

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OF PHILADELPHIA COUNTY
IN RE: ENVIRONMENTAL JUSTICE LISTENING SESSION

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BEFORE: PATRICK MCDONNELL, DEP Secretary
CARL JONES, Member
PATRICK PATTERSON, Member
JOHN BRAKEALL, Member

HEARING: Thursday, May 25, 2017
4:20 p.m.

ORIGINAL

LOCATION: Fairmount Water Works
640 Water Works Drive
Philadelphia, PA 19130

WITNESSES: Rep. Donna Bullock, Bryan Ratcliffe,
Joseph Minott, Jasper Jones Bey, John Waffenschmidt,
Fred Stine, Marilyn Holworth, Alison Carnish, Peter
Winslow, Karen Meltoni, Adam Cutler, Lese Baxter,
Jerome Shiabazz, Walter Tseu, Coryn Wolk, Linda
Rosenwein, Jo Corninghill, Reinel Rabble, Lee
Robinson, Laureen Boles, Pat Libby

Reporter: Jamie Ann Morris

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MR. JONES: I apologize for starting a little bit late. Thank you for bearing with us for that little bit of extra time. I'd like to welcome you to our Ninth Environmental Justice Listening Session. I want to give you a brief overview. I will give you a brief overview of why we're here today. Hopefully you guys can hear me in the back, if I can get a thumbs up from somebody back there. Great. I'll give you a brief overview on why we're here, followed by introductory remarks from Secretary McDonnell. Then I will do a brief PowerPoint Presentation, in which we'll lay out some of the history of the Office of Environmental Justice, the reason that we're here to hear from you, and then turn it over to you, the audience, which is the main reason we're doing this listening session, which is to hear from people across the Commonwealth about the way we do environmental justice, and how we should do it moving forward.

So without further adieu, I will have Secretary McDonnell come up, who will give us brief introductory remarks. Thank you.

SECRETARY MCDONNELL: We always joke

1 about whether or not Carl gets applause. So thank
2 you for giving him applause.

3 I'm Patrick McDonnell, the Secretary
4 of Pennsylvania Department of Environmental
5 Protection. Really just a couple messages from me.
6 The point of this is to hear from you all.

7 One is, of course, thank you. Thank
8 you in advance for your attendance, your
9 participation, your comments that we're about hear.
10 The second piece for me is one of - it's been over
11 ten years since we really looked at our
12 Environmental Justice policies in the state. And
13 this is, you know, really the starting point for us
14 at re-examining those policies, re-examining how we
15 do public participation, particularly in low-income
16 communities, in minority communities, in unprepared
17 communities.

18 But it's also for me a start of
19 conversation. One of the things we're not going to
20 do is let this go by another ten years. So you can
21 expect that this will be an integrated process.
22 We're taking in comments here. We're going to
23 reflect that back out through some policy updates
24 and grant documents, and then meet back out in some
25 other forms and other ways to interact with

1 communities, and make sure are we on the right
2 track, are there other ideas out there in terms of
3 ways we can and should be interacting.

4 So I will leave it there. I'll turn
5 it over to Carl to give you some sense of the Office
6 of Environmental Justice, and some of the history
7 that brought us to this point. But again, thank you
8 very much for your attendance here today and
9 participation. And I should point out, I'm a Philly
10 boy. So in particular, I'm really thrilled to be
11 here today.

12 MR. JONES: Thank you, Secretary
13 McDonnell. So we'll start with a brief history of
14 what is environmental justice. At its core,
15 environmental justice isn't a new concept. It's a
16 concept that is sort of the off-shoot of the Civil
17 Rights Movement of the 1960s, and a continuation of
18 the environmental movement throughout the '70s to
19 today.

20 In 1991, we had the creation of the
21 principles that sort of outline the core behind what
22 defines environmental justice. Those principles can
23 be found on our website along with several
24 documents. So you all, I hope, have a copy of this
25 brochure, which has our contact information, as well

1 as our web address. I hope you will frequent our
2 page. It has some material. We hope to keep adding
3 more material there for you.

4 Here in Pennsylvania, the history of
5 environmental justice really began through the
6 institution of lawsuits in the late 1990s, and the
7 creation in 2001 of the Office of Environmental
8 Advocate. From the creation of the Office of
9 Environmental Advocate, we've had the creation of
10 our public participation policy in 2004, which
11 really guides the way we have operate with respect
12 to environmental justice in the Commonwealth.

13 That policy that was created in 2004
14 and sort of lays out a set number of trigger permits
15 and community definitions. So in Pennsylvania, we
16 look to race and income in order to determine
17 whether or not a community meets the criteria of
18 being an environmental justice community. That is
19 the current way we define it.

20 As it stands, there are approximately
21 851 communities that will meet that definition
22 today.

23 Our office was renamed the Office of
24 Environmental Justice in 2015. The sort of core
25 mission behind our office and our main goals are to

1 minimize efforts and impacts, to empower
2 communities, and to foster economic opportunities.
3 On our website and inside of our brochure, again,
4 you'll see a more details and the breakdown of what
5 each of those mean for our department.

6 Why we're here. What we realize is
7 that we have to have a conversation in order to
8 determine if the things that we have been doing in
9 the past were correct for the Commonwealth, and what
10 things we should be doing going forward. With that
11 thought of having a listening session involved, we
12 created seven framing questions to sort of outline
13 the conversation for today. Those questions are
14 merely a guide. We're here to receive feedback from
15 you.

16 A little housekeeping as to how we
17 anticipate the rest of the program to go. If you
18 need to use the restroom, they are straight behind
19 you and around the corner and to your right. The
20 exit signs are marked, and clearly you all came in.
21 The format of the meeting, there will be -
22 individuals will be allowed three minutes for
23 testimony. John Brakeall will be calling out the
24 names. There will be signs that will sort of tell
25 you three minutes, two minutes, one minute, and

1 stop.

2 At the conclusion of everyone who has
3 given testimony, if we have remaining time, if you
4 would like to give additional comments, there will
5 be an opportunity for you to do so. The purpose
6 behind this is for us to receive as much feedback as
7 possible. Also, at times you may ask a question to
8 us and not get a response. The reason we aren't
9 giving a response today is so that we can receive as
10 much feedback from you as possible.

11 With that in mind, I think - with that
12 in mind, we'll sort of begin our testimony. And our
13 first speaker is Representative Donna Bullock.

