

**MINUTES OF
CITIZENS ADVISORY COUNCIL
September 1st, 2026**

CALL TO ORDER:

Robert Barkanic called the meeting to order at 12:33 PM.

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Robert Barkanic, Chair	Duane Mowery
Trisha Salvia, Vice-Chair	John St Clair
George Ambrose	Jerome Shabazz
Jacquelyn Bonomo	Thaddeus Stevens
Carol Collier	John Walliser
William Fink	James Welty
Jason Foster	Timothy Weston
Katherine Heatherington Cunfer	

DEP STAFF PRESENT:

Ian Irvin, Executive Director
Casey Damicantonio, Policy Office

APPROVAL OF MEETING MINUTES:

Chair Barkanic solicited additions or corrections to July 2026 Minutes.

**Motion to approve the minutes made by Timothy Weston and
seconded by Katherine Heatherington Cunfer. Adopted unanimously.**

DEP UPDATE:

Executive Order Discussion

Samuel Robinson, Deputy Chief of Staff, Governor's Office

Mr. Robinson discussed the Executive Order that the Governor signed on August 18, 2026, regarding data centers. A significant driver for Governor Shapiro was focusing on projects that have community support, have energy, are participating with their local community, have the necessary workforce, and will protect the environment.

Guidelines will be important for communities grappling with proposed data center projects. With the DEP data center permit tracker on a website, one can track all projects; currently, there are 55. Data centers with active permits are 20, with 17 listed. Of those 17, 4 are permitted for phase one, which indicates a larger proposal and how to proceed in different steps, making the first step permanent. In the budget address this

year, Governor Shapiro laid out principles for Data Center Development, which are now seen in the Executive Order. The four requirements under the Executive Order:

- Energy Development: bring, build, or buy your own power that comes from an incremental source, and you are not exacerbating the supply and demand imbalances on the grid currently.
- Real workforce development and community benefit agreements, which is a key to getting local buy in.
- Adequate transparency and engagement with the local community
- Environmental Protection: water withdrawals, waterway degradation, air quality continues to be upheld.

Over the last few months, the Governor's Office has been in discussion with various stakeholders, pulling the research with labor groups, environmental groups, data center developers, local government groups, to express perspectives on data center development and the Commonwealth. Because House Bill 2650 was not taken up by the Pennsylvania Senate there are no new legislation or regulations for data centers. These situations set the Governor's Office on the course towards the Executive Order, where the Governor tasked the team with finding a way to make proposals in a grid enforcing strict guardrails for AI data center development.

The Executive Order applies to any data center over 25 megawatts but creates different permitting processes that depend on the data center project. For DEP to use the new process to permit a data center, a commitment that the developer is going to follow the GRID requirements is needed.

The Executive Order also requires that the local communities have approvals, including zoning from the local level, before DEP will issue a permit. Historically, these processes have run in parallel with some interaction. However, for data center projects, the Executive Order wants to see zoning in place on the non-GRID track; DEP will not process the application if local zoning is not in hand.

Questions:

Have there been any court challenges by developers? Also, while energy needs and demands on hot and cold days are addressed, little information about water use is provided.

Anytime executive authority is used there is always potential for litigation. The Executive Order was initially proposed through legislation but did not pass. Despite the Executive Order, the Governor remains open to conversations with the General Assembly. There are requirements that if data centers take water out of the Commonwealth, they will need to provide an upfront stream designation (Chapter 93). They would make a commitment to not degrade the stream, including quality and quantity of the water source.

State water plans have an enormous amount of information that would be helpful to the proper sighting of withdrawals, if they occur. When the Governor's Office talks about local approvals with zoning, land development etc., several local communities have provisions stating they will not issue permits or plan approvals until the permittee obtains erosion sedimentation control plan, which would be approved by DEP or the county conservation district. In moving forward, how would this be coordinated?

