

**Cleanup Standards Scientific Advisory Board
Meeting Minutes
RCSOB 14th Floor Conference Room
Conference Call
September 7, 2017**

Cleanup Standards Scientific Advisory Board (CSSAB) Members Present:

Ronald Buchanan, Chairman	Michael Meloy
Joel Bolstein	Craig Robertson
James Connor	Mark Urbassik
Colleen Costello	Don Wagner
Mark Smith	Chuck Campbell

Department of Environmental Protection (DEP) Staff Present:

Abbey Cadden	Troy Conrad
Carolyn Fair	Brie Sterling
Mike Maddigan	David Brown

Others Present:

Kay Linnell – Langan Engineering

Call to Order

Chairman Ronald Buchanan called the Cleanup Standards Scientific Advisory Board (CSSAB) meeting to order at 9:05 a.m. Troy Conrad conducted a roll call.

Administrative Items

The draft meeting minutes of the June 28, 2017, CSSAB meeting were discussed, specifically two points that were deemed by the Board to be inaccurate. The Board agreed that 25 Pa. Code §§ 250.702(b)(3)(ii) and 250.702(b)(4) allow for SPL to be present at any site if attainment of a cleanup standard is demonstrated and that these subsections were discussed during the June 28th CSSAB meeting. As such, the Board proposed adding these citations to the minutes. Additionally, the Board requested deletion of the following sentence from the last paragraph on page 3 because it was incorrect: “CSSAB and DEP agreed that attainment of the SHS would be highly unlikely if SPL is present in or near the POC wells.” On the second point, the Board agreed that the text in the second bullet on page 4 discussing vapor intrusion screening values incorporating the effects of preferential pathways was incomplete and suggested adding the following sentence: “Members of the CSSAB noted that the updated vapor intrusion guidance document does not follow the approach adopted by EPA in all instances and, by way of example, departs from that approach by including soil screening values in the vapor intrusion guidance

document.” Following discussion, the Board voted to approve the revisions. The revised minutes will replace the draft meeting minutes posted on DEP’s website.

In previous Board meetings, there was discussion of the process for designating alternates for Board members. Michael Maddigan explained that the process for designating alternates is the same as the appointment/reappointment process. Board members can provide Mr. Maddigan with resumes of their designated alternates.

Changes to the CSSAB by-laws were proposed at the June 28, 2017, meeting and amended and approved by the Board. The changes provide that any member may remain on the Board after their term expires while awaiting reappointment; less significant items may be voted on via email or conference call; and meetings will occur quarterly, or as determined necessary by the Department. These amendments resulted in the immediate reinstatement of Chuck Campbell, Mark Urbassik and Ron Buchanan to the Board; their terms had expired, but they had not yet been reappointed or replaced. Updates to the CSSAB membership and by-laws webpages will be made accordingly.

Land Recycling Program (LRP) Update

Mr. Conrad gave an update of the status of the Technical Guidance Manual (TGM). The TGM is currently undergoing internal review. When approved for publication, the draft TGM will be published in the *Pennsylvania Bulletin* with a 90-day public comment period. DEP will address all public comments and revise the draft TGM accordingly in early 2018. A date for publication of the final TGM has not yet been established. Colleen Costello asked if the public comments will be discussed at the December 13, 2017, CSSAB meeting. Mr. Conrad stated that the public comments will not be available to be discussed until the first CSSAB meeting of 2018 at the earliest. Mr. Meloy asked if the Board will be able to review the draft final TGM prior to its finalization. Mr. Conrad stated that the Board will be presented with a summary of the comments for discussion and advice. The Board will be able to provide input on any major issues they identify between the draft and final versions of the TGM.

Mr. Conrad proceeded with a program funding update. DEP remains in search of funding sources for the LRP. Presently, there is sufficient funding to maintain the LRP through the current fiscal year.

Mr. Conrad provided an update on DEP’s standing on the Department’s activity with Perfluorooctanesulfonic acid (PFOS) and Perfluorooctanoic acid (PFOA). During the June 28, 2017, meeting, the Board had recommended adding a page on the DEP website and/or fact sheets on these substances. Mr. Conrad noted that there is a link on the DEP Safe Drinking Water Program webpage that discusses PFOA and PFOS and the DEP’s efforts to evaluate them. He offered to forward a link to this webpage to the CSSAB members. Mr. Conrad briefly described Brie Sterling’s participation and leadership in the Interstate Technology & Regulatory Council’s (ITRC) PFOS/PFOA technical workgroup. Joel Bolstein asked why the Environmental Quality Board (EQB) accepted a petition from the Delaware Riverkeeper Network for DEP to establish a state Maximum Contaminant Level (MCL) for PFOA and PFOS. Mr. Meloy stated that the

Department must respond to the petition within 60 days and asked how that will happen. He also stated that the Department needs to be careful with establishing MCLs below laboratory detection levels and added that this could be problematic. He went on to express his concern regarding how Senate Bill 852 (August 29, 2017), which provides for the ability for any chemical to be designated as a hazardous substance by executive order, will impact the development of a PA PFOS/PFOA MCL. Mr. Bolstein added that this is a significant issue for a distinct population of Pennsylvania residents in Bucks and Montgomery Counties. Mr. Conrad noted he will follow up with Laura Edinger, DEP's Regulatory Coordinator, on the status of the petition and will report to the Board members with any updates or additional information.

The Chapter 250 Final-Omit rulemaking is being updated to correct three errors in the previous rulemaking. The errors were due to transcription errors for the groundwater medium-specific concentration (MSC) for Aldrin and the toxicity values used to calculate soil MSCs for beryllium and cadmium. The update addresses only the correction of these errors; there are no other changes. The update is expected to be on the agenda for the November 2017 EQB meeting. Mr. Maddigan stated he will circulate the language for the Final-Omit rulemaking, and he requested a letter of support from the Board for the rulemaking. Mr. Buchanan stated he will draft a letter of support and distribute it to the Board members for an email vote.

Use of Toxicity Values in Determining MSCs

Mr. Maddigan presented a summary of problems with evaluating toxicity values used to calculate MSCs. He asked for the Board's input on whether the LRP should be further evaluating toxicity values beyond just looking at their source and the source's place in the hierarchy established in the regulations because, in some cases, the source may indicate that a toxicity value has a "low confidence level." The Board suggested cross-referencing the IRIS toxicity values with the toxicity values presented in EPA's Regional Screening Level (RSL) tables. The RSL tables are not currently listed in the hierarchy of toxicity value sources in the Chapter 250 regulations. This option will be considered for the next LRP rulemaking.

Meeting Adjourned at 12:05 p.m.