14 REP. BULLOCK: First off, I would like
15 to welcome you all to the 195th District, and
16 welcome the Secretary McDonnell. He has just been
17 confirmed this week, so let's give him a round of
18 applause.

19 I am very honored to have the
20 Secretary of the District today in Philadelphia for
21 many reasons. When I met with him - I sit on the
22 Appropriations Committee. And when we had our
23 budget hearings, and he was testifying before us, it
24 was actually Doctor Seuss' birthday, I recall. And
25 I told him my favorite character, the Lorax. And we

1 talked about speaking for the trees, speaking for
2 our community, speaking for our children. And he
3 agreed that it's part of his responsibility as the
4 Secretary. But I think he also understands in order
5 for him to dutifully speak for the trees and speak
6 for our community, he needs to first listen. And so
7 I applaud him for taking that first step. I applaud
8 him for coming out here to Philadelphia.

9 Often folks don't think about the
10 environment, environmental issues in the city. But
11 we know that we have many issues here. We have high
12 rates of asthma. We have children who have been
13 tested for lead in their blood. And we have many
14 other concerns. And we want to make sure that our
15 issues are heard.

16 We have oil trains running all through
17 all parts of our city. And there are many concerns
18 that we want to make sure that our State Department
19 of Environmental Protection hears us and hears us
20 loud.

21 I know the community here in
22 Philadelphia. The environmental community is very
23 outspoken. And you guys are very much educated and
24 aware of the issues that impact our community and
25 impact our Commonwealth. So I'm looking forward to

1 hearing from you.

2 And I really don't have anything else
3 to say because I'm here for the same reason the
4 Secretary is here. I'm here to listen. I'm here to
5 listen and hear what Philadelphians expect from me
6 as a legislator. I know that I have a
7 responsibility to protect our rights to clean air,
8 clean water, and to preserve our natural resources.
9 In fact, you have a constitutional right here in
10 Pennsylvania to that. A constitutional right.
11 Pennsylvania is one of the few states to give you
12 that right. And so I will take all the messages
13 that I hear tonight back to my colleagues in
14 Harrisburg to make sure we protect that right.

15 Thank you again for coming out this
16 evening. I look forward to hearing from you tonight
17 and in the future. And if there's anything my
18 office can do to support you or help you, feel free
19 to reach out to us. We're not too far from here at
20 2835 West Gerrard Avenue. And you can find me on
21 all the social media, Facebook, Twitter, all of
22 that, Rep. Donna Bullock. Thanks again for coming
23 out. And thank you again for coming to
24 Philadelphia.

25 SECRETARY MCDONNELL: The first person

1 we have on our list is Bryan Ratcliffe.

2 MR. RATCLIFFE: Yes. Should I go up
3 here as well?

4 SECRETARY MCDONNELL: Right here would
5 be great just so the stenographer can hear you.

6 MR. RATCLIFFE: Great. So my name is
7 Bryan Ratcliffe. I don't know how to talk to you on
8 the side. First, I just want to say thank you guys
9 for being here. I think this is really important.
10 I'm glad that you are having the conversation and
11 that you want to listen. I do want to lodge a small
12 complaint about the timing and the location. I
13 don't know what the sort of - I don't know why - or
14 I don't know what decision-making went into the
15 timing. But I know that several other people from
16 my workstation are from Philly drive. Many of us
17 wanted to be here, but couldn't because of work.
18 It's 4:00 p.m. on a weekday. And this is a
19 neighborhood that's quite far from the neighborhoods
20 that we work in in the Southwest. So I just wanted
21 to put that on the record that it could have been
22 better on that account.

23 There's so many things, there's so
24 many environmental justice issues that I don't quite
25 know how to prioritize. I'm glad that the bomb

1 trains were already brought up, the oil trains.
2 Every day, every single day there are there are
3 highly explosive trains running on crumbling
4 infrastructure, literally right over there. They're
5 running by schools. They're running by parks.
6 They're running by houses. I mean a lot of those
7 houses and communities are low-income communities
8 and color. A lot of them are not. But that to me
9 just feels like a really egregious danger that we
10 are subjecting the entire city to. I don't know why
11 that has been allowed to continue.

12 The other large campaign item that my
13 group is particularly concerned with is the oil
14 refinery in South Philly, Philadelphia Energy
15 Solutions is the single largest polluter in the
16 entire county. It's one of the top one percent
17 polluters in the nation when it comes to point
18 source air pollutions. Absolutely, absolutely
19 devastating impacts, especially on the communities
20 right across the fence from it where average rates
21 are higher than the national average where people
22 are dealing with lung and heart conditions from the
23 air pollution. So I just want a second to put that
24 on your radar because that the South Philly Oil
25 Refinery is a huge, huge problem. Especially in

1 their effort right now to expand their operations
2 and turn Philadelphia into an energy hub.

3 Zooming outward, and I know my time is
4 probably up, but zooming outward - thank you.
5 Climate change is the single largest threat to all
6 communities. Communities of color, in particular.
7 And I think that we cannot move forward as a
8 Commonwealth, or as a nation, or as a globe without
9 having incredibly aggressive policies in place to
10 deal with climate change. It's going to worsen air
11 pollution. It's going to worsen - the flood waters
12 are going to be rising. Invasive species,
13 destabilization of ocean currents. I mean, it's
14 such a huge problem. And we have to call it what it
15 is. And we have to identify its cause, which is
16 fossil fuels. And we have to be moving as quickly
17 as possible to get off of fossil fuels.

18 I know that Pennsylvania is endowed
19 with large natural gas reserves. And I know a lot
20 of people are excited about that. But natural gas
21 is a bridge to nowhere. And if we do not move to
22 renewable economy as soon as possible, we are
23 handing down a really devastating legacy for our
24 next generation. Thank you very much.

25 SECRETARY MCDONNELL: Next on the list

1 is Joseph Minott. We ask that you stand right here
2 just so everybody can respectfully hear.

3 MR. MINOTT: Can you all see me? I'm
4 short. My time doesn't start until people get to
5 see me. So I apologize. I did not realize there
6 was going to be a three minute time limit. And as
7 an attorney, that is a nightmare. So I have extra
8 copies of my testimony. Clock-watcher, if you could
9 start now.

10 So good afternoon. My name is Joe
11 Minott. I'm the Executive Director and Chief
12 Counsel of the Clean Air Council. When many people
13 discuss environmental justice, they think about the
14 disproportionate exposure of communities to harmful
15 air emission, water discharges, and hazardous
16 release on land. But it is more than these things.
17 Environmental justice requires a holistic
18 consideration of other factors in the larger
19 environment inhabited by communities including
20 employment, health status of community members,
21 literacy levels, culture and linguistic differences
22 and barriers, and limited financial and time
23 resources.