The Governor's Office is not aware of this being a current concern but will happily investigate it, not wanting an endless loop between DEP and Local Government. The DCED team will investigate, not wanting developers to pressure local communities to issue permits.

The Executive Order has a specific requirement to bring, build, or buy electricity, which is also included in the Ratepayer Protection Pledge that 250 companies have signed including the largest data center developers. The specific requirement is that the data center electricity demands must be matched by new generation resources (bring, buy, build) and that 10% of energy generation comes from clean energy resources, rising to 32% by 2035.

How have developers been regarding closed loop cooling are they receptive?

The administration is encouraging closed loop cooling, which is a tradeoff between energy demand and water use. Closed loop cooling makes sense in areas that have a scarcity of water. In other areas of the Commonwealth where there is an abundance of water, it makes less sense as you would be drawing more energy and creating strains on the grid. As of right now, we do not have a one-size-fits-all view, closed loop facilities are becoming more water efficient as they develop.

Ian Harlow- Deputy Secretary, Administration PA Dept. of Environmental Protection

DEP's budget for 2026-27 is \$4.04 billion, with \$3.35 billion in federal funds. However, there is a lot of "cost-to-carry," keeping operations stable. DEP will add 12 additional positions, increasing the Department's complement to 2896 employees. DEP also received a one-time, general fund increase of \$500,000 for radium leach aid, and a one-time transfer of \$20 million for Hazardous Site Cleanup Act (HSCA) projects. HSCA is used to investigate and clean up contaminated sites, especially where the owner is bankrupt, gone, unknown, or unwilling to pay. The Fiscal Code allowed DEP to transfer \$19 million from a combination of selected accounts to cover a gap in the well plugging account, which funds our oil and operations. Estimates have \$14 million as needed to be transferred out. The breakdown as follows; \$500,000 from the Waste Transportation Security Account, \$5 million from the Alternative Fuels Incentive Grant Fund, \$500,000

from the Used Tire Pile Remediation account, \$1.5 million from the Solid Waste Abatement Fund, \$3,000,000 from the Coal Refuse Disposal Control Fund, \$500,000 from Dams and Encroachment, and \$1.5 million from the Industrial Land Recycling Fund. Other agencies in the Commonwealth have seen some cuts, but DEP had a very good budget year.

Questions:

The funds you are taking money from are all good programs, well plugging, used tires, solid waste, how will DEP evaluate the programs, is there flexibility to take that money back into the ones you took from originally.

DEP is taking it in increments, so the Department is not pulling more than needed. The Department is working with the Governor's Budget Office to discuss if additional funds need to be pulled back. The federal government will be granting \$500 million to well plugging.

Illegal Dumping, Litter Research, and Updates to the 2021 Litter Action Plan

Shannon Reiter- Executive Director- Keep Pennsylvania Beautiful

The mission of Keep Pennsylvania Beautiful (KPB) is empowering Pennsylvanians to keep their communities beautiful. KPB believes that clean and beautiful communities are building blocks to community and economic development. Working with local affiliates and community partners to provide resources for projects such as litter cleanup, screening and beautification, proper disposal, KPB also works in youth education programs to inspire the next generation to care for the land and water and be civic minded and actively engaged. There are more than 30 counties and local affiliates with approximately 75,000 volunteers annually.

Since the start of Keep PA Beautiful in 1990, litter and illegal dumping continue to be pervasive and costly. Most people are familiar with the environmental impacts of litter; there are real financial implications that are at times ignored. As of today, there is an estimated 502,000,000 pieces of litter along our roadways, PennDOT annually spends approximately \$13 million on litter related activities. According to research in 2019, 9 PA municipalities collectively spent \$68.5 million annually addressing litter and illegal dumping, with 80% being on cleanup alone.

