

**Pennsylvania Department of Environmental Protection**  
**AIR QUALITY TECHNICAL ADVISORY COMMITTEE MEETING**  
DRAFT February 6, 2025 Meeting Minutes

**ATTENDANCE**

Air Quality Technical Advisory Committee (AQTAC or Committee) members present via Teams or in-person.

|                |                                     |                   |                                     |                 |                                     |                   |                                     |
|----------------|-------------------------------------|-------------------|-------------------------------------|-----------------|-------------------------------------|-------------------|-------------------------------------|
| Rob Altenburg  | <input checked="" type="checkbox"/> | Christine Heath   | <input checked="" type="checkbox"/> | Richard Shaffer | <input checked="" type="checkbox"/> | Maryjoy Ulatowski | <input checked="" type="checkbox"/> |
| Scott Brown    | <input checked="" type="checkbox"/> | Charles McPhedran | <input checked="" type="checkbox"/> | John Shimshock  | <input checked="" type="checkbox"/> | Shaun Vozar       | <input checked="" type="checkbox"/> |
| Kimberly Coy   | <input checked="" type="checkbox"/> | Mohamed Mellaouch | <input type="checkbox"/>            | John Slade      | <input checked="" type="checkbox"/> | John Walliser     | <input checked="" type="checkbox"/> |
| Joseph Duckett | <input checked="" type="checkbox"/> | Michael Nines     | <input checked="" type="checkbox"/> | Kevin Stewart   | <input checked="" type="checkbox"/> |                   |                                     |
| Joseph Guzek   | <input checked="" type="checkbox"/> | Marianne Payne    | <input type="checkbox"/>            | John Tissue     | <input checked="" type="checkbox"/> |                   |                                     |

**CALL TO ORDER & ADMINISTRATIVE ITEMS**

Chair John Tissue called the meeting to order at 9:15 a.m.

**Approval of Minutes**

John Tissue requested a motion to approve the 10/10/24 meeting minutes with the following revisions:

- Attendance correction to mark John Shimshock as absent for the meeting.

Shaun Vozar made a motion to approve. Michael Nines seconded. John Tissue, hearing no opposition, moved to approve the minutes.

**PRESENTATION**

Louie Krak presented on Reducing Industrial Sector Emissions in Pennsylvania (RISE PA)

**Discussion**

Joe Duckett requested clarification regarding the goals of the program. Although the program is titled *Reducing Industrial Sector Emissions*, he noted that it appears to focus almost exclusively on carbon dioxide (CO<sub>2</sub>) emissions. He also sought clarification on co-pollutants. In response, Mr. Krak explained that the program aims to reduce all greenhouse gas emissions, not just CO<sub>2</sub>. One of the objectives of the Climate Pollution Reduction Grants is that by reducing greenhouse gas sources, there will also be associated reductions in criteria air pollutants (CAPs) and hazardous air pollutants (HAPs). The DEP will report back to the EPA on which co-pollutants (CAPs and HAPs) are reduced through funded projects.

Mr. Duckett also asked for further clarification regarding funding eligibility. Specifically, he inquired whether projects related to pollutants such as nitric oxide and nitrogen dioxide (NO<sub>x</sub>) or volatile organic compounds (VOCs), which are not greenhouse gases, would qualify for RISE PA funding. Mr. Krak confirmed that projects must be directly related to reducing greenhouse gas emissions to be eligible for funding under RISE PA.

Kevin Stewart expressed his support for RISE PA's broad and collaborative approach. He asked how much of the grant funding has already been received by the Commonwealth and whether changes in the current (EPA) administration's climate policies could impact the program. Mr. Krak explained that the DEP has a fully executed and legally binding grant agreement with the EPA. While DEP is still reviewing recent federal directives, the

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funding is structured as a disbursement grant, meaning DEP must request disbursements to access funds. Once RISE PA officially launches, DEP will collect applications but will not select awardees until they can ensure funding availability.