24 At the core of environmental justice
25 issues, whether urban or rural, is the inability of

1 residents to adequately and meaningfully influence
2 many of the decisions that impact their community.
3 The system is rigged against them. Until we
4 acknowledge that and the failure of all levels of
5 government to commit to addressing the power
6 dynamics that make it impossible for most
7 environmental justice communities to truly effect
8 change in the communities, it is all window
9 dressing.

10 It is not just about the permitting of
11 large stationary sources, for example environmental
12 justice problems can arise from polluting consumer
13 behaviors, not only from the activities of
14 industrial plants. In Philadelphia for instance,
15 people in environmental justice areas are exposed to
16 harmful air emissions from congested motor vehicles
17 in city streets, as well as traffic along rail and
18 highway corridors. DEP must have a definition of
19 environmental justice that takes in all of these
20 factors.

21 The policy of environmental justice
22 has been difficult to transform into law. With
23 respect to the law that does exist, every year we
24 see environmental agencies go through the motions of
25 considering environmental justice concerns in

1 connection with applications for permits for
2 industrial permits and pipelines, yet we do not see
3 agencies cite environmental justice as a reason for
4 denying an application for a permit, or even
5 imposing significant restrictions.

6 Environmental justice problems are
7 worsened by the constraints on funding of DEP.
8 During the past decade, DEP has been undermined by
9 budget cuts, including cuts to its information
10 technology budget and an antiquated information
11 technology system. It is critically important that
12 any DEP action that will impact an EJ area, that
13 information is provided in a timely way, and that
14 deadlines are significantly longer than the one's
15 routinely provided by DEP.

16 As a result of budget cuts, we are
17 seeing permits that are being approved that are
18 incomplete, inaccurate, inconsistent with the law.
19 If DEP does not have an adequate - does not have
20 adequate resources to fully vet permits, engage in
21 rigorous enforcement, and do extensive monitoring,
22 and effective public outreach to under-resourced
23 communities at the very early stages of the permit
24 application or a proposed regulation, why are we
25 even here having a discussion of environmental

1 justice.

2 I'm only halfway through, but
3 hopefully that piqued your interest, and I'll get a
4 chance to say more.

5 SECRETARY MCDONNELL: Next on our list
6 is Jasper Jones.

7 MR. BEY: Good evening, everybody. My
8 full name is Jasper Jones Bey. I'm a Cherokee
9 Indian. I'm here representing the Shaykamaxum
10 Republic, but I'm also here representing the Promise
11 Zone, which by pro se definition, qualifies for
12 environmental justice intervention.

13 Since I only have three minutes, I
14 will send you an email with what I want to talk to
15 you about. It gives the full frame on it.
16 Basically, what we're attempting to do overcoming
17 the institution of racism of the city of
18 Philadelphia, is to get into the city to utilize the
19 property zone protocol to implement an
20 apprenticeship program in alternative technician
21 fuel training, to prepare us for the day in what we
22 are calling alternative fuels will be the only fuel.

23 The reason that we want to do this is
24 that the alternative fuels will stop the air
25 pollution, which causes 12,000-plus children in

1 Philadelphia County to have asthma attacks. It's
2 been a big increase in that. Some of those children
3 die from the asthma attacks. So what we have here
4 is crime against humanity, and crimes against our
5 constitution going on by SEPTA, the City of
6 Philadelphia, and so forth, because they do not have
7 a plan to get off of fossil fuels, neither SEPTA or
8 the City of Philadelphia.

9 And I want you to know that Saudi Arabia
10 has a plan to get off of fossil fuels. So this is
11 ridiculous.

12 And the technology exists off the shelf
13 to get off of fossil fuels and on the height. Three
14 years ago, the Department of Energy figured out that
15 we should transition to hydrogen because we have
16 technology to make it possible. And because of this
17 climate realization, you can actually get the money
18 to finance the equipment to a non-recourse financial
19 interest, which means the people of Philadelphia
20 won't have to pay for the change of the
21 infrastructure to hydrogen. Yet we can't get any
22 traction on this point.

23 The City of Philadelphia has had ten
24 years to prepare and figure all of this out. It's
25 only recently that they also got the fact that being

1 on fossil fuels causes 12,000-plus children to have
2 asthma attacks and some of them die. So what this
3 is is criminal behavior on oil institutions. We
4 have to their reach-out to DEP and our
5 representatives, form a partnership, form an
6 intergovernmental agency task force to make a model
7 for starting this transformation off of fossil
8 fuels, setting up of alternative technicians fuel
9 program at community - based out of community
10 colleges. They've figured it out. Any questions
11 please talk to me.

12 SECRETARY MCDONNELL: Next on the list
13 is John Waffenschmidt.

14 MR. WAFFENSCHMIDT: I didn't
15 anticipate the whole balancing thing. So hopefully
16 I'll be able to do it. Thank you for the
17 opportunity to testify today. I would like to
18 commend Secretary McDonnell for his willingness and
19 wisdom to conduct these listening sessions. I've
20 been involved with Pennsylvania for over 20 years
21 and believe that Pennsylvania leads the nation with
22 regard to environmental justice. In particular, the
23 Department's perspective that any applicant for
24 specific permits has to interact with the community
25 as part of the application process is an excellent

1 community empowerment tool. Some have argued that
2 those so-called trigger permits should be expanded.

3 That appears to be a reasonable perspective.

4 The Environmental Advocates that you
5 utilize in the regions are valuable assistance tools
6 to communities. The previous advocate for this
7 region, Alice Wright, did an excellent job working
8 with communities. It is probably reasonable to say
9 that this region is a better place because of her
10 involvement. I can say that I am a better person
11 from having known her. I would encourage the
12 Department to continue to seek out individuals of
13 her caliber and to continue to support the
14 environmental advocate program.

15 While I have a high opinion of the
16 Department's Environmental Justice Program and their
17 overall approach to community permitting, I do have
18 some suggestions for improvement. When one takes a
19 genetics course, the first thing you learn is that
20 genotype plus environment equals phenotype. The
21 concept of environment includes everything external
22 to the organism. Despite the fact that economics is
23 a determining factor for an Environmental Justice
24 community designation, it appears that that logic is
25 eliminated or eroded in the community review and

1 involvement process. Too many who participate in
2 trying to assist disadvantaged communities focus
3 almost exclusively upon traditional environmental
4 parameters. That is not to say that there are not
5 still environmental parameters to work on, that's
6 going quick, to work on. It is merely to say that
7 that perspective is likely to be too narrow to
8 benefit these disadvantaged communities.

