



MEMO

**TO** Environmental Justice Advisory Board  
**FROM** Office of Environmental Advocate  
**DATE** April 14, 2014  
**RE:** Regional Environmental Advocate Updates

**Southwest and Northwest OEA Update**

**The Hill District Consensus Meeting, Pittsburgh, Allegheny County:** On Jan. 9 EA Kim Morewood attended The Hill District Consensus Meeting in conjunction with Pittsburgh UNITED's *Good Jobs, Smart Development & Sustainable Communities Forum* with newly elected Pittsburgh City Mayor Bill Peduto. Pittsburgh City Councilwoman Natalia Rudicak,, Pittsburgh City Councilman Bruce Kraus, and representatives from: PIIN-Pennsylvania Interfaith Impact Network, SEIU 32BJ, UPMC, Clean Water Action, ACTION United, GASP-Group Against Smog & Pollution, Just Harvest, Ironworkers Local 3, Mon Valley Unemployed Committee, NAACP, Sierra Club, UFCW Local 23. The forum centered around the message that Pittsburgh has a responsibility to ensure that public and private development creates long-term economic opportunities for working families and healthy, equitable communities for generations to come. As the benefactors of public development, Pittsburgh taxpayers should have a voice in a transparent planning process.

**Erie City Revitalization & Improvement Zone (CRIZ) Project, Erie City, Erie County:** On Jan. 13 EA Kim Morewood completed a site visit to the \$130 million dollar, 12 acres proposed project that includes the areas west of Blasco Library, south to the Bayfront Parkway and east to include the former Penelec smokestack and extends north to include a strip of land north of the Maritime Museum. Completion of the project is estimated at between five and seven years. This project did not meet the first round of cuts for CRIZ eligibility however; PA House Majority Whip Stan Saylor plans to introduce a bill to amend the original Act 52 to speed up the next round of the CRIZ program to take place this year, two years ahead of schedule. This project is located within an Environmental Justice area.

**National Environmental Justice Advisory Council (NEJAC), Washington, D.C.:** On Jan. 14 EA Kim Morewood participated in the NEJAC Public Teleconference Call. Topics covered on the call included recommendations for integrating environmental justice into EPA's research enterprise, a preliminary discussion about chemical management topics in preparation for February discussion/development of NEJAC work plan for 2014-2015 and a brief overview of

request to convene a NEJAC work group on Title VI in preparation for February discussion/development of NEJAC work plan for 2014-2015.

**National Environmental Justice Advisory Council (NEJAC), Washington, D.C.:** On Jan. 15 EA Kim Morewood participated in the NEJAC Public Teleconference Call. Topics covered on the call included recommendations for integrating environmental justice into EPA's research enterprise, a preliminary discussion about chemical management topics in preparation for February discussion/development of NEJAC work plan for 2014-2015 and a brief overview of request to convene a NEJAC work group on Title VI in preparation for February discussion/development of NEJAC work plan for 2014-2015.

**SWRO CSX Intermodal Project, McKees Rocks & Stowe Township, Allegheny County:** On Jan. 15 EA Kim Morewood attended a meeting for CSX Transportation to outline a planned intermodal rail facility at the former Pittsburgh and Lake Erie Railroad (P&LE) brownfield site. CSX announced on October 17, 2013, that it had selected a 60+ acre portion of the former P&LE property as the site for a \$50 million intermodal freight center providing for the shift of long-haul freight from highway to rail. CSX requested a meeting to conduct a project overview to DEP Leadership and that DEP program staff involved in the permitting process also attend. DEP attendees included: Secretary Abruzzo, Dept. Sec. John Stefanko, Exec. Dept. Sec. Jeff Logan, Exec. Dept. Dana Aunkst, SWRO Regional Director Sue Malone, Dave Eberle, Mike Pavilonis, Kareen Milcic, Chris Kriley, Bob Scheib, and LGL Brian Schimmel. Other attendees included: Keith Brinker, CSX Transportation, Manager Environmental Development & Construction; Randy Cheetham, CSX Transportation, Regional Vice President; Eric Gonzalez, CSX Intermodal Terminals, Engineering Specialist; Russell Henestofel, EMH&T, Director of Railroad Engineering; Denise Brinley, TRC Environmental, Vice President; Samuel Moffett, TRC Environmental, Senior Environmental Planner; Michael Edelman, TRC Environmental, Project Director; and Peter Gleason, KL Gates. The company requested one point of contact and Asst. Regional Director Ron Schwartz was identified as the project coordinator for DEP.

**EPA Environmental Justice Work Group , Washington, D.C.:** On Thurs., Jan. 16, EA Kim Morewood participated in the EPA Monthly All States EJ Conference Call. Topics discussed included: A Title VI update from Helena Wooden Aguilar, EPA Office of Civil Rights as well as Local, State, and Regional updates.

**Jefferson Compressor Station, Greene County:** On Jan. 21 EA Kim Morewood attended an open house and formal public hearing on a plan approval request by Equitrans to install and begin temporary operation of new equipment at its existing Jefferson Compressor Station. Equitrans has proposed to install and operate an additional 16,301 horsepower natural gas-fired combustion turbine at this site. Equitrans requested the public meeting and about 30 people attended including several Jefferson Township Supervisors. The open house and public hearing was held from 6-8 p.m. in the Jefferson Township Volunteer Fire Department social hall, 1483 Jefferson Road, Jefferson, PA 15344.

