

**MINUTES  
CITIZENS ADVISORY COUNCIL MEETING  
MAY 22, 2019**

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

Cynthia Carrow, Allegheny County	John St. Clair, Indiana County
Mark Caskey, Washington County	Thad Stevens, Tioga County
Duane Mowery, Cumberland County	Jim Welty, Cumberland County
James Schmid, Delaware County	Tim Weston, Cumberland County

**CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT VIA PHONE:**

Bill Fink, Bedford County

**CITIZENS ADVISORY COUNCIL (CAC) STAFF PRESENT:**

Keith Salador, Executive Director

**CALL TO ORDER:**

Vice Chairman Tim Weston called the meeting to order at 10:00 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum.

**APPROVAL OF APRIL 16, 2019 MEETING MINUTES:**

Vice Chairman Weston solicited additions or corrections to the April 16, 2019 Minutes. CAC member Duane Mowery requested that the Sewage Advisory Committee report on Page 4 of the Minutes be amended to remove the word “permit” before criteria. With this amendment, Vice Chairman Weston requested a motion to adopt the April 16, 2019 Minutes.

**James Schmid moved to adopt the April 16, 2019 meeting Minutes.**

**Cynthia Carrow seconded the motion, which was unanimously approved.**

**CHAIRMAN’S REPORT:**

CAC Executive Director Keith Salador recently spoke at the annual conference of the Pennsylvania Association of Environmental Professionals in State College. At the conference, Keith provided an overview of the CAC and extended an invitation to the group to join the CAC process, attend meetings, and raise concerns using the CAC as a venue. The Association is focused on attempting to improve the permit process. Internal training is being conducted for their members on permit applications and they will also be meeting with DEP to better understand the Department’s expectations. Presentations at the conference included a field study of biochar amended soils by a principal investigator from the University of Delaware related to adding bio-char to stormwater BMPs to determine the effects on water retention and quality. Another presentation from the Indiana County Stormwater Education Partnership discussed stormwater management with a focus on educating local municipalities about the basics and challenges of stormwater management and its collaboration with the Indiana Area School District at various levels to engage students in water quality testing where data is lacking.

## **DEP REPORT:**

Ramez Ziadeh, DEP's Executive Deputy Secretary for Programs, offered an update on the following:

### *EV Everywhere*

The Department, in collaboration with the Drive Electric Pennsylvania Coalition, developed the Electric Vehicle Roadmap to explore how Pennsylvania can take advantage of the benefits of EV adoption. The benefits include reductions in greenhouse gas emissions and respiratory diseases, creation of jobs, and consumer savings. The EV Roadmap recommends 13 strategies to increase the adoption of zero-emission vehicles in the short and long term. Modeling scenarios indicate that if three in every 10 cars and light-duty trucks were electric by 2033, Pennsylvania would see \$2.8 billion in net economic, health, social, and environmental benefits. DEP offers various programs to advance these strategies, including the Alternative Fuel Incentive Grant (AFIG) and the Driving PA Forward programs.

### *Alternative Fuel Incentive Grant Program*

This program brings in approximately \$6 million annually from utility tax receipts and is currently open for grant applications. Last month DEP awarded 23 grants totaling \$2.9 million. The funding will support 20 vehicle purchase projects, two refueling infrastructure projects, and one innovative technology project. The 2019 AFIG application period opened on April 26. Approximately \$5 million is available for school districts, municipal authorities, political subdivisions, nonprofits, corporations, and limited liability companies and applications are being accepted through July 12, 2019.

### *Fast Act*

This program establishes a national network of alternative fueling and charging infrastructure along national highway corridors. PennDOT and DEP partnered to secure EV and CNG corridor designations in April 2019 for approximately 560 miles of highways in eastern and central Pennsylvania. DEP recently awarded two grants to Giant Eagle totaling \$660,000 to install eight EV fast-charging stations for public use at four facilities in Allegheny, Butler, and Washington Counties. The chargers are expected to replace over 10,000 gallons of gasoline and prevent 242 metric tons of annual carbon emissions.

### *Driving PA Forward Grants*

This program is funded through the VW settlement agreement. Funding is available and is being rolled out in cycles. The Class 8 Truck and Transit Bus application period closes on September 23. DC Fast Charging and Hydrogen Fueling Grant Program applications are due by July 15 and again on December 16. The Level 2 EV Charging Rebate Program remains open and will run continuously through December 31 or until the funds are exhausted. DEP is currently developing a fiscal year 2020 electric cargo grant program, which will be funded through the same funding source, and is also currently reviewing grant applications for the fiscal year 2018-2019 Class 8 Truck and Transit Bus Grant Program. Between \$3-4 million in grants will be awarded upon completion of review of the applications.

### *General Permit Hearing*

On May 2 Ramez Ziadeh provided testimony before the General Assembly regarding the variety of permits issued by DEP. Annually the Department processes approximately 2,000 authorizations across the state through DEP conservation districts and mining district offices under the Chapter 102 program. About 1,700 of these permits are general permits.

Testimony included initiatives that the Department is currently pursuing to improve the permit process, including an e-permitting system for all Chapter 102 permits. The Department anticipates the e-permitting will go live in the fall of 2019. DEP is also in the process of developing a new NPDES general permit called PAG-1, which it is hoping to publish in draft format for public comment this summer. The purpose of that permit is to simplify the permitting process for projects of disturbance less than five acres which require an NPDES permit, but very little engineering. The Department has an agreement with the EPA right now on a new PAG-2. The PAG-2 will have some administrative tweaks, but no technical changes.