9 My recommendation to the Department is
10 to expand the definition of environment so that it
11 isn't just the parameters associated with discharges
12 and the typical environmental criteria that we work
13 on every day. Instead, I would encourage the
14 Department to begin to view the concept of
15 environment more in line with the words that we
16 learned in our introductory genetics course. These
17 disadvantaged communities are made up of
18 individuals. Those individuals have specific
19 parameters associated with them relating to their
20 health and education. We can clearly measure an
21 individual's health, as well as the education they
22 receive.

23 My time has expired.

24 SECRETARY MCDONNELL: Next on the list
25 is Fred Stine.

1 MR. STINE: Thank you. My name is
2 Fred Stine. I work with the Delaware River Network.
3 I'm here. I wanted to - I wanted to just address
4 two different issues that are important with the
5 Delaware River Network. One is the work we're doing
6 down in Eastwick, Pennsylvania down near the
7 airport, down near John Hines Wildlife Refuge. The
8 second is Elcon Recycling Services application
9 that's in front of the Pennsylvania DEP right now.

10 With Eastwick, the two biggest
11 concerns in the Eastwick community, and I serve on
12 the Eastwick Friends and Neighbors Board, Executive
13 Board, is the flooding coming from the Darby Creek.
14 It's been happening for years, and years, and years.
15 And with Pennsylvania DEP's changes in there, and
16 there's four permits in the Department for TMVL's
17 next year. They could move for better protection
18 for upstream sources. But those plans, and we find
19 this in New Jersey, those plans are only plans until
20 they're implemented. So getting a plan written to
21 infuse non-point source pollution and flooding, the
22 sedimentation coming down that are threatening the
23 residents of Eastwick is only a plan unless there's
24 a strong implementation connected with that.

25 The second is flood insurance. And I

1 know flood insurance is - a lot of it is a federal
2 issue. But the residents of Eastwick at meeting
3 after meeting, we have federal agencies in. And the
4 agencies will say that they don't have any control
5 over it. That it must be the banks that are
6 responsible. It might be the insurance agent -
7 excuse me. I'm sorry. What we are looking for is
8 some assistance from the Pennsylvania Insurance
9 Department to help the residents of Eastwick better
10 understand why one person who lives across the
11 street is going to pay one amount for flood
12 insurance, while the person across the street pays
13 twice that amount. It's not clear. It's not fair.
14 It's not equitable. And residents should not be on
15 the hook for trying to figure this out. You know,
16 we need someone to come in and assist. And maybe
17 the Pennsylvania Insurance Department can help bring
18 in FEMA and other agencies that can help the
19 residents understand this.

20 The second issue I wanted to bring up
21 is Elcon Recycling Services. Elcon was just awarded
22 the phase one permit. Their phase two permit is
23 being considered by Pennsylvania DEP. The process
24 starts and is underway now. This is where 210,000
25 tons of chemical hazardous waste is going to be

1 brought in to a facility in Bucks County. And it's
2 an industrial site, but it's less than a half a mile
3 from the Delaware River. And it's hydrologically
4 connected to the Delaware River. It may be good
5 technology. It may be necessary to use chemicals.
6 It may be something that has to be done. But it
7 shouldn't be right next to the Delaware River. The
8 Philadelphia Water Department has expressed concern
9 that if a spill at this facility, even though it's
10 15 miles upriver, would be catastrophic because it
11 would force the shutdown of the Baxter Street Water
12 Facility, which provides 60 percent of Philadelphia
13 residents with water. And again, it's just a bad
14 site location. And we're looking for the
15 Pennsylvania DEP to come out strongly, and require
16 Elcon to do so many things to this site, that
17 they'll be forced to go somewhere else. Thank you.

18 SECRETARY MCDONNELL: I'm being told
19 that some people in the back can't hear too well.
20 So if you do have to speak, make sure you speak into
21 the microphone as clearly as you can. Next on our
22 list is Marilyn Howarth.

23 MS. HOWARTH: Good afternoon. I'd
24 like to thank you also for coming to listen to some
25 important concerns this community has. My name is

1 Dr. Marilyn Howarth. I'm an occupational
2 environmental medicine physician. I work with the
3 Center of Excellence and Environmental Toxicology at
4 the University of Pennsylvania. We are an NIEHS-
5 funded P13 Environmental Health Source Center. We
6 work with communities in a host of environmental
7 problems. And in the course of that work, I've had
8 the privilege of working with a number of the
9 environmental justice staff. And I will tell you
10 that they have been superb. In terms of working on
11 the mission of engaging people and bringing them to
12 the table, and hearing their concerns, your staff
13 has been extraordinary. In particular, I've been
14 working with most recently from the Chapter
15 Environmental Partnership.

16 So to me, Environmental Justice is a
17 bigger mission than that. It involves the fair and
18 meaningful involvement of people, and the outcomes
19 in good health. And I will tell you that as I look
20 across the Environmental Justice communities in
21 Pennsylvania, we can easily show data that the
22 health disparities due to illness that is directly
23 impacted by environmental exposure, it's
24 tremendously different. It is tremendously
25 different in our environmental justice communities.

1 And so whether you want to call upon
2 the state constitution or you want to call upon your
3 own mission, I have to say it seems like in-part,
4 it's failing. So I would urge you to look at those
5 health disparities. Those health disparities in
6 asthma, in cancer, in lead poisoning, and many other
7 environmentally-communicated diseases.

8 The people, it's important that they
9 have meaningful involvement. But to me as a
10 physician, it's more important that their
11 environmental health be protected by their
12 environmental health, Environmental Protection
13 Agency. Thank you.

14 SECRETARY MCDONNELL: Next is Reverend
15 Alison Cornish.

16 REV. CORNISH: Hi. I'm really
17 delighted to be here. Congratulations to you on
18 your confirmation, Secretary. And thank you
19 Representative Bullock for helping to host this
20 great event.

21 We've submitted some written comments
22 so I'm not going to take too much time and type the
23 response specifically to your questions in those
24 comments. But I want to emphasize something that I
25 think we're hearing over and over again. And that

1 is that we may be moving past Environmental Justice
2 to climate justice. And I know that terminology is
3 challenging for some in our state government and in
4 our federal government.