**EQB Public Hearing, Washington & Jefferson College, Washington County:** On Jan. 23 EA Kim Morewood attended and assisted CRC John Poister with a public hearing on revisions to the Chapter 78 Oil and gas regulations. Over 250 people attended the four hour meeting and there was also a large media contingent present. Reporters from the Pittsburgh Post-Gazette, Washington Observer Reporter, KDKA-Radio, WPXI-TV, The Allegheny Front/WESA-FM and student media from Washington and Jefferson College attended as well as Senator Kim Ward and Rep. Jesse White.

**Penn State Act 13 Webinar:** On Jan. 23 EA Kim Morewood participated in a special webinar with Ross Pifer, Clinical Professor of Law and Director, the Agricultural Law Resource & Reference Center and the Rural Economic Development Clinic, Penn State University, The Dickinson School of Law discussing the Supreme Court's December 19th ruling on Act 13. Topics covered included what provisions have been struck down, what provisions remain, what the existing framework is for municipal regulation, and address some of the other questions that have been raised by the opinion.

**EQB Public Hearing, Indiana University of PA, Indiana County:** On Jan. 23 EA Kim Morewood attended and assisted CRC John Poister with a public hearing on revisions to the Chapter 78 Oil and gas regulations. Over 200 people attended the four hour meeting including Senator Scott Hutchinson.

**Environmental Justice Advisory Board, Harrisburg:** On Feb. 4, EA Kim Morewood participated in the quarterly Environmental Justice Advisory Board in Harrisburg.

**Keystone Energy Education Program Conference Call:** On Feb. 10 EA Kim Morewood participated in the DEP KEEP conference call to discuss the upcoming KEEP sessions. EA Morewood has been assisting SWRO Office of Pollution Prevention and Energy Assistance Manager Maggie Hall with outreach to the schools in Allegheny County over the last month.

**T&B Excavating, McClellandtown, German Township, Fayette County:** On Feb. 10, Mining accepted an application for a surface mining permit from T&B Excavating. This permit is within an Environmental Justice Community. The applicant will be contacting EA Kim Morewood to discuss the enhanced public participation plan.

**EPA Environmental Justice and Tribal Communities Community Conference Call, Washington, D.C.:** On Feb.12 EA Kim Morewood participated in a conference call on U.S. EPA's Proposed Air Rules. This call was conducted by the EPA to provide information on upcoming activities in EPA's Air Programs and foster a dialog with communities on their air quality issues. The call provided updates on the Proposed Hydrochlorofluorocarbons (HCFC) allocation rule from Elizabeth Whiteley, EPA, Office of Atmospheric Program; the Residential Wood Heaters New Source Performance Standards Proposal by Gil Wood, EPA, Office of Air Quality Planning and Standards; and the Clean Air Act Rulemaking and Permitting Training by Lena V. Epps-Price, EPA, Office of Air Quality Planning and Standards.

**Southwestern Regional Medical Center's Office Annex, Waynesburg, Greene County:** The Southwestern Regional Medical Center's office annex has been emptied because of a gas leak that was discovered on January 19th. Because readings in the building were so high—it was decided to move the doctor's offices in the building to other locations while efforts were made to determine the source of the gas. The efforts are complicated by the fact that two gas companies have lines that run through the property and there are some capped wells and at least one active well nearby. SWRO LGL Brian Schimmel and CRC John Poister had attended a meeting in Waynesburg on this topic on Mon., Feb. 10 and determined the situation is currently under control. This facility is located in an Environmental Justice Community.

**Chevron Lanco 7H Gas Well, Dunkard Township, Greene County:** On Feb. 11 crews were beginning the final phase of putting this well into production when something triggered an explosion. 1 person was injured, 1 was not accounted for. The explosion touched off a huge gas fed fire that continued to burn. The fire was contained to the immediate area around the well hole and did not threaten any buildings, aside from the workers on the pad there were no other evacuations. A team from Wild Well Control of Houston TX arrived late in the afternoon and assessed the fire. This well is located in an Environmental Justice Community.

**T&B Excavating 26140101, German Township, Fayette County:** On Feb. 10, Scott Jones of the Greensburg DMO accepted a surface mine permit (SMP) application for a site located in an environmental justice area in German Township, Fayette County. Kirk Roderick, Hatch Mott MacDonald consultant for T & B Excavating contacted EA Kim Morewood on Tues., Feb. 18 to start the arrangements for enhanced public participation under the EJ policy. EA Morewood is working with Mr. Roderick to determine the EJ outreach plan.

**Tri-State Alternative Fueling Expo & Conference, Monroeville, Allegheny County:** On Feb. 18-20 EA Kim Morewood assisted SWRO Maggie Hall & NWRO Geoffrey Bristol with set up and outreach at the DEP informational booth at the Tri-State Alternative Fueling Expo & Conference.

**EPA Environmental Justice Work Group, Washington, D.C.:** On Feb. 20, EA Kim Morewood participated in the EPA Monthly All States EJ Conference Call.

**USEPA's Faster-Cheaper-Greener Webcast Series, Washington, D.C.:** On Feb. 25, EA Kim Morewood participated in the webinar on Stormwater Management Incentives and Public Private Partnerships in Philadelphia: Driving Affordable, Green Stormwater Infrastructure Retrofits on Private Properties. The purpose of this webinar was to learn more about the approaches the City of Philadelphia is taking to encourage green stormwater infrastructure on private property including stormwater billing credits, grant programs, and public private partnerships. Presenters included: Dominique Lueckenhoff, Deputy Director, Water Protection Division, USEPA Region 3; Howard Neukrug, Water Commissioner, City of Philadelphia; and Erin Williams, Stormwater Credits Program Lead, Philadelphia Water Department.