Michael Nines echoed Mr. Stewart's concerns and appreciated the clarification. John Tissue also raised questions about how changes in federal program implementation might affect RISE PA. Mr. Krak clarified that the Climate Pollution Reduction Grants program operates under the Inflation Reduction Act.

Scott Brown commented that if DEP does not receive the funding as agreed, they should consider legal action, given that many Pennsylvania businesses stand to benefit from the program. Mr. Krak affirmed his commitment to ensuring RISE PA's success.

John Tissue inquired about how DEP communicates funding availability to potential applicants. Mr. Krak outlined the agency's extensive outreach efforts over the past six months, including hosting two webinars, maintaining a mailing list, directly targeting potential applicants, and exploring a partnership with the Bureau of Air Quality for further outreach. Additionally, he has been actively engaging with all relevant DEP advisory committees.

Finally, Joe Duckett asked whether landfills are eligible for funding. Mr. Krak explained that landfills do not qualify because their emissions are accounted for in the waste sector of the greenhouse gas inventory. RISE PA can only fund projects that reduce emissions within the industrial sector.

### **PRESENTATION**

Matt Bomberger presented on Standard Protocol 001 (SP-001) for Gas and No. 2 Oil Fired Small Combustion Units

### **Discussion**

Michael Nines stated that he had conducted a brief review of the protocol but asked whether DEP wanted AQTAC to form a group for a more in-depth review and what the timeline for the review process would be. In response, Matt Bomberger stated that his goal is to have the protocol finalized by April, though it still needs to be reviewed by DEP's regional offices.

Nick Lazor then asked Mr. Nines how long he anticipated AQTAC's review process would take. Mr. Nines estimated that the review could be completed by the end of February. After some discussion about the best approach for conducting the review, it was agreed that the AQTAC liaison would distribute a link to the document to all AQTAC members. Those interested in reviewing the protocol would have until the end of the month.

### **PRESENTATION**

Panna Chibber presented on Emission Guidelines (EGs) for Greenhouse Gas (GHG) Emissions from Existing Oil & Natural Gas Facilities (40 CFR Part 60 Subpart OOOOc).

### **Discussion**

Christie Heath asked about the process for facilities with a Title V or state-only operating permit and whether they would be handled separately from OOOOc. Viren Trivedi explained that facilities with an operating permit do not

need to apply for a general permit, as they can incorporate the requirements directly into their existing operating permit. He also noted that DEP has had multiple discussions with the EPA on ensuring that OOOOc, which will be part of a state plan, is federally enforceable. Ms. Heath and John Walliser both asked whether DEP still plans to incorporate the model rule by reference or if the proposed plan will deviate from that approach. Mr. Trivedi clarified that DEP is currently incorporating the EPA's model rule into its state plan. We are not incorporating it by reference but including language of the EPA OOOOc model rule. We have not yet deviated from the model. After the public comment period, DEP will assess how much, if at all, they can deviate from the model rule.

### **PUBLIC COMMENT PERIOD**

Seven individuals signed up in advance of the meeting to provide public comments. Their statements are summarized below:

#### **Kim Anderson, Evangelical Environmental Network (ENN)**

Kim Anderson, a representative of the ENN, stated that her organization has collected 36,391 signatures from evangelicals urging DEP to implement a strong State Plan for the methane supplemental rule. Ms. Anderson believes that the Commonwealth can be an energy leader in our nation and also defend the health of the nearly 1.5 million people living near oil and gas communities. Ms. Anderson urged DEP to adopt the strongest possible methane standards to safeguard the health of children and other residents in Pennsylvania.

#### **Melissa Ostroff, Earthworks\***

A certified thermographer, Melissa Ostroff uses an optical gas imaging (OGI) camera to detect invisible methane leaks at oil and gas sites throughout Pennsylvania. Ms. Ostroff commented that she frequently detects methane leaks at small, conventional, and older well sites. She recommended that DEP implement a stronger methane control plan than the current EPA rule and provided suggestions for improving the plan.