5 But quite honestly, we're at a place
6 where the changes that we're seeing due to climate
7 change are directly impacted population that
8 environmental justice is designed to address. And I
9 think one particular event that we're going to see
10 over and over again in Philadelphia, and that is
11 high index - heat index days. Where are the cooling
12 centers? Where are the opportunities for people to
13 seek relief? When we have mortality rates rising,
14 because people don't have access to cooling, we are
15 really in a pickle. Because in order to cool our
16 environments more, we're going to be producing more
17 and more climate-related effects.

18 So I also so appreciate the comments
19 about Eastwick that have been hit over and over
20 again when supposedly 100-year flood storms in a
21 short amount of time. And our infrastructure is
22 simply not designed to handle that amount of water.
23 So when we talk about environment, we need to start
24 talking about climate in its broadest sense.

25 Thank you so much for your work in the

1 Department and for your work in the House.

2 SECRETARY MCDONNELL: Next on our list
3 is Peter Winslow.

4 MR. WINSLOW: Thank you,
5 Representative Bullock and Commissioner McDonnell.
6 Thank you for this opportunity. I'd like to ask you
7 to help us help you. I think that with Reverend
8 Cornish, I'm on the Board of Pennsylvania Power and
9 Light, which services indirectly. The point that
10 she has made a climate disruption is a different
11 mindset than just allowing industry and applicants
12 for permits, permission to emit toxins into the
13 atmosphere, into the water, into our land. As a
14 principle amount of damage that they can do, it is a
15 different kind of approach. An approach that is
16 more focused on the outcomes than inputs and
17 outputs. And the effects that has on people, have
18 on the land in which we live, and operate, and work,
19 and go to school.

20 So I'd like an expanded continent of
21 enhanced scrutiny for environmental zones. So that
22 it's not just a particular geography. But we look
23 at the agencies, especially the state agencies, that
24 are involved in activities that have a dynamic
25 effect upon the lives of people and the natural

1 habitat. That doesn't exist right now.

2 And dealing with agencies such as
3 SEFTA and the Port Authority and other sister
4 agencies of the Commonwealth, there is not a
5 recognition of environmental justice in any board
6 environmental justice zones. We have had an ongoing
7 dispute with SEFTA with gas-fired power plant in
8 Nicetown. And the conversation that has taken place
9 is that it's our fault because there is a failure to
10 recognize the specific impact on the people who
11 reside at Nicetown, as opposed to a distraction of
12 the EPA.

13 The second part of this has to do with
14 the establishment and maintenance of good
15 information. And Joe has pointed out, it's really
16 necessary that in addition to just enforcing
17 specific regulations, that there be a concerted
18 effort to obtain a database of public comments that
19 is available and meaningful in terms of
20 understanding our environment. This is something
21 that shows. We are eager to partner with the DEP to
22 make this happen.

23 So again, let us help us to help you.
24 Thank you.

25 SECRETARY MCDONNELL: Next is Karen

1 Melton.

2 MS. MELTON: So I would also like to
3 thank you for being here today. Given the funding
4 environment that we're looking at, I consider this
5 quite an act of optimism that you're even letting us
6 here to talk about more issues.

7 I'm just going to mention two air
8 quality issues that I've been involved with
9 recently. One on behalf of Sierra Club is Greer
10 Island. And I've heard a lot about Greer Island.
11 It's the only coal-powered power plant in
12 Pennsylvania that's been allowed to continue to
13 operate with no pollution controls. Even their
14 partial - with their partial recompense to gas, we
15 have no commitment from them that they're going to
16 stop doing that. There's a Sierra Club showing that
17 some of our code orange and red air dates here in
18 Philadelphia can be directly attributed from the
19 pollution from that plant.

20 So regardless of what happens with the
21 plan that's been submitted to the EPA, you know, I
22 would just like to see DEP go after that because
23 it's affecting all of us.

24 Another one, which Peter mentioned, is
25 the situation with SEFTA. We've been trying to stop

1 them from building a gas-fired power plant. And
2 another thing we're trying to do is get them to
3 embrace the vision of an electric, fully electric
4 fleet of buses. Just to give you an example of
5 where they are on that right now, they're getting 25
6 electric boxes this year. And they have 525 diesel
7 hybrids on order over the next five years. So we're
8 trying to convince them that they need to move much
9 more quickly toward a fully electric diesel fleet.
10 And, you know, they need to look at how they're
11 going to produce that electric city. And we don't
12 want it to be with gas.

13 So if you can find ways to incentivize
14 - and of course, this will be an issue throughout
15 the Commonwealth. We have been doing a lot of
16 research about cities around the country who are in
17 the process of going fossil free with their transit
18 system. We'd be happy to share that with you. But
19 if you can find ways to extend Pennsylvania's
20 transit system in that direction, I think you would
21 be doing a good service to urban citizens who live
22 in that pollution. Thank you.

23 SECRETARY MCDONNELL: Next is Adam
24 Cutler.

25 MR. CUTLER: Thank you all. I echo

1 the thanks that have already been extended for
2 having this session. And as an attorney who's been
3 working on environmental justice issues for almost a
4 decade now, both first in public interest, and since
5 then on the environment advisory board, I want to
6 say that we look forward to continuing to work with
7 the board - we look forward to continuing to work
8 with the board and working with Secretary McDonnell
9 on advancing environmental justice issues in state
10 government here in the Commonwealth.

11 I want to also plug-in for
12 environmental justice advisory board meetings, which
13 are open to the public and have public comment
14 sessions. So those of you wanting to go to the DEP
15 website, you can find the schedule of environmental
16 justice advisory board meetings there. And we look
17 forward to input on a continuing basis from your
18 communities on the issues that are important to you.
19 So that we can discuss them at the board level and
20 with the secretary.

21 I want to mention two specific issues
22 that we've been trying to move forward with in
23 advisory boards. The first is on the issue of DEP
24 partnering with sister agencies in the Commonwealth,
25 specifically the Department of Health and the

1 Department of Transportation on environmental
2 justice issues, on environmental health issues.

3 It's particularly important for
4 Department of Health expertise to be brought to bear
5 on some of these issues in the environmental justice
6 communities, because as we understand it at the
7 board level, right now we don't have any capacity
8 within the Department of Environmental Protection.
9 So reaching out to the Department of Health would
10 be, I think an effective start. And likewise, the
11 Department of Transportation has so many projects
12 that impact these environmental justice communities.
13 We think it's very important, and I think it's very
14 important that the Department interface more closely
15 with PennDOT on these issues.