**T&B Excavating 26140101, German Township, Fayette County:** On Feb. 26, EA Kim Morewood contacted Kirk Roderick, Hatch Mott MacDonald consultant regarding the surface mine permit (SMP) application for for T & B Excavating site visit. A site visit has been scheduled for Fri., March 7<sup>th</sup>. EA Morewood is working with Mr. Roderick to determine the EJ outreach plan.

**Chevron Lanco 7H Gas Well, Dunkard Township, Greene County:** The Status of DEP's Investigation into the Chevron Lanco Gas Well Explosion as of 03.04.14 per John Poister:

DEP Investigators (Bureau Of Investigation) have begun to collect information regarding the explosion at the Lanco 6H and 7H wells in Dunkard Township. The investigation will involve the review of Chevron records for the site and the inspection of site equipment. As efforts continued over the past week to cap the two wells, equipment that was on the pad at the time of the explosion was removed to another location in the Chevron Lanco complex. Investigators have access to that location and will be able to conduct examinations of that material. The goal of the investigation will be to determine, if possible, a cause and outline what steps might be taken to avoid similar problems in the future.

DEP Oil and Gas inspectors from SWRO continue to visit the site daily to monitor activities on the well pad. A communications link has been set up between DEP and Chevron allowing the company to provide a stream of information regarding its progress and plans for the site. As it stands now, DEP expects the company will request inactive status for Lanco 6H, 7H and 8H wells while investigations by the department, OSHA and the Pennsylvania State Police continue. The company has not said what plans it has for the well pad after the investigations are complete.

DEP has completed all air quality sampling and results will be made available in a summary report. Preliminary results of radiation sampling indicate background levels at all sampling locations. Radiation sampling results will be made available in a separate summary report.

Joint DEP/Chevron soil sampling will begin in early March.

**Pennsylvania Public Utility Commission's Be Utility Wise Committee (BUW), Allegheny County:** On March 12 EA Kim Morewood attended the BUW Committee's first planning meeting of 2014. Other members of the committee from the PUC, Conservation Consultants Inc., Dollar Energy Fund, Columbia Gas of PA/MD, Goodwill Industries & DQ Cap, & PA American Water also attended. The meeting was hosted by Columbia Gas and held at their corporate headquarters in Canonsburg.

**Pittsburgh Sports and Exposition Authority (SEA), City of Pittsburgh, Allegheny County:** On March 12 EA Kim Morewood received an update from Doug Straley, SEA Project Executive; SEA is resubmitting an application for The U.S. Department of Transportation's 2014 TIGER grant for their Lower Hill Redevelopment project. The Domestic Water Application and WQM Part II will be delivered to SWRO in the next day or two for Phase IB. About a week from

now, a major amendment to NPDES will be sent to DEP for review and approval. SEA is determining whether to do a phase II environmental testing now for both roads and development or wait until each development is done. If they decide to proceed now, SEA will want to coordinate with DEP on the specifics of testing program. EA Morewood passed on this information to the region.

**T&B Excavating 26140101, German Township, Fayette County:** On March 10

EA Morewood conducted a site visit with the applicant and consultant to determine the EJ outreach plan. A meeting is being scheduled after April 19 to allow for any public meeting requests for the permit. The company will hold the Environmental Justice Informational meeting at the German Township Municipal Building which is located in the center of the populated area near the mine site. An ad will run in the newspaper two weeks prior to the meeting. There is no anticipated interest by the community since this permit application has been advertised previously.

**Peoples Natural Gas (PNG) Advisory Council, Allegheny County:** On March 19, EA Kim Morewood attended the quarterly meeting of the newly formed PNG Advisory Committee. Agenda items included a conference call with the parties to the PNG/Equitable sale settlement. The purpose of the call was to review the terms of the sale settlement and to discuss the goals for the Advisory Group. The meeting also included a tour of the PNG facilities in Wilksburg and discussion topics during the meeting included Universal Service Advisory Group-kick off, 2014 Universal Service Programs-overview of programs, Peoples' Universal Service Plan-due 6/1/14, LIURP Program, Earned Income Tax Credit, Landlord Issues and a live demonstration of PNG's new e-Account online program. The meeting was attended by about 40 community partner representatives, PNG/Equitable Staff, and representatives of the Office of Consumer Advocate.

**USEPA Office of Water, Washington, D.C.:** On March 18, EA Kim Morewood participated in a teleconference with financing experts from the White House and national champions and practitioners provided an overview of options, benefits and "how-to's" for financing affordable stormwater management through the use of innovative P3 approaches that achieve greener infrastructure, community revitalization, economic development, equitable job growth, and enhanced local quality of life. The teleconference was moderated by Dominique Lueckenhoff, Deputy Director, Water Protection Division, USEPA Region 3, introductory remarks provided by Nancy Stoner, Acting Assistant Administrator, USEPA Office of Water. Presenters included: David Wilkinson, Senior Policy Advisor, Social Finance & Innovation, Executive Office of the President; John Germain, Director, Barclays Capital; Anthony S. "Tony" Freedman, Partner, Holland & Knight; Jason Washington, Senior Vice President, Community Wealth Building Initiative, City First Enterprises and Matt Millea, Deputy County Executive of Physical Services, Onondaga County, NY, (Vice Chair of WEF Government Affairs Committee, former NY State SRF Administrator)

**SWRO DEP Elected Officials Update Meeting (New Regional Roundtable Format):** EA Kim Morewood drafted the invitation letter and provided the mailing list for the invitations to attendees of the April 19 meeting. Elected officials from Washington, Greene, & Fayette Counties were sent a letter from Regional Director Sue Malone on Monday, March 17.