#### **Vanessa Lynch, Mom's Clean Air Force**

Vanessa Lynch, representing Mom's Clean Air Force, which is a group of parents consisting of over one hundred thousand members united against air pollution and climate change, emphasized the group's goal of equitably protecting children. Ms. Lynch urged DEP to enact strong methane safeguards to protect frontline communities and offered recommendations to strengthen the state plan.

#### **Flora Cardoni, PennEnvironment Deputy Director\***

Flora Cardoni is the deputy director of PennEnvironment, a citizen-based environmental advocacy organization based in Philadelphia. Ms. Caroni explained the dangers of methane and other toxic pollutants including volatile organic compounds (VOCs). Pennsylvania is the second largest fracked gas producing state in the country and PennEnvironment believes Pennsylvania therefore has a responsibility to reduce climate and air pollution from the oil and gas sector. She urged the governor and DEP to implement a strong state plan to protect public health and lower climate emissions.

#### **Alice Lu, Clean Air Council**

As a policy analyst for the Clean Air Council, Alice Lu represented the organization in offering comments. The Clean Air Council is a member-supported environmental organization serving PA and the surrounding region.

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Ms. Lu urged DEP to implement standards stronger than the EPA's to better protect frontline residents and reduce climate-warming emissions. The Council also submitted several recommendations to improve the State Plan.

### **Arthur Gershkoff, MD**

As a citizen of Montgomery County and retired physician, Dr. Gershkoff addressed the committee regarding the health impacts of methane and other toxic components of natural gas including benzene, toluene, xylene, formaldehyde, and hydrogen sulfide. Dr. Gershkoff encouraged DEP to adopt a strong state plan for methane and particularly to develop standards for monitoring leaks and how fast to correct leaks that are found.

### **Keith Myers**

Mr. Myers is a citizen of Pennsylvania and expressed concern regarding the Official Ambient Air Data Website. He believes data is being deleted from the website and would like answers regarding his concerns. Mr. Myers is concerned about the levels of solar radiation, ozone, particulates, and sulfur dioxide in Pennsylvania. AQTAC members and Nick Lazor addressed Mr. Myers comments and indicated that the topic was not related to the advisory committee agenda for the meeting.

*\* Provided written comments were read aloud during the public comment period by the AQTAC chair, John Tissue, as the commentor was unable to attend the meeting.*

## **PRESENTATION**

John Tissue presented on AQTAC Review of DEP Policy and Instructional Documents

### **Discussion**

Kevin Stewart expressed his appreciation for the presentation and inquired about the prioritization of the document review. He asked whether DEP had identified specific areas requiring attention but lacked the staff or resources to address them. This insight, he suggested, could help AQTAC focus its efforts effectively. He also proposed piloting the program by reviewing a few documents first to evaluate the process.

Rob Altenburg shared his experience from his time at DEP, noting that guidance documents require significant time and effort to develop. At any given time, multiple documents are in various stages of editing. He emphasized the need for close collaboration between AQTAC and DEP to avoid duplication of efforts.

John Tissue supported the idea, viewing it as a collaborative effort where AQTAC and DEP would work together. Joe Duckett agreed with the importance of prioritization, suggesting that AQTAC start by reviewing one or two documents and then evaluate the process.

Nick Lazor endorsed the idea, clarifying that DEP does not expect AQTAC to review all documents. Instead, AQTAC's role would be to identify outdated documents, those that require greater clarity, or those that need to be entirely reworked. He noted that AQTAC members, as experts in their field, could help DEP improve documents that are essential for fieldwork.

John Tissue emphasized that meaningful contributions should take precedence over volume. The first step, he proposed, would be to define the scope of work—establishing goals, setting a timeframe, and determining which document categories to review. Document reviews would follow once these foundational steps were completed.

He then asked if any committee members were interested in participating. AQTAC members that volunteered for the subgroup included: John Tissue (group leader), Joe Duckett, Christie Heath, Michael Nines, John Slade, and Kim Coy.