16 And lastly, I want to just make
17 another pitch for continuing expansion of the
18 Department's transparency initiative with data, with
19 permitting documents, to the extent these documents
20 can be put online in easily searchable, easily
21 accessible formats. That could make all the
22 difference in the world for environmental justice
23 communities who, you know, can't really do anything
24 to assert themselves without good information. And
25 having that information available online in an

1 easily accessible way really can make a huge
2 difference. So thank you. My time's up. Thanks.

3 SECRETARY MCDONNELL: Next up is Lese
4 Baxter.

5 MS. BAXTER: Hi. My name is Lese
6 Baxter. I'm part of coalition - Now? Okay. I'm
7 part of our coalition of concerned residents in
8 Lower Bucks County. We call ourselves POWA or
9 Protect Our Water and Air. I'm here to ask you to
10 please consider the negative impact of Elcon
11 hazardous waste facility on Folks Township, Lower
12 Bucks County, and surrounding areas.

13 This is an area that already has more
14 than its share of pollution. And we have stern with
15 EPA standards. The area is also 50 percent
16 minority, with 34 percent of residents living below
17 the poverty level. And that's according to the EPA.
18 But because of this, due to the census tract, it's
19 not designated as an environmental justice area.
20 But it should be in my opinion.

21 On March 2nd, 2017, Elcon Recycling
22 submitted its phase two application to the DEP to
23 build a hazardous waste building in Falls Township,
24 Bucks County. Within Bucks County, Falls Township
25 has already had, already boasts nearly 70 percent of

1 the County's industrial air pollution sources,
2 according to the EPA. The American Lung Association
3 just ranked Bucks County number one for ground-level
4 ozone in Pennsylvania, ahead of both Philadelphia
5 and Pittsburgh, and they are cities.

6 According to the CDC, Bucks County is
7 the only county in Pennsylvania that's increasing
8 childhood cancer rates. Additionally, the location
9 of the Elcon proposed hazardous waste facility is
10 close to the Delaware River and hydrologically
11 connected to the River. Just one spill of hazardous
12 chemicals should be detrimental to the drinking
13 water for millions of people, both in Pennsylvania,
14 and New Jersey, including Philadelphia.

15 Shouldn't the DEP make sure that Bucks
16 County, which is currently a non-attainment area
17 failing EPA standards, include their air quality so
18 they're in compliance with current air standards,
19 rather than allowing additional sources of pollution
20 to an already over-polluted area. Please do not
21 allow Elcon to build a hazardous waste facility in
22 an area that is already failing air pollution
23 standards, and is located near the source of
24 drinking water for millions of people.

25 SECRETARY MCDONNELL: Next on our list

1 is Walter Tseu.

2 DR. TSEU: Thank you. I want to say
3 that my name is Dr. Walt Tseu. I'm a public health
4 physician and former Health Commissioner for
5 Philadelphia. And I am executive director of
6 Philadelphia Physician Associated Responsibility.

7 I speak today because I believe that
8 the first priority of the Department of
9 Environmental Protection is to protect the public
10 from environmental hazards. It's not to kowtow to
11 corporate interests, or to the gas industry, or the
12 legislature which is paid off by the gas industry.
13 And they need to be very clear that DEP, the
14 Department of Environmental Justice, need the DEP to
15 be protecting the interests of the public first and
16 as its major priority.

17 Second point is that we're build ---
18 we built a SEPTA gas plant in Nicetown, one of the
19 poorest areas of North Philadelphia. Putting a gas
20 plant in Nicetown is kind of like putting Tower
21 Records on the dawn of the internet. We're making a
22 20-year or 30-year investment in something that will
23 be obsolete the day it's built.

24 Third thing is that there are at least
25 three different studies I want to talk about from a

1 public health perspective. One is that the
2 Geisinger study, which is done right here in
3 Pennsylvania, looked at the proximity of residents
4 to gas drilling wells. This is a Hopkins-Geisinger
5 study. They found asthma, migraine headaches, and
6 nose bleeds, and premature birth all were correlated
7 with proximity. And these are not small numbers.
8 We're talking about, you know, 35,000 cases of
9 asthma. The significances are very, very high.
10 They compel that we need to do a true prospective
11 study in order to answer the questions about what
12 we're doing here on gas drilling in the state.
13 Because frankly, the current evidence suggests that
14 fracking is not safe in the state. Every state
15 legislature should know about this. And we need to
16 do what is called the precautionary principle in
17 public health. Meaning we need to stop doing it.
18 Don't issue anymore permits. And then after the
19 prospective study, actually extending the questions.

20 The whole industry does this thing
21 called non-disclosure where they tell people in
22 exchange for fresh water, you need to stop talking
23 about the health effects that happen to your family
24 and your community. That actually destroys any type
25 of research we want to do. We need to actually

1 answer these questions. And you need to tell them
2 at DEP, you cannot force them to sign non-disclosure
3 agreements. You need to provide them the buffaloes
4 of water so that we can actually - and let them talk
5 to the researchers so that we can answer these
6 questions, instead of hiding this stuff like we're
7 constantly doing.

8 And then finally, you are aware about
9 the public health study that was done by your
10 department, 4,000 cases that they investigated to
11 find out what happened to the water that was
12 polluted. And your Department basically either
13 didn't do the testing, follow-up testing, or the
14 follow-up that was necessary for this.

15 My time is up. I could go on, but.

16 SECRETARY MCDONNELL: Next on our list
17 is Coryn Wolk.

18 MS. WOLK: My name is Coryn Wolk. And
19 I'm a member of Adjective, an environmental advocacy
20 organization based in Philadelphia. I've been
21 working on fossil fuel infrastructure across the
22 city.

23 To answer DEP's first question about
24 the definition of environmental justice, obviously I
25 think that for a start it's good. But there are

1 populations, especially in Philadelphia, that should
2 also be taken into consideration. For example, the
3 area around Philadelphia's refineries, Philadelphia
4 Energy Solution has a high percentage of elderly
5 populations and immigrant populations who have
6 limited English proficiency. The Delaware Valley
7 Regional Planning Commission uses a much broader
8 definition of environmental justice, potential
9 communities, including elderly populations, female-
10 headed households which are often single mothers
11 with small children, and elderly people with limited
12 mobility. And so sometimes there's a cross-section
13 of those populations and minority populations or low
14 income populations, but not always. And these
15 populations often have vulnerabilities or needs that
16 are not the same as this broader definition. And
17 that's something that I think DEP needs to take into
18 consideration of public outreach, and also when
19 considering permit applications.