**EPA Environmental Justice Work Group, Washington, D.C.:** On March 20, EA Kim Morewood participated in the EPA Monthly All States EJ Conference Call. Topics discussed included: Identifying EJ models of success, effectively promoting EJ in our states/regions/communities and brainstorming ideas for using the EJ Blog effectively

**Pittsburgh Pipeline Advisory Committee, Pittsburgh, Allegheny County:** On March 16, EA Kim Morewood attended the Pittsburgh Pipeline Advisory Committee Meeting at ALCOSAN. Items discussed included the Pittsburgh Pipeline ongoing after-school ALCOSAN program updates for 2013-2014, student recruitment updates and changes to the 2014 summer program. The program has 30-40 students from the Pittsburgh City School District, Penn Hill School District, and Stowe Rocks School District currently participating. Representatives from Three Rivers Workforce Investment Board, ALCOSAN, Allegheny County Health Department and Pittsburgh Sewer & Water Authority were present.

**T&B Excavating 26140101, German Township, Fayette County:** On March 31 EA Morewood spoke with the consultant regarding the EJ meeting for the surface mining permit. An EJ meeting is being scheduled Tues., April 29 to allow for the extended comment period from mining. The company will hold the Environmental Justice Informational meeting at the German Township Municipal Building which is located in the center of the populated area near the mine site. An ad will run in the newspaper next week, two weeks prior to the meeting. Mining has received 4 letters from the community but no request for a public hearing to date.

**University of Pittsburgh's Center of Race & Social Problems, Pittsburgh, Allegheny County:** On April 8, EA Kim Morewood attended the CRSP Speaker Series: "Navigating Toxic Inequality" presented by Thomas M. Shapiro, Director, Institute on Assets and Social Policy, Pokross Professor of Law and Social Policy, The Heller School for Social Policy and Management, Brandeis University.

**Environmental Justice Advisory Board Conference Call, Harrisburg:** As a follow-up from the last EJAB meeting, on Wed., April 9 EA Kim Morewood participated in an EJAB conference call regarding Rx waste collection. Items discussed included a proposed amendment to Act 190 language with DEP's Larry Holley from the Waste Management Program.

### **Southeast and Northeast OEA Update**

**Dimock Town, Susquehanna County:** Wright received a request from OEA Director to respond to a concern about drilling and environmental justice. In 2009 Lynn Cynick contacted

the OEA Director about the air and water quality impact from drilling Dimock Town. The Director informed Cynick that the community was not an environmental justice area because of its size and that the EJ population was not large enough to be considered EJ. Cynick said that the community felt they were not being heard whether they wanted drilling or not. Some residents have meet and are working with the Clean Air Council, have had a DEP hearing and have a private google group where they gather and share information about community activities. Some of the concerns include a well installation on the same property with the local Elk Lake Elementary School, High School and Voc Tech. There is no municipality or township and the community is divided. Some of the home owners have contacts/contracts with the drilling companies and others don't. The major drilling company in the area is Cabot Oil and Gas. Cynick forward information about how drilling has affected the area.

**Delta Thermo Energy A, LLC, Allentown:** EA contacted the NER Community Relations Coordinator (CRC) who confirmed there are no plans for a public hearing and that there is a legal question still to be decided whether it is a waste or recycling operation.

**Delaware River Urban Waters Federal Partnership (UWFP) Regional Meeting:**

Environmental Advocate attended the regional partnership meeting at the Academy of Natural Sciences of Drexel University. The partnership gathered input at a listening session held in four cities (Philadelphia, Camden, Chester and Wilmington) this past summer and convened the entire Partnership at the Academy for a day of presentations, discussions, and next steps moving into the operational phases of the UWFP initiative. Assistant Secretary for Fish, Wildlife and Parks, U.S. Dept. of Interior, and the William Penn Foundation discussed the goals of transforming assets, connecting youth with nature and watershed protection. Presentations, panels discussions and facilitated breakout topics focused on water quality and quantity, river protection and restoration, climate resilience, brownfields revitalization and trails, parks, and open space. Presenters included: PWD, City of Wilmington, Tookany/Tacony-Frankford Watershed Partnership, Cooper's Ferry Partnership, Army Corps, Partnership for the Delaware Estuary, US Geological Survey, PA SeaGrant, Natural Resources & Envir Control, EPA, Camden County Municipal Utilities Authority, DVRPC, Chester Planning and Shade Tree Commission, and John Heinz National Wildlife Refuge.

**National Environmental Justice Conference and Training Program, Howard University, Washington, DC:** OEA staff and Director attended the conference and training program to hear from Federal and state agencies, local government leaders, organizations, and academia in regards to the diverse approaches to EJ. OEA met and was contacted by Lisa D. Quiveors, CPEA Management & Program Analyst, Office of the Chief Readiness Support Officer, Department of Homeland Security who expressed an interest in PA DEP EJ office and a future meeting in the near future. Quiveors works in Washington; however resides in Chester County. Also, EA was contacted by and spoke extensively with Akosua Dosu, American University, School of International Service, Master in Global Environmental Policy Candidate, and Class of 2014 about community participation and environmental justice.



