

Meeting Minutes  
Cleanup Standards Scientific Advisory Board  
Hybrid Virtual (Microsoft Teams) & In-Person Meeting (14<sup>th</sup> Floor Conference Room of RCSOB)  
March 15, 2023

Cleanup Standards Scientific Advisory Board (CSSAB) Members Present

Charles Campbell, Chairperson  
Michael Meloy  
Joel Bolstein  
Annette Guiseppi-Elie  
James Conner  
Mark Smith  
Colleen Costello  
Donald Wagner  
Craig Robertson  
Neil Ketchum (Alternate)  
Stephanie Gundling (Alternate)

Department of Environmental Protection (DEP) Staff Present

Michael Maddigan\*  
John Gross\*  
Brie Sterling\*  
Deborah Miller\*  
Megan Specht\*  
Dana Marshall\*  
Brett Shamory\*  
Timothy Barrick  
Abbey Caden  
Laura Griffin  
Barry Stanton

Members of Public Present

William Hitchcock  
Judd Herr

\* Attended meeting in person. If no asterisk, then attendance was virtual.

**Open Meeting**

CSSAB Chairman, Charles Campbell, opened meeting at 1300.

**Approval of Minutes**

Mr. Campbell asked for comment on the minutes for the 1/23/2023 meeting. There were no comments. The CSSAB unanimously voted to approve the 1/23/2023 meeting minutes.

### **Administrative Issues**

Mr. Campbell inquired as to the status of the Question & Answer (Q&A) Workgroup. Mr. Michael Maddigan reported he has received responses from individuals interested in participating in the workgroup, which would include members of the CSSAB, DEP regional office and central office staff and other technical experts. Mr. Maddigan indicated a meeting announcement would be sent out in the next week or so. Mr. Campbell requested to be kept informed of the meetings dates and what occurs. Mr. Maddigan agreed to keep Mr. Campbell informed. Mr. Campbell inquired as to the status and summary of the PFAS background workgroup proposed at previous meetings by Ms. Collen Costello. Ms. Costello stated she has had conversations with Mr. William Hitchcock regarding the per- and polyfluoroalkyl substances (PFAS) background workgroup. Ms. Costello stated she will be reaching out in the next month or two to others that expressed interest in providing input. Mr. Campbell stated as of 3/14/2023 the EPA announced proposed Maximum Contaminant Levels (MCLs) for several PFAS, and additional information can be found on the EPA's website. Mr. Campbell inquired as to whether DEP has reviewed the proposed PFAS MCLs. Ms. Brie Sterling indicated the proposed MCLs are currently under review by DEP but was unable to discuss them in detail with the CSSAB at this time. Mr. Maddigan indicated DEP may request assistance from the CSSAB for the development of medium-specific concentrations (MSCs) for PFAS. Ms. Annette Guiseppi-Elie offered her assistance in that regard. Ms. Guiseppi-Elie also indicated there were several reports available for review regarding the PFAS MCLs that may provide insight. Ms. Guiseppi-Elie requested to be included in work on the PFAS background workgroup. Ms. Costello agreed. Mr. Campbell suggested Mr. Joel Bolstein reach out to Ms. Costello for involvement in the PFAS background workgroup. Mr. Bolstein agreed and reiterated he is a member of the PENNVEST board, which has been granted federal money earmarked for PFAS remediation and that money is available for addressing PFAS in drinking water. Mr. Michael Meloy indicated there are issues with DEP's model environmental covenant and there was follow up with the DEP in January with suggestions. Mr. Maddigan reported that the DEP has received the feedback and suggestions have been forwarded to program counsel for review.

### **Review of Final Chapter 250 Rulemaking for Vanadium**

Ms. Sterling reported that in 2016 the Department promulgated a regulation that contained a toxicity value for vanadium that was near background for the state. In response, a more appropriate value was developed, which was the Integrated Risk Information System (IRIS) toxicity value for vanadium pentoxide with a calculation to separate out the vanadium from the oxygen. The new calculation increases the MSCs for vanadium by two orders of magnitude. Mr. Maddigan indicated the final rulemaking is the same as the proposed rulemaking and wanted to ensure that presentation of the final rulemaking to the CSSAB was on record. Mr. Campbell inquired if Mr. William Hitchcock reviewed the calculations and was in agreement with the information in the revised tables. Mr. Hitchcock indicated the numbers were accurate. Mr. Bolstein indicated he agreed with the numbers and wanted to discuss the impact of the change. Mr. Bolstein stated certain sites were evaluated to site specific standard solely because vanadium was present and those sites required a cap over the areas with vanadium. Mr. Bolstein stated that almost all of the aforementioned sites would be able to demonstrate attainment to the residential statewide health standard once the new vanadium MSCs are published. Previously when standards have changed and attainment to the statewide health standard could be demonstrated for a site due to an increase in the standard, a new Act 2 final report demonstrating attainment would have to be filed with the DEP. Mr. Bolstein inquired if the DEP could issue guidance in conjunction with new rulemaking to advise property owners on how to proceed due to the new toxicity values. Mr. Maddigan

indicated that guidance on how to terminate an environmental covenant currently exists, however, the topic can be discussed with program counsel. Mr. Don Wagner indicated that termination of an environmental covenant due to the change of a standard should not require new data to be submitted to DEP. Mr. Meloy moved for the CSSAB to vote on the DEP moving forward with the final rulemaking for vanadium. The motion was seconded. The following members voted in the affirmative: Mr. Charles Campbell, Mr. Michael Meloy, Mr. James Connor, Ms. Colleen Costello, Mr. Craig Robertson, Mr. Don Wagner, Mr. Mark Smith, Ms. Annette Guiseppi-Elie. The vote passed unanimously.

### **Public Comments**

None

Next meeting May 31, 2023

Mr. Bolstein inquired as to when the rulemaking would be final. Mr. Maddigan reported that the rulemaking is currently on track to go before the Environmental Quality Board (EQB) on June 13, 2023, followed by the Independent Regulatory Review Commission (IRRC). Ms. Laura Griffin indicated the rulemaking will go the IRRC after the EQB, followed by the Office of the Attorney General, and then published. It typically takes 2-3 months after presentation to EQB for final rulemakings to be published in the PA Bulletin.

Mr. Meloy suggested confirming if board alternates are permitted to vote in lieu of absent board members. Mr. Maddigan and Ms. Griffin confirmed that the CSSAB bylaws state that alternates do not have voting privileges.

Mr. Campbell moved to adjourn the meeting. Motion approved.

Meeting adjourned 1333.