Joe Duckett then made a motion to initiate a subset of AQTAC members to collaborate with DEP on planning the guidance document review. Christie Heath seconded the motion. With no opposition, John Tissue moved to initiate the planning process.

## **PRESENTATION**

Bryan Oshinski presented Ozone: Year in Review

## **Discussion**

John Shimshock inquired about Philadelphia's designation as a non-attainment area for ozone and DEP's plans to bring the area into attainment. Bryan Oshinski responded that DEP is actively meeting and formulating a plan.

Sean Nolan presented a slide outlining the Clean Air Act's required measures based on non-attainment classifications. He explained that when an area is initially designated as non-attainment, it is given three years to meet the standard. Philadelphia was originally classified as "marginal," but when it failed to attain the National Ambient Air Quality Standards (NAAQS) within that timeframe, it was reclassified as "moderate" and granted an additional six years to achieve attainment. The deadline for this period was April 4, 2024. Consequently, DEP must analyze data from 2021 to 2023 to determine compliance. Recognizing that Philadelphia was unlikely to meet attainment, DEP voluntarily requested an upgrade to a "serious" designation in 2024. As a result, the attainment deadline was extended to August 3, 2027. The Bureau of Air Quality is currently developing the State Implementation Plan (SIP) to bring Philadelphia into attainment. Kirit Dalal noted that he would further address this topic in his presentation on rulemakings and SIPs.

Michael Nines inquired about the possibility of excluding exceptional events from the 2023 Canadian and southern New Jersey wildfires, which contributed to NO<sub>x</sub> issues. He also asked whether June 2024 data might show additional impacts from Canadian wildfires, potentially qualifying as another exceptional event. Mr. Nolan explained that Philadelphia's non-attainment area spans multiple states, including portions of New Jersey, Delaware, and Maryland. Because the states voluntarily moved to the "serious" designation, the EPA deferred its decision on the exceptional event analysis. Mr. Nolan then discussed the technical aspects of the exceptional event analysis.

John Slade asked for an update on particulate matter (PM<sub>2.5</sub>) non-attainment areas. Mr. Nolan outlined Pennsylvania's designation process, noting that DEP is currently reviewing public comments and plans to conduct an exceptional events analysis. The state has one year to submit its designation to the EPA, after which the EPA will conduct its own analysis. Final designations are expected in early 2026. Mr. Nolan and AQTAC members discussed the technical aspects of the PM<sub>2.5</sub> designation. Michael Nines mentioned that the exceptional event analysis is scheduled for public comment on February 15, 2025, and encouraged AQTAC members to review and provide feedback. John Tissue supported this suggestion, emphasizing that AQTAC members could contribute valuable insights during the public comment period.

## **PRESENTATION**

Kirit Dalal provided an update on rulemakings and State Implementation Plan (SIP) revisions.

### **Discussion**

Michael Nines asked about the regulatory steps involved in the 2015 Ozone SIP and how they would impact RACT III. Kirit Dalal explained that the area must achieve attainment by August 3, 2027. Viren Trivedi added that while the VOC threshold has remained unchanged, the NO<sub>x</sub> threshold has been reduced to 50 tons per year. Any facility emitting between 50 and 100 tons per year is now subject to RACT III. DEP has sent letters to companies requesting notification of their compliance plans. Most facilities are adhering to the presumptive standard, with initial notifications submitted to the Southeast Regional Office for review. Following this, DEP's central office will conduct its own review.

Michel Nines asked for clarification because the regulations reference a 100 ton threshold for NO<sub>x</sub> and now a 50 ton threshold is being cited for the five county area. Mr. Trivedi explained that Chapter 121 has a definition for major NO<sub>x</sub> facilities, but the Clean Air Act requirement is separate. Mr. Nines then inquired whether DEP had an estimate of the number of submittals and responses received, to assess the scale of impacted sources. Mr. Trivedi stated that the regional offices are still gathering this information because next steps depend on whether facilities choose a presumptive, averaging, or case-by-case compliance approach. Averaging and case-by-case approach need an additional step.

