

**Draft Minutes of the  
October 8, 2008 Meeting of the  
Water Resources Advisory Committee (WRAC)**

The regular meeting of the WRAC was called to order at 9:34 a.m. by Chairperson David Anderson on Wednesday, October 8, 2008 in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA.

**The following committee members were present:**

David M. Anderson, P.G., Moody & Associates, Inc. and WRAC Chairperson  
Buddy Beach, P.E., CONSOL Energy (retired)  
Donald C. Bluedorn II, Esquire; Babst, Calland, Clements & Zomnir  
Robert M. Cavett, Merck & Company, Inc.  
Carol R. Collier, Delaware River Basin Commission  
Matthew J. Ehrhart, Chesapeake Bay Foundation  
D. Ty Gourley, University of Pittsburgh  
Jeffrey Hines, York Water Company  
John K. Jackson, Stroud Water Research Center  
Gary Merritt, Inter Power Development Corp.  
Nick J. Pinizzotto, Western Pennsylvania Conservancy  
Stephen Rhoads, Pennsylvania Oil & Gas Association  
Edith Stevens, League of Women Voters of PA  
Dr. Robert Traver, Villanova Urban Stormwater Partnership  
Bob Wendelgass, Clean Water Action

**The following committee members were not present:**

Art Gazdik, P.E., Ross Township  
Cory Miller, University Area Joint Authority  
E. Charles Wunz, P.E. Herbert, Rowland & Grubic, Inc.

**The following DEP staff members were present:**

Duke Adams, Office of Policy and Communications  
Dana Aunkst, Bureau of Water Standards and Facility Regulation (BWSFR)  
Thomas Barron, BWSFR  
Pam Bishop, Bureau of Regulatory Counsel (BRC)  
Phil Consonery, BWSFR  
Bill Cumings, BRC  
Bonita Moore, BWSFR  
Meg Murphy, BRC  
Cathy Curran Myers, Office of Water Management  
John Wetherell, BWSFR

**The following guests were also present:**

Mike Brownell, Susquehanna River Basin Commission  
Grant Gullibon, PA Builders Association  
Melissa Hanisher, Rex Energy

Kathy Hirsch, ARM Group, Inc.  
Joe Lapcevic, Allegheny Energy  
Sue Wilson, Citizens Advisory Council to DEP

### **General WRAC Business**

Gary Merritt moved to accept the minutes of the July 22, 2008 meeting, as corrected. The motion was adopted.

### **Chapter 92a, NPDES Permitting, Monitoring and Compliance**

**Tom Starosta**, BWSFR, [tstarosta@state.pa.us](mailto:tstarosta@state.pa.us), reviewed the substantive changes made to several sections of Chapter 92a since the WRAC last met on July 22, 2008. Mr. Starosta also discussed the WRAC members' comments made during the committee's last meeting. These comments and responses are summarized in a document posted as "Responses to Comments from July 22, 2008 WRAC Meeting," dated August 27, on the Department's public participation Web page for WRAC. Additional comment and discussion involved:

1. The appropriate role of the State Water Plan and Local and County Plans in Chapter 92a;
2. The possible relevance of the Right-to-Know Law in the Confidential Business Information provisions of the proposed 92a.8;
3. The need to continue to pursue watershed-based planning and permitting;
4. The clarity of language describing public notice periods in the proposed 92a.82.

Discussion of these topics resulted in the following two motions:

Gary Merritt moved that the WRAC recommend that the DEP move forward with the Chapter 92A proposed rulemaking, provided that the WRAC's comments and suggestions are included in the information presented to the Environmental Quality Board.

The motion was adopted unanimously.

Stephen Rhoads moved that the WRAC request DEP's perspective, at the next WRAC meeting, on the formation of an ad hoc committee to advise the DEP on the issues pertaining to watershed permits, including whether the ad hoc committee would help DEP in its development of the rulemaking.

The motion was adopted unanimously.

### **Findings of the Sustainable Water Infrastructure Task Force**

**Nicki Kasi**, BWSFR, [ybkasi@state.pa.us](mailto:ybkasi@state.pa.us), presented draft highlights of the Task Force report, due by November 1, 2008, that analyzes the issues related to long-term infrastructure financing and offers recommendations for the resolution of these issues.

### **Marcellus Shale Drilling: Permit Application Guidelines to Protect Water Resources**

**Ron Gilius**, Bureau of Oil and Gas Management (BOGM), [rgilius@state.pa.us](mailto:rgilius@state.pa.us), presented on the historical relationship between oil and gas exploration and production and environmental protection in Pennsylvania. Mr. Gilius discussed the increases in the numbers of well permits over recent years, and he showed and described various types of wells. He also described the DEP's role in managing the environmental impact of wells.

**Sue Weaver**, Bureau of Watershed Management (BWM), [suweaver@state.pa.us](mailto:suweaver@state.pa.us), presented on water withdrawals and treatment issues pertaining to natural gas drilling. Ms. Weaver described the changes in the amounts of water used in well preparation and in the amounts and treatment of wastewater produced. She also described the new Application Addendum and Instructions for Marcellus Shale Gas Well Development.

**Cathy Curran Myers**, Deputy Secretary for Water Management, [cathmyers@state.pa.us](mailto:cathmyers@state.pa.us), also provided information and answered the committee's questions on this topic.

### **Other Business**

The chair requested that the WRAC officially recognize departing members for their service.

Buddy Beach moved that the chair compose a letter to acknowledge Howard Neukrug and Richard Wardrop for their many years of service as WRAC members.

The motion was adopted.

**The chair adjourned the meeting at 1:25 p.m.**