various times throughout the year. In the second half of the year, the Committee would like to focus on increasing participation in the various advisory committees, councils, and boards of the Department.

### **Radiation Protection**

Radiation Protection met Wednesday, February 4<sup>th</sup>, and the topic was revenue package. The Radiation Protection Program has fees associated with their inspections and permit amendments so updating fees so the program could stay in black.

Across Pennsylvania, a Council member reported that he has not seen or heard of a community that warmly embraces data centers because the residents are concerned about the potential rising utility costs of water and electricity.

### **2025 Annual Report**

Annually, the Council issues an Annual Report and distributes to the Governor, Department, and General Assembly. The 2025 Annual Report is about halfway finished and will be present to the Council before finalization.

### **ADJOURNMENT:**

**Next meeting will be March 10, 2026, at 12:30 in Room 105 at RCSOB or online.**

**George Ambrose moved to adjourn the meeting. Jerome Shabazz second the motion, which was unanimously approved.**

**The February 2026 meeting of the CAC was adjourned at 3:25PM.**