

**MINUTES OF MEETING OF THE
ENVIRONMENTAL JUSTICE ADVISORY BOARD
NOVEMBER 14, 2023**

MEMBERS PRESENT in person:

Adam Cutler, Chairman
Dr. Arthur Frank
Rashida Lovely
Jerome Shabazz

MEMBERS PRESENT via phone:

Dr. Jennifer Baka
Dr. Heather Bedi
Anthony David
Lisa DePaoli
Rafiyqa Muhammad
Joylette Portlock
Dr. Horace Strand, Vice Chair/Alice Wright
Tom Torres

MEMBERS NOT PRESENT

Gary Horton
Hazem Hijazi
Bobby Hughes

DEP STAFF PRESENT IN-PERSON:

Fernando Trevino, Office of Environmental Justice
Justin Dula, Office of Environmental Justice
Andrea Fields, Office of Environmental Justice
Ariana Genna, Office of Environmental Justice
Dong Yoon Kim, Office of Environmental Justice
Jennifer McLuckie, Office of Environmental Justice
Winnie Okello, Office of Environmental Justice
Lindsay Byron, Energy Programs Office
Anwar Curtis, Secretary's Office
Sarah Pinter, Energy Programs Office
Colleen Unroe, Policy Office
Lena Smith, Policy Office

DEP STAFF PRESENT VIA PHONE:

Autumn Anderson, Office of the Budget
Amelia Benson, Office of Environmental Justice
Abbey Cadden, Office of the Budget
Jordi Comas, Office of Environmental Justice
Ian Irvin, Citizens Advisory Council
Kurt Klapkowski, Office of Oil & Gas Management
Louie Krak, Office of the Budget
Amani Reid, Office of Environmental Justice
Maximillian Shultz, Policy Office

NON-MEMBERS PRESENT VIA PHONE:

Brent Hoover P.E., NFG
Lamont Jones
Ruthann Jones
Avery Lentini, DRBC
Linda Lohner, Science Teacher, Wallenpaupack Area High School
Mike Pries
Chris Reynolds
Madison Stromswold
Freda Tepfer
Anna Tartline, Latino Hispanic American Community Center
Nick Troutman
Denise, York County Solid Waste Authority
Kara
Kendall

CALL TO ORDER:

Chairman Adam Cutler called the meeting to order at 9:00 A.M.

APPROVAL OF MINUTES:

Chairman Cutler solicited additions or corrections to the Minutes of the August 15, 2023 meeting. Hearing none, Chairman Cutler requested a motion to approve the Minutes.

Dr. Arthur Frank made a motion to approve the Minutes of the August 15, 2023 meeting. Jerome Shabazz seconded the motion. With no abstentions, all were in favor, and the motion was unanimously approved.

FUNDING UPDATE:

Autumn Anderson, Deputy Director, Office of the Budget

Autumn discussed the Commonwealth Workforce Transformation Program (CWTP), a new Executive Order, signed by Governor Shapiro, to create opportunity. Over the next 5 years, up to \$400 million in funding will be allocated, creating up to 10,000 new jobs.

Q&A centered around getting this information out and ensuring folks are hired from the communities. Suggestions were made to have conversations now, with partners or organizations, that are interested in the CWTP program.

Abbey Cadden, Infrastructure Coordinator, Office of the Budget

Abbey provided an update on the Solid Waste Infrastructure for Recycling Program. DEP's Bureau of Waste Management received \$500,000 to improve a post-consumer materials management program, tracking data on food waste and food recovery.

DEP is currently waiting for an update on the application submittal for \$250 million for The Solar for All Program, a program to expand low-income houses with residential solar.

PENNVEST, the state's water and wastewater infrastructure authority, has received funding to offer low-cost loans and grants to communities looking to upgrade drinking water, storm water, and many other upgrades.

Q&A centered around the type of relationship PENNVEST has with communities looking to do upgrades. PENNVEST has coordinators for each region who will work with you and help you through the process.

- PENNVEST Main Page: <https://www.pennvest.pa.gov/about-us/Pages/default.aspx>
- PENNVEST Funding Programs: <https://www.pennvest.pa.gov/Information/Funding-Programs/Pages/default.aspx>
- PENNVEST Contacts by Region: <https://www.pennvest.pa.gov/Services/Pages/Regional-Assistance-New.aspx>

Louie Krak, Infrastructure Coordinator, Office of the Budget

DEP is eligible for a grant opportunity through EPA's \$48 million grant for implementing Underground Injection Control Class 6 Programs. DEP would have primacy for implementing and enforcing Underground Injection Control Class 6 Wells. DEP will create a grant program to establish this program.

DEP received a \$3 million planning grant, to do in-depth climate action planning. This was received from EPA's grant program, Climate Pollution Reduction Grants. DEP is in the process of preparing a priority climate action plan, focused on reducing emissions from the industrial sector, which is one of the largest emitting sectors in Pennsylvania. There has been stakeholder outreach around priority climate action plan and there are public meetings forthcoming.