Pennsylvania's first Litter Action Plan is behaviorally driven, community focused, integrating data, psychology, infrastructure, and partnerships to reduce litter, improve recycling and beautify communities. By systematically identifying and influencing individual and institutional behaviors, the Litter Action Plan creates sustainable, measurable, and scalable impact in public spaces. Engaging people in the process and identify behaviors to change with written expectations, which reinforce behavioral norms and determine negative actions through clear rules and accountability with four main

strategies. Code laws, ordinances, appropriate penalties, the infrastructure provides accessible functional systems to facilitate appropriate waste management. This increases awareness, shifts attitudes, littering, socially unacceptable things like youth, public, and community education, signage, rewards and penalties. DEP and PennDOT have put considerable resources into public messaging around cleanup and community support.

Another initiative from the Education Outreach Work group recommended the state develop a Young Ambassador's Program. With PennDOT support, KPB launched the program, which is now in its fifth year. The program engages 25 to 35 students annually and has graduated more than 100 students. KPB is also excited about the expansion of the Litter Hawk Youth Award program, which is for elementary age kids. Since DEP has sponsored this program, there has been more momentum with other agencies, such as the Turnpike Commission and PennDOT. One can see the art at service plazas and welcome centers along the Turnpike and in the Capitol. KPB host an award ceremony for the kids, families, teachers, and legislators to gather to celebrate the awardees, and DEP has been annually presenting these awards.

The infrastructure work group acknowledged the critical need to ensure universal access to convenient and affordable waste disposal and recycling, which translates differently between city and rural areas. In rural PA, this remains widely underutilized and we believe we need to work to get the word out so we can help these communities with illegal dumping. The recommendations from law and enforcement work group pertain to training and education around litter laws and enforcement. DC and R incorporated litter violations and how to handle them in field training for all new Rangers. Another recommendation was to conduct an audit of PA Litter Laws and Enforcement practices. KPB with support from DEP took initiative and partnered with Palmetto Pride of South Carolina to conduct a comprehensive joint study on the efficiency of state litter statutes and enforcement practices and procedures, with hope it can start the conversation in PA and with legislation to follow through with their own study, the findings will be released spring of 2027.

There are five primary funding mechanisms that have been identified to support litter prevention and abatement efforts in other states. These funding mechanisms are product related taxes, fees, or surcharges (litter tax); producer responsibility or producer funded system; license or court-based allocations; state appropriations; and voluntary tax return contributions. New Jersey has state litter taxes generating project products and then provides municipal and county grants. New Jersey Clean Communities Program distributed \$25.6 million in grants. In Minnesota, the Packing Waste and Cost Reduction Act requires producers of packaging, food package, and paper products to join a producer responsibility organization, which partially funds end of life management for materials including education, litter awareness, and recycling. While it is not advocating for a specific mechanism, KPB believes it is worth looking into because a predictable revenue stream paired with transparent roles for administration, reporting

and distribution, would strengthen coordination, provide more support, protect public infrastructure and waterways, and reduce the long-term costs by taxpayers, businesses and communities. It would help move beyond limited annual appropriations, one time funding by directing reoccurring revenue to clearly defined purposes and PA with be able to invest in litter prevention and overtime high abatement costs could be redirected to other critical community needs.

Questions:

Does Keep PA Beautiful convene both private and public enterprises to do collective cleanup activities?

KPB does not go into communities to do the cleanups but tries to garner resources and push them. KPB partners with businesses and industries to pull the resources whether that is providing free or reduced disposal for the communities, which we have obtained largely through corporate dollars.

Lancaster Clean Water Partners

Allyson Gibson- Executive Director of Lancaster Clean Water Partners

John Cox- Senior Advisory of Lancaster Clean Water Partners

Lancaster Clean Water Partners (LCWP) is a collaborative network of over 100 organizations doing clean water work in Lancaster County. These organizations have one common goal: clean and clear water by 2040. LCWP coordinates everyone towards the same goal, working together and not on top of one. Part of what Clean Water Partners does is help recognize the time difference, the commitment, their skills and how to collaborate because all are working towards the same goal. Talking about preservation, agriculture and landowners are a huge component that has made Lancaster County number one in the country for farmland preservation. Lancaster has high nitrogen and phosphorus sediment load coming out of local creeks. With 60 municipalities in Lancaster County, about 2/3 of them have their own MS-4 permit to manage.

