

Minutes of the Environmental Justice Advisory Board May 3, 2011

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

The meeting convened at 8:40 a.m. with Arthur Frank presiding as Chair.

Members in attendance:

Laureen Boles (by phone)
Eli Brill
Nora Carreras
Terri Davin
Arthur Frank
Ann Morrison
Horace Strand
Mary Vuccola
John Waffenschmidt
Mark White

Members absent (excused):

Erlinda Aguiar
Mario Browne
Hazem Hijazi
Clea Patrick Hollis
Jason Rissler

Non-Members:

Rob Altenburg
Holly Cairns
Bo Reiley
Susan Wilson
Alice Wright-Bailey

Welcome and Introductions:

The Chair, Arthur Frank, welcomed everyone to the meeting.

Office of Environmental Advocate Update:

Alisa Harris, Special Deputy Secretary (SDS) for External Affairs, provided an update on the structure of the Office of External Affairs. This office, headed by SDS Harris, will oversee the Office of Environmental Advocate, Small Business Ombudsman, local government relations, the Environmental Education Center and the Governor's Green Government Council. Committee members questioned her on how EJAB can help weigh in on regulations and the new EPA air rule. SDS Harris will also work with DEP's Policy Office to see how EJAB can help with the May 24 Public Hearing. Katie Gresh, DEP's new Press Secretary, was also introduced to EJAB.

Approval of Minutes:

Approval of the February 8, 2011 minutes will be tabled until the next meeting.

Office of Environmental Advocate Regional Staff Reports:

Holly Cairns reported that EPA's Land Revitalization Grant Project was completely wrapped up. The report has been completed and EPA will have it available on their website. Ms. Cairns also discussed the City of Jeanette Glass Brownfield property in Westmoreland County. A Consent Order and Agreement has been entered with the property owner to clean up the area. She also mentioned her participation in the Brownfields Conference.

Alice Wright-Baily mentioned her participation in the Brownfields Conference and that she is working with the West Ambler Community Association.

Nora Carreras reported that she holds a new position with the Office of External Affairs. She will be the Executive Assistant to SDS Harris as well as continuing to cover Environmental Advocate duties for the Northcentral and Southcentral Regions. SDS Harris will oversee the Office of Environmental Advocate as part of her duties as Special Deputy Secretary. Ms. Carreras also reported on the processing of four scholarships for the Brownfields Conference and the United Way Youth Day of Caring where 250 students assisted with cleanups in the City of Harrisburg.

Dr. Frank expressed his concerns that Environmental Justice is now diminished because of the reorganization of the Department. Reverend Strand expressed his concerns on how advocates will continue to get the support needed to do their jobs. It was also expressed that communities hope that advocates are not hindered by industry when doing their jobs. Ms. Carreras reaffirmed SDS Harris' strong support and advocacy for the EJ program. Dr. Frank reminded the members that EJAB is an advisory board and they must work with the new administration.

Citizens Advisory Council Update

Dr. Frank introduced Susan Wilson, Executive Director of the Citizens Advisory Council (CAC), who provided an update on the activities of the CAC. CAC is currently focusing on mineral resources, Marcellus Shale issues and reviewing the report on Act 54 (underground mining). There is currently one vacancy on CAC. Ms. Wilson also discussed the potential for a CAC meeting to be held in the Southwest region of the state.

Introduction of John Hines, Executive Deputy Secretary for Programs

Executive Deputy Secretary (EDS) John Hines provided an overview of the new structure of DEP which includes all program deputies reporting to him to help facilitate communication and program integration. He then opened the floor for questions from EJAB members. Further discussion included an overview of how the Commonwealth budget funds staff. Concerns were expressed over the importance of ensuring sensitivity to environmental justice issues are incorporated into programs and how to ensure environmental justice in the regulatory process. EDS Hines expressed the need to focus on training staff on how to deal with the public. He also stressed the importance of making comprehensive decisions and emphasized that DEP will not step away from its core values even in times of budget cuts.

EJAB By-Laws Revisions

Ann Morrison discussed some proposed amendments to EJAB By-Laws including participation in meetings by telephone or other means, manner of giving notice and special meetings. Ms. Morrison will note the suggested changes in the by-laws and forward to all EJAB members by e-mail for their review and comment. Nora Carreras suggested the members consider limiting the number of times a board member can participate by phone. The group will also consider the option of allowing alternates.

Regulatory and Policy Update

Duke Adams and Rob Altenburg from DEP's Policy Office gave a presentation on the recently created Plain Language Guide to Regulations, a tool to assist communities in getting involved in the regulatory process. This presentation included an overview of what a regulation is, the regulatory process and how information would be contained in the Plain Language Guide. An overview was also given on how to propose regulations and how to receive updates on the progress of proposed regulations via e-mail and the web, as well as upcoming improvements to those methods.

Introduction of Secretary Michael Krancer

Dr. Frank introduced Secretary Krancer who spoke with the EJAB members and welcomed their questions on a variety of subjects. These subjects included how to respond when citizens are concerned that DEP does not care. The Secretary shared his thoughts on the environmental justice program. Secretary Krancer ensured that DEP does care and cited examples of the good work DEP is doing and his positive experience at the Brownfields Conference. When asked what he was looking for from EJAB, Secretary Krancer expressed that he would like them to advise and guide and be open-minded to helping.

Introduction of Dana Aunkst, Deputy Secretary for Field Operations

Dr. Frank introduced Dana Aunkst, Deputy Secretary for Field Operations who provided an update on various regional issues. These issues included information on Iodine 131 from the Japan Nuclear incident and how the Department was testing drinking water. Radiation from Marcellus Shale and waste water processing facilities were also discussed.

Introduction of Dan Lapato, Policy Office

Dr. Frank introduced Dan Lapato of DEP's Policy Office who provided an update on Outdoor Wood Burners regulations. Beginning May 31, only Phase II units will be permitted to be installed/purchased. Phase II units are regulated by EPA.

Public Comment Period:

The Chair opened the floor for public comments. There were no public comments presented.

New/Unfinished Business, Questions and Comment Period:

Terri Davin formally submitted to the Board a copy of Crystal Stroud's story which was provided as testimony to Stroud's township and commissioners regarding her struggles with illness and the Marcellus Shale industry.

Dr. Frank gave a synopsis of his conversation with SDS Hines prior to the EJAB meeting. Their discussion included the possibility of holding another statewide conference, relationships between universities and the PA Education Resource Consortium, and a revision of the 10 year old work group report. Dr. Frank will plan to meet with SDS Harris prior to the EJAB meetings. Currently, August 2 and November 15 are the next scheduled dates for the EJAB quarterly meeting with the possibility of having a partially joint session with the CAC during the November 15 meeting.

Dr. Mark White was nominated as Vice Chair to EJAB by Mary Vuccola, which was seconded by Eli Brill. This nomination was accepted on unanimous vote.

Reverend Strand expressed gratitude for the participation and support during the very successful EJ Caucus during the Brownfields conference.

Agenda Items for Next Meeting

Agenda items for the next scheduled meeting would include revisiting the work group report; another statewide conference and a Plain Language Summaries Resource Library.

Dr. Frank adjourned the meeting at 2:55 p.m.