**DEP 2014 Regional Brownfield Seminars series:** Wright attended a regional half day seminar on brownfields redevelopment at the Chester County Economic Development Council in Exton. The seminars were held in Southeast, North central, Northwest and Southwest regions and intended for local and municipal government and officials, economic development and planning agencies. The Southeast Regional Director provided opening remarks; DEP Environmental Cleanup Program gave presentations on Act 2 and Act 3. DEP and DCED representatives gave presentations on Brownfields 101, state funding, PA Site Search, and the audience heard success stories, learned about public and private funding and how to apply for funding. Langan Engineering and Environmental Services discussed the importance of leveraging multiple funding sources for redevelopment. After the each presentation, there was a question and answer session.

**EPA/NIEHS Children's Centers 2014 Webinar Series:** Wright listened and presented questions in to a series of webinars as institutions presented research on how environmental effects health. The webinars feature presentations and interactive discussions on recent findings and new developments in children's environmental health. The latest research is showing that exposure to environmental chemicals in the womb cause diseases later in life. This webinar addressed the importance of improving environmental reproductive health and how to protect the developing child. Researchers from the EPA/NIEHS Children's Centers and members of the EPA Children's Health Protection Advisory Committee (CHPAC) presented on prenatal exposures and their associations with adverse health outcomes, as well as prevention strategies such as messaging to improve reproductive health. Presenters were Frederica Perera, Ph.D., Prenatal Exposure to Air Pollution and Health and Neurodevelopment in a New York City Cohort; Tracey J. Woodruff, Ph.D., M.P.H.: Prevention for All; Martha Sandy, Ph.D., M.P.H.: Preventing Harmful Exposures Before and During Pregnancy: CHPAC's Suggestions for Getting the Message Out; and Susan Buchanan, M.D., M.P.H.: Prevention in the Exam Room. There is a SHC Research Program that provides science and tools for decision makers at all levels to help communities advance sustainability as well as achieve regulatory compliance. SHC is collaborating with its partners to conduct research that will result in science-based knowledge to guide decisions at the federal, regional, state and community level that will better sustain a healthy society and environment in America's communities.

**CEP Environmental Justice Conference Planning Committee:** Wright attended and OEA Director conferenced on the first planning committee meeting held at the Smilow Center for Translational Research U Penn. Discussion included goals for the conference and key questions about the environmental problems and EJ communities in the Commonwealth, format, participating organizations and sponsorships.

**Chester Environmental Partnership (CEP), Delaware County:** Wright, OEA Director, Regional ARD and Emergency Cleanup Program staff attended the Chester CEP meeting. EPA Remedial Project Manager and Community Involvement Coordinator provided an overview of the Metro Container Corporation Superfund Site that was added to the NPL list in 2012. Dr. Strand discussed the NEJAC Conference recently held in Region 8 and the planning of the 2014 CEP EJ Conference at U of Penn. OEA Director gave an update about the EJAB Listening Session and the 2014 Regional Brownfield Seminars. Penn CEET, Dr. Howarth and Crozer, Ellen Williams, provided an update and information on Save Your Soles Campaign in Chester.

PRC, Jay Vassell and other CEP members and community residents discussed the Eddystone Rail Project and the importance of economic development and safety. Dr. Strand mentioned the following awards: Covanta Scholarship, Crozer Main Line Health, PRC, Dr. MLK and CEP acknowledgement from EPA Administrator Gina McCarthy celebrating the 20<sup>th</sup> anniversary of environmental justice.

**Chester Environmental Partnership (CEP) at Widener, Delaware County:** EA and LGL attended the meeting at Widener University. Dr. Hornberger gave a Widener introduction and showed the November 2013 PA Senate prayer by Dr. Strand at the State Capitol Building. Laureen Boles gave the PA Brownfield Presentation that she and John Waffenschmidt presented at the Brownfield's conference in Valley Forge. EPA Community Involvement Coordinator (CIC) presented an update on Stoney Creek Trainer. EPA and DEP are assessing the site to determine where asbestos is present in any materials being disturbed and disposed. Community concerns expressed: storm water runoff onto residential properties, storm drain monitoring, and the close proximity of the Stoney Creek site and Monroe Corporation (superfund) site in Trainer and determining the kinds of contaminants. Dr. Strand and Dr. Howarth discussed a CEP strategy for the Save Your Soles Campaign. Dr. Strand discussed the CEP EJ Conference and met with committee members after the meeting.

**Right to Know Committee, Philadelphia, PA:** Wright spoke with South Philadelphia RTKC founder who expressed concerns about a City of Philadelphia public hearing in regards to the refineries in the area and the transporting of fuel through the communities. Wright reviewed Council's hearing schedule and contacted RTKC. The Joint Committees on Transportation & Public Utilities and Public Safety of Philadelphia City Council held a Public Hearing to hear testimony on Resolution 140028 authorizing the Joint Committees to hold hearings to investigate the conditions of railways, bridges and other surface transportation infrastructure owned, operated or maintained by CSX Transportation in the City of Philadelphia. After the hearing, the Joint Committees will consider action to be taken.

**Eddystone Rail Project, Eddystone, Delaware County:** Wright attended a community update forum sponsored by Eddystone Rail Company at Eddystone Firehouse. Principals from Eddystone Rail and its partners presented the update on the transportation of petroleum energy supplies from North Dakota to Philadelphia area refineries. The presentation included local project partners, construction at the facility, rail siding, tank retro fit, pipelines and pumps, permitting process, and community outreach in Eddystone and the county.

