

ENVIRONMENTAL JUSTICE ADVISORY BOARD
RACHEL CARSON STATE OFFICE BUILDING, DELAWARE ROOM,
400 MARKET STREET, HARRISBURG, PA
AUGUST 5, 2014 MINUTES

Members in attendance

Laureen Boles, Eli Brill, Adam Cutler, Dr. Arthur Frank, Clea Patrick Hollis, Dr. Horace Strand, John Waffenschmidt,

Members absent

Erlinda Aguiar (unexcused), Hazem Hijazi (excused), Marcia Hinton (excused), Mary Vuccola (excused).

Non-Members

Kimberly A. Morewood, Alice Wright, Katie Hetherington-Cunfer, Garrett Lewis

Call to Order

Chair, Dr. Arthur Frank, welcomed everyone and called the meeting to order at 8:40 a.m.

Approval of Minutes

Dr. Frank then Motioned for approval of the May 6, 2014 and Clea Patrick Hollis seconded the Motion to approve the minutes. Motion passed to approve the minutes.

Secretary Updates

Garrett Lewis stated that Secretary Abruzzo would not be attending the meeting as he was away from the office. Mr. Lewis gave an update on the hiring process for the Director of the Office of Environmental Advocate. Four candidates would be interviewed by the EJAB subcommittee of Dr. Strand, Adam Cutler, John Waffenschmidt, and Clea Hollis. Mr. Lewis stated that the Secretary would like the position to be filled by the second week in September and that the vacant administrative assistant position would also be filled, hopefully by the next EJAB meeting in November.

The floor was opened for questions. John Waffenschmidt asked what the next step in the process is for changing the policy for the recommendations that the Board made to the Secretary. Katie Hetherington-Cunfer noted that the issue was on the agenda to be discussed later in the meeting. Dr. Frank asked if there were any changes made or anticipated to the Department's position on fracking in terms of money going to health issues. Mr. Lewis responded that the PA Department of Health (DOH) is working on developing a health database and that while DEP is not funding that initiative, DEP is working in conjunction with DOH.

2014 EJAB Chester Listening Session Comment Response Document (CRD)

Dr. Frank stated that the Chester Listening Session was active, productive, and well attended. Ms. Hetherington-Cunfer was introduced to discuss the comment response document for the 2014 EJAB Chester Listening Session that was held on May 6, 2014. Ms. Hetherington-Cunfer explained that all comments received would be included as part of the public record. The responses were developed by category and categories are established by topics frequently addressed in the comments. All comments submitted will be included in the comment response document (CRD). The CRD will be posted on the OEA website after the board has reviewed and approved it. Eli Brill suggested that additional information that can be found in eFACTS and could be included in some of the responses. Dr. Frank suggested that it would be appropriate for the EJAB members to read through the prepared CRD and make remarks in an email chain so that they may be discussed and considered at the next EJAB meeting. John Waffenschmidt offered that it would be helpful for the members to reference the page number and the comment when replying to all with their suggested comments. Mr. Waffenschmidt expressed concern regarding what action may or may not be taken on suggestions.

Office of Environmental Advocate Updates

OEA Acting Director Kim Morewood discussed the OEA EJAB Quarterly Report. Eli Brill stated that Delta Thermo has been appealed to the EHB five times and he wanted the EJAB to be aware that one of the appeals mentions environmental justice as an issue. Mr. Brill also asked Ms. Morewood if the Keystone Sanitary Landfill is located within an EJ area. Ms. Morewood responded affirmatively. EA Wright is working with DEP's NERO on outreach for this permit expansion.

Electronic Permit Availability

Ms. Hetherington-Cunfer gave an update on the availability of online air permits. Ms. Hetherington-Cunfer said that the Office of Program Integration is currently working with the regional offices to assess the systems capability to make this feature available. However, this online feature will be unavailable until that assessment is complete. Mr. Brill stated that he has researched this and he learned that many other states have been able to get this accomplished. Additionally, he stated that a comparison of states shows PA in the bottom ten states for transparency of air permits. He suggested the implementation of a pilot project, in the near future, that could feature Title V air permits and plan approvals. DEP could then see how it works and what kind of interest the public has in the feature while it continues to monitor system capabilities. Dr. Strand suggested making basic information available and then adding a button to allow website users to request further information. The purpose of utilizing this method would be to help limit the amount of space that would be needed to implement this feature. Mr. Brill then suggested linking PA Bulletin postings to this site in place of all the information that is required to be submitted for the posting. Dr. Frank agreed to work with Mr. Brill to get the templates and information to the Secretary via Mr. Lewis so that they can move this project forward. Ms. Morewood also offered the suggestion of posting the eFACTS EJ alerts to the website to expediently transmit more information to the public. Ms. Hetherington-Cunfer then provided a presentation to the EJAB on the new Informal File Review Process that is now available on the DEP website under the Public Records tab. She additionally provided

information on the upcoming DEP website migration.

Rx Disposal Handling

Laura Henry from the Policy Office gave an update on the recommended language changes to the Act 190 legislation and informed EJAB that those changes would have to be made legislatively.

CAC Update

Michele Tate gave a brief overview of CAC and let EJAB know that CAC was pleased to have input on the plain language materials for Act 54 that the Office of Environmental Advocate had produced. CAC felt the materials were well done and useful. Ms. Tate agreed that another CAC/EJAB joint meeting would be productive.

Public Comment Period

There were no public comments presented.

New/Unfinished Business

There was no unfinished business to be addressed. New business comprised proposed 2015 planning which included:

Proposed 2015 Meeting Dates

Tues., Feb. 5, 2015 (Weather Date: Tues., Feb. 24, 2015)

Tues., May 19, 2015

Tues., Aug. 4, 2015

Thurs., Nov. 5, 2015

Action Items Identified

Joint Meeting with CAC in May

Legislative Educational/Outreach Meeting

Public Listening Session in Pittsburgh for Thurs., April 16, 2015

Statewide 2 Day EJ Conference Planning

Historical Overview of EJAB for the 15th Anniversary Project

Adjournment

With no further business before the Board, Dr. Frank moved to adjourn the meeting.