

Meeting Minutes
Cleanup Standards Scientific Advisory Board (CSSAB)
Hybrid Virtual (WebEx) & In-Person Meeting (Room 105 of RCSOB)
August 11, 2022

CSSAB Members Present:

Charles Campbell, Chairman
Joel Bolstein
James Connor
Colleen Costello
Annette Guiseppi-Elie

Michael Meloy
Craig Robertson
Mark Smith
Mark Urbassik
Donald Wagner

Department of Environmental Protection (DEP) Staff Present:

Darek Jagiela
Michael Maddigan
Frank Nemec
Brie Sterling
Valerie Shaffer

John Gross
Nikolina Smith
Abbey Cadden
Megan Specht

Others Present:

Neil Ketchum
William Hitchcock
Sean Fullmer
Judd Herr

Stephanie Gundling
David Hess
Nily Dan

Open Meeting

CSSAB Chairman Charles Campbell opened the meeting at 0905 with roll call of those attending virtually.

Mr. Michael Maddigan made introductions for DEP staff attending the meeting in-person.

Mr. Campbell discussed approval of the CSSAB meeting minutes from June 30, 2022. The meeting minutes were not circulated before the meeting today and will be approved at the next CSSAB meeting on October 20, 2022.

Mr. Campbell discussed approval of the CSSAB meeting minutes from October 4, 2021. The CSSAB members had requested revisions to the minutes. Ms. Brie Sterling informed the board that the revisions have been made and will be posted to Land Recycling Programs website by the

end of the week. Mr. Maddigan confirmed the minutes were already approved pending changes, therefore there is no need to vote on the minutes at the next CSSAB meeting.

Administrative Issues: Mr. Maddigan reported that vacancies were in the process of being filled for environmental chemists and solid waste program specialists.

Membership: Mr. Maddigan reported there have been no changes or updates since the previous CSSAB meeting in June.

Mr. Mike Meloy reported that he would like to designate William Hitchcock as his alternative. Mr. Maddigan advised Mr. Hitchcock to send his resume and statement of interest to Ms. Sterling to route for proper Department approval.

Presentation of Lead Workgroup's Findings

Mr. Craig Robertson presented the "Final Report of the 2021 Lead Workgroup". Mr. Robertson reported there were changes that needed to be made to the workgroup recommendation to the Board at the June CSSAB meeting. The members from the lead workgroup convened to discuss the necessary changes.

Mr. Craig Robertson presented the members of the Lead Workgroup: Michael Maddigan (DEP), Frank Nemec (DEP), Jessica Ritenour (DEP), Pam Trowbridge (DEP), David Brown (DEP), Charles Campbell (CSSAB), Colleen Costello (CSSAB), Tina Serafini (CSSAB), Annette Guiseppi-Elie (CSSAB), Michael Meloy (CSSAB), Mark Urbassik (CSSAB), Craig Robertson (CSSAB), Donald Wagner (CSSAB), William Hitchcock (Manko, Gold, Katcher & Fox) and Neil Ketchum (Groundwater Sciences Corporation).

Mr. Robertson presented the workgroups decision to change the "Conclusions" to "Summary Points", and split section 7 into two sections (Section 7 is now "Summary" and Section 8 is now "Recommendations"). Mr. Robertson reported the workgroup's decision to split Summary Point #2 into two summary points to separate the EPA's guidance for the IEUBK Model v.2 from the PADEP's use of the model under the Land Recycling Program and to make edits to section 5 to distinguish between the EPA and PADEP use of the model.

Mr. Robertson presented the lead workgroup's development of the draft report comparing revision 3 to revision 1. There was a minor change in the third paragraph to make it clear that it was a suggestion and not a recommendation to consider the use of the average as an additional attainment option for lead in soil under the SHS. There were multiple changes to the end of section 1. Mr. Robertson noted an important addition to section 2, acknowledging the effects that lead has on developing children and the reason for introducing the model in 1997.

Mr. Robertson reported there were no changes to section 3 but to note that changing the direct contact numeric value for lead at residential sites from 500 mg/kg to 200 mg/kg placed it lower

than the soil to groundwater value. Section 4 presents how the model is used in the two different modes. Section 5 was updated to be consistent with the changes made in the summary points. No changes have been made to section 6.

Mr. Robertson discussed the summary points in section 7. Summary point 1 discusses the unique nature of developing numeric values for lead and there were no changes from the previous version. Summary point 2 was changed to segregate the EPA guidance and instructions from the PADEP use of the IEUBK model. Summary point 3 was updated to describe the use of IEUBK by the PADEP. Summary point 4 was not changed and describes the PADEP's acceptance of the use of averages and input in the model to demonstrate acceptable risk. Mr. Robertson explained that the workgroup concluded that the use of averages as an attainment criterion under the SHS would be no less conservative than its use under the SSS. Summary point 5 discusses the evaluation of attainment tests and there were no changes to this section. Mr. Robertson discussed the addition of Attachment C to the recommendations section. Attachment C is an extraction from the Chapter 250.707(d) regulations.

Mr. Campbell thanked the members of the lead workgroup for their participation and asked the PADEP for their comments on revisions. Mr. Maddigan responded that the PADEP members of the workgroup reviewed the revisions and concurred with the changes.

Mr. Campbell asked if any CSSAB members had comments or questions. Ms. Annette Guiseppi-Elie requested clarification on attachment C (Chapter 250.707(d)). Mr. Meloy confirmed that Chapter 250.707(d) only applies to the 95% UCL and clarification can be added to the preamble if necessary. However, 707(d) is well understood within the regulations.

There were no additional comments from the board. Mr. Maddigan requested a verbal vote from the board on this recommendation. The recommendation was unanimously supported by vote. Mr. Campbell asked if the Department needed a letter from the board. Ms. Abbey Cadden confirmed the white paper report is sufficient for the development of a proposed rule.

Mr. Robertson reported that he has and will continue to retain the reports and progress of the lead workgroup and has shared the documents with his alternative, Neil Ketchum. Mr. Robertson stated that he will send the full final version of the white paper with attachments to the board members, Mr. Maddigan and Ms. Sterling.

Public Comment

Mr. David Hess inquired how soon will the final white paper be posted on the board's webpage. Ms. Sterling responded that the final version will be posted to the webpage within a few days once we have the full final version. Mr. Maddigan responded the final white paper will be posted under the August 11, 2022 CSSAB meeting materials under the land recycling program website.

Next CSSAB Meeting

The next CSSAB meeting is scheduled for October 20, 2022 at 930 – 1530. The meeting will be in-person and virtual. Mr. Maddigan requested board members to let Ms. Sterling know if they will be attending virtually or in-person when they accept the meeting request. This information will help DEP prepare with ordering lunches and printing meeting materials.

Meeting adjourned at 1002.