**Veteran Affairs and Emergency Preparedness Committee, Delaware County:** Wright and LGL attended the Veteran Affairs and Emergency Preparedness Committee public hearing at the Eddystone Fire Company in Eddystone to learn about emergency preparedness and response capabilities related to the transportation of crude oil across the Commonwealth. The legislative panel asked questions and listened to the testimony from CSX VP of Health Safety and Environment and the Hazardous Materials Special Agent, Norfolk Southern VP Safety and Environment, former Congressman Curt Weldon, PEMA Chief Deputy Director, Chairman of the Delaware County Local Emergency Planning Committee (LEPC), Board of Commissioners of Tinicum, Ridley and Eddystone Boroughs, the Associated Petroleum Institute of PSA, Bob

Andrews Group and Canopy Prospecting, Inc. on behalf of Eddystone Rail Company. Legislator Stephen Barrar of the 160<sup>th</sup> District called for the public hearing. The panelist, members of the State Legislators, included: State Representatives Mark M. Gillen, Thaddeus Kirkland, Joseph T. Hackett, Marua O. Donatucci and Stephen Barrar. The focus of the testimony and discussion dealt with emergency preparedness and how to make sure our towns are protected, transport carrier's history, best available technology and retrofit of tank cars design, rail/track and bridge improvements, disaster response plans, human error and disciplinary guidelines, speed, inspections, number of cars, miles of track, regulations and standards, trigger and detector systems and grants/resources for a national First Responder Center for state of the art training. Former Congressman Curt Weldon expressed concerns about tankers, rails and transporting through neighborhoods.

**Air Quality Program Lecture:** Wright attended the regional program lecture, *The Air You Breathe*, presented by James Rebarchak, Air Quality Program Manager. The lecture provided an overview of the Air Quality Program in the Region as well as a brief description of the work conducted by the Bureau in Central Office. Staff members exhibited the Program's FLIR camera on hand to show the audience how Air Quality staff use the camera to visibly see air pollution not normally seen with the naked eye. The FLIR is used at chemical plants to detect leaks. Also on hand was a FID PID detector that is used for organic substances to sample gas readings at landfills.

**DEP 2014 Environmental Education Grants Program:** Wright was requested to participate in the Department of Environmental Education grants program as a reviewer of 4 grants submitted by: Allegheny College, Fort Le Boeuf School District, Friends of the Allentown Parks, Inc., and North Branch Land Trust. EA reviewed the Manuals and the Academic Standards for Environment and Ecology, forms, Ethics Act Guidance-Updated and Ethics Bulletin and Conflict of Interest Protocol as it relates to the 2014 Environmental Education Grant applicants. All reviewers or scorers first determined no conflicts of interest while acting in the capacity as a reviewer for any of the grant applicants.

**New Garden Township, Chester County:** Wright received a request from a resident of Landenberg, PA requesting assistance on a well water supply threat. An email was forwarded and copy of a letter dated 12/13/2013 from Artesian Water that was distributed to the home owners within a 1/2 mile radius of a water well which Artesian owns or leases in New Garden Township, Chester County. The concerned citizen presented to their township Board of Supervisors information outlining the perils to local water wells if this project proceeds. The Supervisors were generally opposed to the test program by Artesian, but there is no current township ordinance which specifically prohibits this test or high water use. Waggoner believes that the project will require a use permit from the Delaware River Basin Commission since the intended use rate is 288,000 gal/day vs. a trigger point for a permit being 100,000 gal/day. The community is looking for assistance in determining how to pursue blocking Artesian Water from obtaining the required permit. They intended to pursue getting a local township ordinance passed, but believe that this should be pursued at a higher level, either at the state level or at the DRBC level. Waggoner believes there is no known development in New Garden Township

which needs such a large quantity of water and therefore it is probably intended for use by Artesian in Delaware. This water should be preserved for local township development needs. Because the area is not EJ, Wright forwarded the correspondence to CRC Supervisor. CRC Supervisor met with the program for further action. Recently Waggoner asked for assistance from the Public Advocate to help the community; Wright & CRC checked for any additional correspondence since 2013 before responding back to Waggoner.

**SER Assistant Regional Director (ARD) EJ Meetings:** Wright's update meetings with the ARD are to provide updates on EJ activities and issues in the region. Wright provided an update on the EJAB Listening Session, CEP EJ Conference Planning, CEP March meeting, Ardmore Plaza, Temple Center for Sustainability's meeting cancellation on the flood plain and stormwater restoration grant. Wright discussed permit applications in EJ areas and eFACTS, 2014 Environmental Education Grant application reviews, PQ Chester settlement and Vintage Recycling EJ requirement and final permit application approval.

**Ambler BoRit Superfund Site Citizen Advisory Group (CAG):** Wright agreed to be the alternate representative for the DEP CRC at the Ambler CAG meetings in relations to the superfund asbestos site.

**Vintage Tech, General Waste Permit WMGF081, Philadelphia County:** Wright spoke with Vintage Environmental Health and Safety Manager, and suggested that they move forward with setting up their own meeting and not wait for Bridesburg to reschedule their meeting unless it was within the 3 week window. EA suggested that they notify the Bridesburg Association prior to advertising their meeting. EA had already forwarded all contacts, samples of draft plain language summary and flyer and local newspaper ad to Vintage. The operation consists of dismantling and sorting pieces as commodities that are shipped. The material is loaded on pallets jacks to load outgoing shipments. The total amount of material is expected to be 8 million pounds (4 tons) per year. Approximately 30, 770 pounds (15.40 tons) will be received and processed each day. The facility will operate five (5) days a week, eight (8) hours a day Monday through Friday. EA received a call from the President of the Bridesburg Civic Association about the permit requirement for Vintage Tech. The President forwarded a copy of the letter from the Association to satisfy the EJ permitting concerns. The Associations and community met with Vintage to learn about the permit application, discussed and ask questions. The President of the Association forwarded a letter of confirmation to the Program that they understand and support their permit application and are familiar with their operation within their community. Wright forwarded an e-mail acknowledgement to the Association as requested.