20 The other thing is that while I know
21 that air management services is responsible for a
22 lot of air pollution regulation in Philadelphia,
23 they don't have the resources to always either
24 enforce or communicate to people in Philadelphia.
25 And that's something where DEP, which is also under-

1 funded and under-resourced, should be stepping in.
2 However, I do have a great concern about DEP's
3 ability to expand its outreach of enforcement, given
4 that Governor Tom Wolfe has been pushing through the
5 Department of Economic Development, a huge increase
6 in natural gas infrastructure across the city. And
7 if that came through, a lot of that natural gas
8 infrastructure would be based in Philadelphia.

9 So given that one agency of the state
10 is pushing for a more polluting infrastructure, I
11 kind of wonder what the point is of people coming
12 here and asking the DEP for more, when that would
13 counteract the state government's other initiatives.

14 Even though obviously, something should be done.

15 Lastly, there are things that DEP does
16 regulate in Philadelphia, such as waste water and
17 storage facilities that I would like to see DEP do a
18 better job of enforcing. Because we do know that a
19 lot of facilities in Philadelphia are not in
20 compliance or have never actually been inspected or
21 regulated, because they're operating outside of the
22 law. And DEP does have the duty and power to do
23 that.

24 And also as another wish list item,
25 especially in communities of color and low-income

1 communities, especially in impoverished areas that
2 has the height of population and the height of
3 industry-owned facilities, slowly things will be
4 piled on top of each other. And I would like to see
5 DEP do a better job of communicating what those
6 cumulative risks are to populations. Not just
7 through really obscure documents on the website or
8 something where you have to go to the office.

9 My time has expired, so I have the
10 whole wish list here. Thank you.

11 SECRETARY MCDONNELL: Next on the list
12 is Linda Rosenwein.

13 MS. ROSENWEIN: Hi. I am a Germantown
14 resident and a school teacher. And two months ago,
15 I found out that a gas plant was going to be built
16 within walking distance of my house. So I decided
17 to join up with 350 Philadelphia. I just want to
18 say that it shouldn't be necessary for someone like
19 me that has a full-time job already, to have to
20 volunteer all my extra time to try to canvas all my
21 neighbors, and the neighbors of Nicetown, to try to
22 get an upswell of the public, first of all to inform
23 them about this, to get them to protest, or to reach
24 out, or to speak out to their elected officials, so
25 that somebody will listen to the problem.

1 It shouldn't be necessary for people to
2 volunteer all of this time, run around, to try to
3 convince our elected officials, or you, or anyone
4 else in charge. Someone should be minding the
5 store. And, you know, that's all I have to say.

6 SECRETARY MCDONNELL: Last on the list
7 is Jerome Shabazz.

8 MR. SHABAZZ: Thank you very much.
9 Thank you Secretary, Director. My name is Jerome
10 Shabazz. I'm the executive director of the
11 Overbrook Environmental Education Center. And
12 instead of talking about the point-source egregious
13 activities of industry or utility, I want to make
14 sure that we emphasize that we're talking about
15 vulnerable communities. As environmental justice
16 issues, we need to realize that these are
17 communities where people do not have a lot of
18 resources. They may not have political connections.
19 They may not have access to information.

20 But what is taking place is a whole
21 movement around an enlightened citizen. And we
22 should take advantage of that. We should create
23 more opportunities for people to be monitored in
24 their own neighborhood. We should take advantage of
25 the opportunities for people to know what kinds of

1 activities, personal activities that may be creating
2 environmental conditions that affect them right
3 where they live. If we're talking about domestic
4 toxins, how you dispose of potential hazards, we
5 need to have more information that's available to
6 communities so that they can help themselves.

7 There's a whole swath of people who do
8 not realize that the ancillary things to what they
9 do is causing greater harm than they realize. We
10 have to bring resources to that effort. We have to
11 bring outreach to that effort. We have to bring
12 information to that effort so people can improve
13 their quality of lives, and so that we have better
14 communities from the ground up. Thank you.

15 SECRETARY MCDONNELL: That is
16 everybody on the list. Is there anybody that did
17 not get the opportunity to speak that would like to
18 speak at this time? And please state your name.

19 MS. LIBBY: My name is Pat Libby. I
20 am the voice of the stillborn who cannot speak. I
21 am the voice for the disabled in pain. I am the
22 voice of the asthmatic who cannot breathe. I am the
23 voice for those you have slain. They breathe the
24 air that's polluted by toxins. They drink the water
25 that's darkened by grime. They scratch their skin

1 raw from all the red rashes. They go to school on
2 roads covered in slime. You are the cause of their
3 suffering and agony. You are the cause of their
4 writhing in pain. Fracking is killing our totally
5 defenseless. It has no sympathy for those it has
6 slain.

7 SECRETARY MCDONNELL: Anyone else?
8 Please state your name.

9 MS. AIKENS: My name is Shoshana
10 Aikens spelled S-H-O-S-H-A-N-A. So yeah, sorry. I
11 was just spelling it for the stenographer.

12 So I work in this type of work. And I
13 know that these meetings are really hard. And I
14 really appreciate you guys taking the time to do
15 this. I feel like it's really important for federal
16 agencies or any government agency to let people come
17 and experience joy, and pain, and anger. Because
18 what happens is when you don't give people this
19 chance, you don't get people who show up who are
20 angry. And that's why people get really frustrated
21 at public meetings. Especially people who organize
22 them. So it's really critical to change the culture
23 to let people speak on - in more than one way, and
24 in more than one platform.

25 So I hope that you guys keep doing

1 stuff like this. And you make sure that it's not
2 just people who are comfortable standing in front of
3 a room who get the opportunity to speak. It's also
4 people who panic in front of a room who get that
5 chance and you make sure to reach out people in
6 every possible way. So thank you.

7 SECRETARY MCDONNELL: Please state
8 your name.

9 MS. RABBLE: Very brief. Reine
10 Rabble. We need a DEP office in Philadelphia.
11 Norristown is too far for most of us that don't
12 drive. I know it by transportation. And while in
13 Philadelphia, make it accessible. This is hard to
14 get. This location is hard to get to.

