

**Minutes of the
Environmental Justice Advisory Board
November 16, 2010**

Call to Order: The quarterly meeting/conference call of the Environmental Justice Advisory Board (EJAB) was held in the Delaware Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The meeting convened at 8:30 am with Dr. Arthur Frank presiding as Chair.

Members on conference call:

Erlinda Aguiar
Laureen Boles
Eli Brill
Mario Browne
Nora Carreras
Terri Davin
Dr. Arthur Frank
Dr. Clea Patrick Hollis
Ann Morrison
Jason Rissler
Rev. Horace Strand

Members absent (excused):

Hazem Hijazi
Mary Vuccola
Dr. Mark White

Non-members:

Tammey Adams
Rob Altenburg
Holly Cairns
Adam Cutler, Phila. Public Interest Law Center
Bo Reiley
Alice Wright
Residents representing Eddystone Borough

Welcome and Introductions:

The Chair, Dr. Arthur Frank, welcomed everyone to the meeting. Everyone introduced themselves on the conference call.

Policy Office Update

Dr. Arthur Frank introduced Duke Adams, Acting Director of the Policy Office, who gave a brief update on department regulations.

- Chapter 78 - Oil and Gas Casing and Cementing final rulemaking which passed the EQB in October and will be voted on at IRRC on November 18, 2010.
- Chapter 95 – Total Dissolved Solids Wastewater Treatment Requirements was published as final on August 21, 2010. Follow-up guidance is currently being prepared to be published in the *PA Bulletin* as draft technical guidance.
- Air Quality completed regulations – Nox Emissions for Cement Kilns and Glass Melting Furnaces; Volatile Organic Compounds for Large Appliances; Metal Furniture Surface Coating; Paper, Film and Foil Surface Coating; and Outdoor Wood Fire Boiler regulations were finalized this year. The Flatwood Paneling and Adhesive Sealants, Primers and Solvent packages are currently with the Attorney General's Office for approval. The Sulfur Limits in Commercial Fuel Oil and the fee package for the Air Quality Program are both still open for comment.
- Mine Safety Board – a few underground coal mine safety regulations are currently being revised.

Approval of Minutes:

A motion was made by Mario Browne to approve the minutes of the August 3, 2010, meeting. It was seconded by Ann Morrison. The motion was approved unanimously by the Board.

Office of Environmental Advocate Regional Staff Reports:

Dr. Arthur Frank requested highlights on the three regional Office of Environmental Advocate (OEA) reports.

Holly Cairns mentioned that in addition to her staff report, a highlight is that Anthony Phillips Hauling has had their Act 90 permit revoked.

Alice Wright discussed an upcoming December 14 hearing in the Borough of Eddystone.

Nora Carreras mentioned that the trial period for environmental justice to be included in the e-FACTS system is going well. She also mentioned that environmental justice language will be included in the department's Environmental Education grants next year.

The Board had a discussion on the Marcellus Shale issue and it was suggested that this become a standing agenda item for each board meeting. It was also suggested that a presentation on the pooling legislation would be beneficial.

Conference Evaluation Results and Next Steps:

Nora Carreras discussed the five evaluation results we received and the possibility of additional surveys from the conference. Nora will check her office and conference files to see if she can locate the surveys from the conference. Dr. Frank suggested that the Board discuss the possibility of a second conference at the next meeting. Ann Morrison asked if the Board is in contact with previous conference attendees regarding EJ updates.

Public Comment Period:

The Chair opened the floor for public comments. Adam Cutler of the Philadelphia Public Interest Law Center discussed the permitting process and Comment & Response document for the company attempting to move into Eddystone Borough. Angela Hopkins of Eddystone Borough mentioned that the property initially slated for a park is now going to be a firehouse.

Dr. Frank discussed a recent conference in Denver, CO, where he attended a session on cumulative impact. Cumulative impact is a very important issue in the environmental justice area.

EJAB New Member Discussion / By-Laws:

Ms. Carreras discussed the number of board members and the possibility of adding two additional members for diversity. The Board discussed what areas of the state and organizations they should represent. Dr. Hollis made a motion to change the by-laws to include 15 members. It was seconded by Ann Morrison. The motion was approved unanimously by the Board.

Ann Morrison made a motion to recommend John Waffenschmidt of Covanta Energy to the Board. It was seconded by Rev. Strand. The motion was approved unanimously by the Board.

Revisions to the EJ Workgroup Report:

Dr. Arthur Frank discussed the revisions needed to the 10-year-old EJ Workgroup Report. The Report needs to be updated by the second week of December in order to have it ready for the new DEP Secretary.

New/Unfinished Business:

Laureen Boles requested information on the Cincinnati Cumulative Impact Report. It was discussed that it will be distributed to the entire EJ Board. Ms. Carreras requested board members to review the 2011 meeting dates and notify her if the dates are not suitable for their schedule.

Dr. Frank made a suggestion to adjourn the meeting. It was seconded by Ann Morrison. The meeting adjourned at 10:25 am.