ORPHANED & ABANDONED WELLS:

Kurt Klappowski, Deputy Secretary, Office of Oil & Gas Management

This presentation focused on Abandoned and Marginal Well Plugging. Under the Infrastructure Act, the General Assembly put together the Orphan Well Plugging Grant Program, run by the Department of Interior (DOI) to address orphan wells and well sites on Federal, tribal, state and private lands. Pennsylvania has identified over 27,000 abandoned and orphaned wells, with DEP plugging 3,439, since 1989.

The Infrastructure Investment and Jobs Act (IIJA) has the potential to provide \$400 million to Pennsylvania. Funds would be used to plug abandoned and orphan wells through three programs: Initial Grant, Formula Grant and Performance Grant, through September 2030.

Under the Inflation Reduction Act, a new section was created in the Clean Air Act, which created the Methane Emissions Reduction Program (MERP). \$350 million in Grants to States were provided to cut methane emissions from the Oil and Gas Sector. DEP qualifies for \$44 million in funding and has submitted its application.

Q&A centered around the timeframe to cap wells and the effects of climate change. DEP is working closely to identify high emitters.

CLIMATE CHANGE UPDATES:

Sarah Pinter, Energy Programs Specialist, Energy Programs Office (EPO)

Sarah provided an update on the Climate Action for EJ Communities (CAEJC) Program. EPO held public engagement meetings to discuss climate concerns. EPO also worked with a contractor, Preservation Design Partnerships (PDP), and the OEJ staff. In these meetings EPO provided an overview of climate impacts and the purpose of the program. EPO's Climate Strategy Opinion survey to provide feedback [PA DEP Review CAP EJ Communities \(arcgis.com\)](#)

The information received at each meeting and through the survey, PDP, synthesized the feedback into a report that highlights priority actions. Central themes included equity benchmarking, transportation strategies, increasing the access and safety, reducing vehicle reliance and improving accessibility of communities, renewable energy upgrades, and sufficient funding for a sustainable implementation. The full report, [Pennsylvania Climate Action: Strategies for Environmental Justice Communities](#) can be found here.

Q&A centered around the continuity and how to ensure this is applied across the board and handling issues that arise and moving forward.

Lindsay Byron, Group Manager, EPO

EPO is building on the work from the Climate Action Plan and reaching out to communities. Second round of outreach with the Climate Pollution Reduction Grants (CPRG) with funding from the U.S. Environmental Protection Agency's [Climate Pollution Reduction Grant Program](#). DEP is administering the CPRG Program funded by the [U.S. Environmental Protection Agency \(EPA\)](#) which provides grants to local governments to implement projects that reduce greenhouse gas emissions and other air pollutants.

2024 MEETING PLANNING:

Chairman Cutler discussed 2024 EJAB meeting dates and solicited for any changes. With no opposition, these dates will be scheduled for the 2024 EJAB meetings.

OEJ UPDATES:

Justin Dula, Director, Office of Environmental Justice (OEJ)

The OEJ welcomed a new team member, Ariana Genna, Southcentral Regional Coordinator located in the Southcentral office.

Interim EJ Policy & EJ Mapping

EJ Policy and PennEnviroScreen have been adopted as Interim-Final on September 16. The Public Comment Period was extended until November 30, based on requests from industry and non-profit groups, and additional public comment meetings were added. Presentations have also been made to many advisory boards. OEJ staff will start to work on the comment response document.

Q&A centered around the feedback received and permitting timelines.

Fernando Treviño, Special Deputy Secretary, Office of Environmental Justice

Fernando provided an update on the Shell Environmental Mitigation Community Fund. A new advisory board is being formed, that will take the lead on the Mitigation Community Fund, to receive, review and vote on applications. The Shell Steering Committee suggested an extended community engagement, beyond the application period. Information on the Shell facility and the mitigation fund are available at <https://www.dep.pa.gov/shell>

DEP is bringing in a consultant to develop a language access policy. This will fill the gaps of language access within DEP, with the Policy Office taking the lead. OEJ is working towards a better plan for language access. This will help in conducting Enhanced Public Participation in an effective way and be able to communicate with communities better.

Q&A centered around compliance and if plans would be shared.

PUBLIC COMMENT:

None

SUBCOMMITTEE UPDATES:

Fernando provided a brief update on the Public Defenders for Environmental Justice Communities memo. OEJ is following up with the Governor's Office and is waiting for an update.

Chairman Cutler discussed the Commonwealth Court (CC) decision on Regional Greenhouse Gas Initiative (RGGI) Regulations. The CC ruled the DEP did not have authority to issue regulations entering the RGGI programing and providing for how the proceeds would be used. The DEP and the Governor's Office can appeal this decision.

Q&A centered around how the board members could get the message out about RGGI.

Discussion arose around the role of the Board in advocacy on legislation.

Wrap Up and Next Steps:

Discuss changing the traveling meeting date to May

Discuss RGGI

ADJOURNMENT:

Chairman Cutler requested a motion to adjourn the meeting.

Adam Cutler made a motion to adjourn the meeting. Arthur Frank seconded the motion, and all were in favor.

The November 14, 2023 EJAB meeting adjourned at 11:39 AM.