**EPA Monthly All States EJ Work Group Conference Call:** OEA staff listened to a Title VI update by Helena Wooden Aguilar, EPA Office of Civil Rights. Aguilar discussed the work of the Office in building a model Civil Rights program. The EEO discussed the employment program, policies, and tools to understand non-discrimination, technical assistance, case histories, and their redesigned website that includes LEP. The office works closely with the DOJ and willing to meet and discuss civil rights with community groups. Their goal is to work on partnerships, communication, provide state and local government guidelines and clarity when it comes to compliance. The 17 agency interagency workgroup have all signed on to a MOU, and focusing on the National Environmental Act. Office of EJ, Charles Lee and Mustafa Ali, talked

about the activities planned around the 20<sup>th</sup> anniversary of President Clinton's Executive Order 12898. The EPA has planned events to celebrate a bench mark in the history of EJ, how far EPA has come, successes, gaps and the future. February is EJ Month and activities include: online training for agency personnel and how to integrate EJ into programs, MOU language, final 2014 Report, 2014 community tours, video from the Administrator, Smart Growth Work Shops, Champions for EJ honoring legislators, John Lewis and Clyburn, a Stakeholder Round Table and the Next 20 years, EJ Action Blog that capture stories and how communities address EJ in a positive way, Twitter Town Hall and a new interactive website, and at the NEJAC meeting – the past 20 years and looking forward. Charles Lee and Mustafa Ali will present at the next All States Meeting in February on the EJ Month activities.

**Public Health Law Webinar Series:** Wright listened in to this webinar that focused on providing the public health community with practical knowledge on emerging topics. The series is sponsored by American Society of Law, Medicine & Ethics; Network for Public Health Law; and Public Health Law Research Program. Presenters discussed the biology of bed bugs, legal remedies and limitations, the role of landlords, tenants, housing and public health officials, and the physical, social and mental anxiety that those communities that have experienced the infestations face.

**Church of the Overcomer, Delaware County:** Wright attended *Celebrating the legacy of Dr. Martin Luther King Jr.* award ceremony honoring Rev. Dr. Horace Strand, Chester catalyst for change. Strand received a local "Drum Major for Justice Award" for his tireless efforts to combat environmental racism in Chester. The award was presented at the Church of the Overcomer in Trainer as part of its Martin Luther King Day celebrations by the Rev. Keith Collins.

**eFACTS -EJ Permit Tracking:** OEA reviewing e-FACTS notifications for NE and SE regions for EJ permit check verification.

**Morrisville Environmental Organization, Bucks County:** EA spoke with the Preservation Alliance in Philadelphia about possible grants and funding for demolition of the old school building next to the historic site, Summerset House in Bucks County. Erin Hammerstadt, a statewide preservation advocacy organization, Preservation PA, was unaware of funds from any PA preservation groups available to aid demolition. They would contact Gradwohl and may be able to offer mitigation information if preservation is still an option. EA forwarded the contacts for EPA Brownfields, PA DCNR, DCED, DVRPC, County Redevelopment Authority and Conservation District to Gradwohl.

**EPA Webinar, Goods Movement and Ports: Community Impacts and Collaborative Solutions –Lessons from community research:** EA listened to "*National Conversation on Ports with Port Stakeholders*". This webinar series is to bring together key port stakeholders in order to explore options to improve the environmental profile of ports while protecting community health and supporting economic growth. The Brooklyn-Curtis Bay Coalition gave examples of engagement between port facilities and nearby communities. Andrea Hricko, Keck

School of Medicine, University of Southern California described community health impacts and present current research findings. The webinars are designed to hear directly from the organizations and stakeholders with the greatest interest in ports about the challenges, concerns, and opportunities within the ports sector. The insights and lessons learned from these meetings will help EPA develop a comprehensive and valuable agenda for a National Ports Stakeholder Summit, scheduled for April 8, 2014 in Baltimore, Maryland.

### **South-central and North-central OEA Update**

**Community Environmental Project (CEP):** The Community Environmental Project (CEP) policy has been finalized and issued as final in the April 19 *Pennsylvania Bulletin*.

**Environmental Justice Advisory Board (EJAB) Community Listening Session, Chester PA:** OEA staff continues to promote the upcoming listening session.

**Chesapeake Bay Program:** DS Heffner is in the process of working on the Chesapeake Bay Watershed Agreement with the Program Partners on behalf of PA. The Program has developed an issues paper in response to public comment received on the draft agreement. A portion of those comments addressed environmental justice concerns along the bay. Cairns worked with Andy Zemba, who will be attending the meeting with DS Heffner and edited some of the language in the proposal, made recommendations on how to approach the EJ issue by including EJ language in the agreement. The partners agreed to include EJ as a goal.

**Environmental Justice Advisory Board Conference Call, Harrisburg:** As a follow-up from the last EJAB meeting, on April 9 Cairns and OEA staff held an EJAB conference call regarding Rx waste collection with Larry Holley. Items discussed included a proposed amendment to Act 190 language. WM was comfortable with the draft language. EJAB will be voting on the recommendation at the upcoming May meeting.