Lancaster has 1400 miles of stream, and most are impaired. LCWP's solution is to build and sustain a multi-sector collaboration. With this collaboration we have a vision, but the mission is to make sure we are collaborating, accelerating and expanding the efforts to do better.

The impaired water list mentioned is a delisting dashboard currently working off the small stream list to try one at a time with this community, community driven, community lead work. The dashboard helps share measurements along the way such as parcels of land visited implementation funding.

Examples, Turkey Hill Clean Water partnership paired with a nonprofit to ensure customers get the best product while making conservation goals at the same time. Public education was through social media, a monthly newsletter, and a podcast to make sure the public know about the stormwater plan or why the basin looks that way and how does it connect with the farmer next door. With the collaboration, our engineers can call up the Clean Water Partners, tell them the issue and where and find out who to talk to get it corrected, making a list of references readily and easily.

Upcoming projects include a 70-acre parcel inside of Lancaster, on a peninsula in Sunnyside, where the city decided to declare a nature preserve. Less than a mile from that preservation will be Center City, so most residents will be able to use it for walking, biking, and transportation and an Environmental Center with groundbreaking will happen in 2027 and the center will be open in 2029.

Questions:

Would Riparian buffers solve this problem, and how would you educate landowners?

Riparian buffers are one tool, but it will be a blend of different best management practices. Landowners generally want their farm right up to the water's edge; therefore, rapport with the owner, which is a time investment.

Public Comments

The following individuals provided comments to the CAC either at the meeting, in written form before or after the meeting, or both. Written comments can be found at <https://www.pa.gov/agencies/dep/public-participation/citizens-advisory-council/citizens-advisory-council-meeting-schedule#accordion-011ae75cf5-item-112045edfb>

- Katie Ireland
- Karen Feridun, Better Path Coalition
- Eric Epstein
- Wendy Helper
- Linda Van Eman
- Roberta Winters
- Ann Vinatieri
- Patty Smith

CAC Committee Reports-

Public Participation Committee (George Ambrose): met on August 7th and is moving along with different delivery systems and follow up responses to public comments and in garnering additional public input. Wanting to have a couple of ideas put forward to the council at large but still need a meeting or two.

Strategic issues (Jacqui Bonomo): met on August 13 and is continuing work on the draft of our data center report. The committee has a rough timeline sketched out in terms of getting fellow committee members to view as well as sharing with the public. The committee must review the material vis-a-vis the Governor's Executive Order. The committee is also looking forward to and working on our schedule of presentations for 2027.

Aggregate Advisory Board: met on August 19 and went through business as normal. One interest was permitting review times, which have dropped. A notable discussion was had about why some ended up being long and litigation in the middle of the permitting. It is not necessarily a short process now, it is more consistently applied as permits are reviewed, public hearings and comments are being held in a timelier fashion, as well as decisions both approval and denials.

Act 54 Committee-

Extension of the public comment period till September 8th, 2026, and consideration, if practical, of comments submitted after this date.

New Business/Open Discussion-

Transition report: recently received a couple additional comments and edits to the Council's transition report and working through edits and comments so requesting to table that discussion till October.

Upcoming meetings-

- CAC: October 13th
- Legislative Committee: September 3rd
- Environmental Quality Board: September 8th, and October 13th
- Low-Level Radioactive Waste Advisory Council: September 25th
- Public Participation Meeting: October 2nd
- Policy and Regulatory Oversight Committee: October 7th
- Strategic Issues Committee: September 3rd and October 1st

ADJOURNMENT:

Next meeting will be October 13, 2026, at 12:30 in Room 105 at RCSOB or online.

The September 1, 2026, meeting of the CAC was adjourned at 4:00 pm.