Mr. Nines asked if Maryjoy Ulatowski could provide insight on Philadelphia's situation. Ms. Ulatowski noted that, so far, one facility in Philadelphia has been identified as impacted by the lower threshold. Jesse Walker added that DEP received an inquiry on this topic the previous day and will further investigate before providing a public response regarding the RACT threshold. John Krueger pointed out that facilities have the option to take an emissions limit and become a synthetic minor source, keeping their emissions below 50 tons per year to comply with requirements.

Christie Heath asked whether the "serious" non-attainment designation would require additional rule revisions or new regulations beyond the change from "moderate" to "serious" status. Mr. Trivedi explained that new source review (NSR) could be a potential requirement, but since the area was designated "severe" in 1992 and then downgraded to "moderate" in 2006, no additional NSR regulation changes are currently required. Nick Lazor stated that DEP does not currently anticipate issuing new regulations, but acknowledged that the Philadelphia non-attainment area presents a significant challenge that may not be solvable through permitting alone. DEP is exploring various options to bring the affected counties into attainment. John Krueger added that the Ozone Transport Commission (OTC) is conducting updated modeling for the region. Once completed, the modeling will provide better insight into the path forward. Ms. Heath asked whether the modeling considers only industrial point sources or if it includes mobile sources as well. Mr. Krueger confirmed that both mobile and area sources are included. John Tissue suggested that once the modeling is finalized, DEP should present the findings to the committee and discuss the associated impacts and plans for achieving attainment. Mr. Lazor agreed, committing DEP to a future presentation once the modeling is complete.

### **OLD & NEW BUSINESS / OPEN DISCUSSION**

Kirit Dalal made an announcement that he is retiring from working at the DEP in March. John Tissue thanked Mr. Dalal for his services and support to AQTAC over the years.

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John Tissue opened the meeting for other AQTAC business/open discussion.

### **Old Business:**

John Tissue noted that he had emailed DEP's response to the well study letter to all AQTAC members. Joe Duckett expressed concern that the effort appears to have stalled, calling it unfortunate. He emphasized the need to push the project forward to address lingering and unanswered questions.

John Tissue asked about the CNX study that was referenced in the response letter and if it would be possible for AQTAC to review the study plan and provide comments. Nick Lazor explained that DEP is actively working with the Governor's Office to advance the project. DEP is not accepting comments on the plan at this time but would be open to AQTAC seeing the plan. Sean Nolan added that the project will begin with background sampling in the spring, followed by sample collection throughout the drilling process. Mr. Tissue asked whether the plan is publicly available. Mr. Lazor responded that it is not currently public but noted that this could change in the future and agreed to discuss the matter with the committee in an upcoming meeting.

Mr. Tissue inquired about the status of the SP-005 review and whether DEP needed anything further from AQTAC. Chuck Zadakis confirmed that DEP had received AQTAC's comments and is in the process of preparing a comment and response document. The SP-005 document will be updated to reflect some changes, but due to its length, finalizing the revisions is taking time. DEP will follow up with the committee once the process is complete.

### **New Business:**

Nick Lazor made an announcement that AQTAC members' terms are expiring in 2025. Any members that would like to be considered for reappointment or resign from their position on the committee can reach out to the AQTAC liaison, Kristina Snurkowski ([RA-EPAQTAC@pa.gov](mailto:RA-EPAQTAC@pa.gov)).

### **ADJOURNMENT**

With no further business before AQTAC, John Tissue requested a motion to adjourn the meeting. The meeting adjourned at 12:35 pm.

The next AQTAC meeting is May 8, 2025.

Minutes prepared by Kristina Snurkowski Air Quality Program Specialist (AQPS). For additional information about AQTAC, please contact the AQTAC Liaison ([RA-EPAQTAC@pa.gov](mailto:RA-EPAQTAC@pa.gov)) or by visiting the AQTAC Web page at: <https://www.pa.gov/agencies/dep/public-participation/advisory-committees/air-advisory-committees/air-quality-technical-advisory-committee.html>