**EPA National Environmental Justice Conference, Washington, D.C.:** OEA Director, SW EA and SE EA attended the 2014 National Environmental Justice Conference and Training Program at Howard University School of Law March 26, 2014 and Washington Marriott at Metro Center March 27-28. The conference featured leaders from various sectors engaging in 3 days of free exchange of new ideas and new approaches to environmental justice. This interactive training session featured research, discussions, and thought-provoking dialogue. The program format addressed the needs and challenges of communities, governments, municipalities, tribes, faith-based organizations, and others with an interest in environmental matters and environmental justice. Highlights included programs and collaborations that work, as well as initiatives that will not prove successful. Program speakers included representatives from Federal and state agencies, local governments, tribes, community groups, business and industry, public interest groups, academia, and other entities. The conference participants saw examples of approaches that produce positive successful and some unsuccessful collaboration. Some of conference attendees expressed concerns that the conference was heavily dominated by agencies activities; and not allowing enough time for comments, questions and answers.

**DEP Environmental Justice Advisory Board (EJAB) Listening Session:** The special notice for the listening session will run in the Feb. 5 edition of the *Pennsylvania Bulletin*. Information was shared with communications for posting in the newsletter, emails, DEP online calendar, newspaper notification and flyers are being circulated to help make statewide stakeholders aware of the opportunity to comment or participate in the May 6 listening session. Information for the listening session is available through the Public Participation Center under EJAB.

**Act 54 Fact Sheet and Summary:** The redrafted fact sheet has been reformatted to a booklet and edited to improve the flow of information and readability. CAC will review the document and submit suggestions back to DEP. DEP will revise where appropriate and then engage the environmental groups in the bituminous coal region for feedback. Once the enviro groups have completed their review, DEP will update and publish the new document. OEA and mining have been working on this update. This initiative is intended to coincide with the draft release of the Act 54 report. Cairns also shared information about the upcoming listening session EJAB will be holding in Chester and an invitation they will likely be getting from the Univ. of PA to participate on the environmental conference committee.

**CEP Environmental Justice Conference Planning Committee:** OEA Director and EA Wright participated in the first planning committee meeting hosted by the University of Penn. Discussion included identifying environmental problems or areas of concern for Pennsylvanian's in order to look at what types of sessions and speakers would best serve those topics. Goals for the conference, time of year, and other participating organizations were discussed. Another meeting will soon be scheduled. The conference will likely take place the third quarter in 2014.

**Environmental Groups:** O&G, Policy, EA offices and legal met with the environmental groups for their quarterly meeting. Discussion topics focused on:

- Update on the number and types of positive determinations
- Update on the tracking system for complaints and determinations
- Update on making the Marcellus Shale Coalition's pre-drill data base public
- Potential to reopen investigations
- Replacement of impacted water
- Sampling and testing inconsistencies
- Closure of investigations
- Influence of data collected through positive determinations and;
- Compliance and Enforcement process

The group would like to look at improving communication between DEP and residents with water complaints by looking at the letters and materials we provide to see if there is some additional information we can include to help better educate well water users on how to find accredited labs to test their water, for example. Concerns for gaps when residents are waiting for drinking water determinations outside of presumption and for those with inconclusive determinations having to pay for drinking water were raised. The group would like to ultimately

see legislation that requires residents to somehow receive water during the decision making process.

**Environmental Education Grant Ratings:** OEA staff completed all grant reviews and submitted scores to the Environmental Education staff.

**EPA Environmental Justice All States Monthly Call:** On Feb. 20, OEA staff participated in the EPA Monthly All States EJ Conference Call. The topic of discussion centered on the 20-year celebration of the signing of the environmental justice executive order, 12898. States were asked to submit activities occurring around environmental justice to include in EPA's calendar of events. The EJAB listening session was submitted.

**National Environmental Justice Advisory Council (NEJAC):** The National Environmental Justice Advisory Council meeting was held in EPA's region 8 headquarters in Denver. The 20<sup>th</sup> anniversary of the signing of Executive Order 12898 (the environmental justice EO) was recognized. Sustainable Brownfield development projects were a highlight throughout the meeting that closely or are entirely community driven. A request again was made to EPA to have NEJAC establish a working group to begin to look at the many concerns being brought to the attention of the council and EPA in the unconventional drilling states. A question came up with rail cars and their ability to handle liquid and gas fossil fuel transport in PA. The question was primarily targeted for the oil that will be coming into Eddystone to the refineries. Coincidentally, a car derailment happened two days later in PA to emphasize the concern for this issue. The Region 8 Administrator responded that new rail car requirements should be coming soon. Each federal agency is now annually reporting how they are integrating EJ into their practices. A large focus for EPA going forward is going to be climate resiliency. NEJAC members requested EPA do more cross-agency work with the Dept. of Agriculture to address issues such as the demand agriculture places on water resources. NEJAC also requested that diversity in hiring at EPA continue to be an emphasis. The public meeting held in conjunction had approximately 40-groups from across the nation give testimony

**Growing Greener Coalition:** Cairns was contacted again by the Executive Director for the Growing Greener Coalition regarding the grant funding guide they are assembling. The director requested a review of the DEP grants included and also a contact or stormwater to help answer some questions as he moves through that section of the guide. This will be a compilation of water related funding. The foundations have seen a decrease in grant funding requests and have found it to be attributable to the decline in larger funding. They are trying to encourage projects by helping applicants to identify resources to leverage funding. **The final document was published and available to others.**