DEP has contracted with Villanova University to update the stormwater management manual put out as official Department guidance in 2006. A draft manual from Villanova is anticipated this summer. There will be extensive conversations about the manual with industry groups and stakeholders and will then be published as draft guidance and opened for public comment. Once it becomes official Department guidance, training will be provided to the regulated community and consultants. DEP is also working on a model post-construction stormwater management plan for well pads to improve the quality of the stormwater management plans that the Department receives and improve approval timeframes.

Following the May 2 testimony, a week later three consultants provided testimony to the General Assembly on DEP's review process. A statement was made by a consultant that if the Department asks for deficiencies to be corrected on a plan that is prepared and sealed by a licensed professional, then DEP owns that design. DEP staff reviews the technical plans and specifications to ensure that the proposed work meets regulatory requirements. Mr. Ziadeh clarified that it is the applicant's responsibility to provide the necessary design revisions to meet the regulatory requirements. Regarding a statement made about engineers or nonlicensed professionals directly commenting on work that is provided by licensed professionals, the Department does have a policy, available on its website, on professional work assignments and duties conducted by licensed professionals and the process of confirming that everyone across the agency is following this policy.

There will be a third-party permit review hearing on June 5 with the Senate Environmental Resources and Energy Committee.

### **PRESENTATION:**

Veronica Kasi of the Chesapeake Bay Program provided an in-depth milestone and progress report on the Watershed Implementation Plan III (WIP III), the draft of which was issued on April 12. Nitrogen and phosphorus reduction goals were explained, as well as current nutrient and sediment trends, nonpoint source opportunities, and the EPA's potential consequences if established goals are not met. Discussion included state, legislative, and regulatory actions, the

steps for implementation of the WIP III, and the existing and needed funding. The public comment period is open through June 7, 2019.

CAC Executive Director Keith Salador stated that he had previously handed out draft comments on the WIP III. Since the public comment period closes before the next CAC meeting, additional comments to the WIP III were solicited. CAC member Duane Mowery further encouraged the Department to give the local counties reasons why they should participate in the program.

Vice Chairman Weston requested a motion to authorize the Chairman, with additions or amendments, to execute the comment letter and submit the same by the comment deadline.

**Duane Mowery moved to authorize the Chairman, with additions or amendments, to execute the comment letter and submit the same by the comment deadline. James Schmid seconded the motion, which was unanimously approved.**

#### **COMMITTEE REPORTS:**

##### **POLICY AND REGULATORY OVERSIGHT COMMITTEE**

A conference call was held with the Air Quality staff to review two proposed rulemakings.

With the advent of onboard vehicle vapor recovery systems, the Stage II Vapor Recovery revision has become redundant and counterproductive. The proposal would delete most of the requirements from gas stations. The committee reviewed the proposal, agreed that it was an appropriate rulemaking, and recommended that it go forward to the Environmental Quality Board.

Vice Chairman Weston requested a motion endorsing the Stage II Vapor Recovery revision and moving it forward to the Environmental Quality Board.

**Tim Weston moved to endorse the Stage II Vapor Recovery revision and move it forward to the Environmental Quality Board. James Schmid seconded the motion, which was unanimously approved.**

On May 7 DEP presented to the committee a preliminary draft of proposed Reasonably Available Control Technology (RACT) regulations for VOCs from existing oil and natural gas production facilities, compressor stations, processing plants, and transmission stations. A spirited discussion was held and questions were posed. The committee will be reconvened before the June CAC meeting to further discuss the proposal.

##### **LEGISLATIVE COMMITTEE**

The committee held on conference call in May to review bills currently active in the General Assembly. The Committee reviewed and drafted a letter on HB1057 regarding radon testing in schools. The letter offers several technical suggestions to enhance the workability of the radon testing program and reminds lawmakers that school employs are exempt from radon certification under DEP's regulations.

Vice Chairman Weston requested a motion adopt the letter and authorize the Chairman to sign it.

**Cynthia Carrow moved to adopt the letter. Mark Caskey seconded the motion, which was unanimously approved.**

#### **MINING RECLAMATION ADVISORY BOARD**

The committee is still working on bond rate updates, and the reclamation subcommittee is working on those calculations with the Department. DEP warned of a potential return of a reclamation fee. The Department is working on an OSM consistency rule and the abandoned mine land fee from the federal government. The CAC will hear about those issues at the June meeting.

#### **AGGREGATE ADVISORY BOARD**

The committee discussed a new pond certification process that is being implemented by DEP as well as the GP-105 renewal process.

#### **ENVIRONMENTAL QUALITY BOARD**

Discussion at the April EQB meeting was spirited. The vote was made to accept the petition administratively so DEP can study whether or not the proposal in that petition is should be adopted.

#### **NOMINATING COMMITTEE**

Chair and Vice Chair elections will be held at the June meeting. One member has expressed interest in serving as Vice Chair. No one has yet volunteered for Chair.

#### **NEW BUSINESS:**

Annual EQB elections will be held at the June meeting. Those interested in serving or continuing to serve should contact the Executive Director.

#### **ADJOURNMENT:**

**With no further business, Vice Chairman Tim Weston requested a motion for adjournment. Thad Stevens moved to adjourn the meeting, which was seconded by Mark Caskey, and all were in favor. The May 22, 2019 meeting of the CAC was adjourned at 12:30 PM.**