15 SECRETARY MCDONNELL: Anybody else
16 that has not yet spoken?

17 MS. BOLES: Good afternoon - or good
18 evening. My name is Laureen Boles. I'm an
19 environmental advisory board member, and also an
20 advisor to the EPA Environmental Policy and
21 Technology. And what I've heard tonight, we've
22 heard a lot of comments about some of the permits
23 that are being issued in environmental justice
24 communities, those that are already overburdened.
25 We've heard a little bit about the cumulative

1 effects. But what I'd like to lift up is that DEP
2 consider the cumulative impacts of the permits that
3 are issued. If every industry were able to come in
4 and pollute to the maximum extent, just the
5 cumulative impact of all of those. We need to
6 consider that, especially where the community is
7 already been overburdened.

8 In some cities, they have an advisory
9 board made up of engineers, planners, well-informed
10 citizenry who review permits for the City of
11 Philadelphia and make very good suggestions about
12 green infrastructure. And some of the other ways to
13 mitigate some of the pollution that's coming
14 pursuant to permit. And so typically, the review
15 comes through the Department of Environmental
16 Protection, and then through the city, to the
17 advisory board, and then forces it to be a final
18 division. But that is a role that environmental
19 justice board could play.

20 SECRETARY MCDONNELL: Anybody else
21 that has not yet spoken? Anybody that has spoken
22 who would like an additional three minutes?

23 MR. MINOTT: So I hope you all
24 remember where I left off. My name is Joe Minott.
25 I'm the executive director of the Clean Air Council.

1 One of the things I heard today that wasn't in my
2 testimony that I think is absolutely true is that
3 DEP's Environmental Justice Program cannot be
4 silent. It really needs to be coordinated with the
5 other agencies in order to have the full impact on
6 the community. PennDOT has their own advisory
7 committee. DEP has their own. I don't even know if
8 PUC even has one. And lord knows they need one.

9 So I recently had the pleasure of
10 listening to your confirmation hearing. And you did
11 very well by the way. But I was stumped by the fact
12 that the members of the legislature only seem to be
13 concerned with the delay of DEP's issuance of
14 permits. Not one, not one legislator asked about
15 the health effect or health impact. And I think
16 that says something about where the power is in
17 Pennsylvania, and who owns the legislature.

18 I think it's really up to you,
19 Secretary McDonnell, to publicly make the case that
20 under your present budget, DEP cannot issue complete
21 and timely permits, and will not be forced into
22 doing so. I know there's tremendous pressure on DEP
23 to move the permits. I know the legislature
24 probably has your personal home number and calls
25 you, and says this needs to be done. I know

1 Governor Wolf has put pressure on you to move
2 forward with issuing permits.

3 But I think it is up to you to say
4 publicly, loudly, and proudly that if they keep
5 slashing your budget, you simply cannot meet that
6 need. And I think I'll stop there. Thanks.

7 MR. BEY: Back again. I'm Jasper
8 Jones Bey. What I didn't mention is that the
9 Shaykamaxum Republic has submitted to the United
10 Nations a petition for relief of genocide by
11 ecocide, which is what really their definition is
12 supposed to cover, but did not cover. The
13 institutional configuration of SEPTA, the City of
14 Philadelphia, the rest of those agencies are
15 destroying the environment, killing people, and
16 destroying our economy. We should have been off of
17 fossil fuels. The issue in terms of economics DEP
18 is glossing over is that the cost of fossil fuels
19 causes many sections of the economy to drop out of
20 participation in the economy, which is why we have
21 the depression since 2007.

22 So I'm going to do a hail for you. If
23 you send me an email at cadreoflawyers@yahoo.com,
24 I'll send you a petition for relief which you can
25 join. And if we don't get off of fossil fuels, the

1 depression that we're in is going to continue until
2 our local economy is destroyed. And because they're
3 stupid, they really haven't trained these people to
4 deal with the alternative fuels. And once we run
5 out of fossil fuels, which we are, there actually
6 were estimates given by industry people when
7 fracking is an infeasible programs to be continued.
8 But because of people attending that, and I'll just
9 say it, the people in our government are on the
10 payroll of big energy, which is why we keep getting
11 these stupid results, like the Philadelphia Energy
12 Authority setting up this ridiculous proposal for
13 making up a fossil fuel hub, when it's known that
14 it's going to peak.

15 It's not going to be available as a fuel,
16 so we need to be changing our infrastructure over to
17 what the Department of Energy figured out 30-plus
18 years ago, it's hydrogen. It's an inexhaustible
19 energy that's clean. It will stop killing our
20 children with the asthma attacks. And the program
21 will allow people to convert existing vehicles over
22 to hydrogen and other fuels that don't produce air
23 pollution that kills our children. Again,
24 cadreoflawyers@yahoo.com if you want more
25 information. Thank you so much.

1 MR. WAFFENSCHMIDT: So I'm also in the
2 where I left off stage. The literature is replete
3 with evidence to support my recommendations. From
4 the lay media perspective, the New York Times in a
5 2014 article compared Fairfax County, Virginia, a
6 rich community, to McDowell County, West Virginia, a
7 poor community. The life expectancy delta for
8 women, 12 years. For men, 18 years. That puts
9 McDowell County residents with a life expectancy
10 equivalent to Iraq. These deltas are directly
11 related to the differential wealth and income
12 between two counties. These same life expectancy
13 data can be found throughout the world as presented
14 by the World Health Organization.

15 Success at addressing the lifespan
16 differential as mentioned the Fairfax/McDowell
17 County communities, has been mitigated in part by
18 making sure that there is appropriate prenatal care,
19 and higher birth weights for those at lower income
20 levels. Such programs should be maintained and
21 expanded. Regarding asthma, we need to focus of
22 individual health criteria, including a therapeutic
23 understanding of early life influences on asthma
24 development. In like fashion, every child, poor,
25 rich, whatever should benefit from the latest data

1 on vaccine intervention.

2 On education, we need to provide
3 universal pre-k and have a pre-k to 12 program which
4 focuses on skill development, communication skills,
5 and personal financial management. We should
6 recognize the increasing technical complexity of our
7 world. This enhanced complexity argues that
8 quantitative skills beyond the math basics,
9 including understanding the function of the compound
10 interest rate formula, statistics, the broader
11 aspects of science, coding, and logical process
12 should be part of that educational commitment.
13 While many school districts may have challenges with
14 having the capacity to provide this level of
15 training, it should be pointed out, as Berkowitz, et
16 al., that there are some fairly effective systems
17 which can assist in enhancing the educational
18 experience in mathematics.

19 Two very sobering facts drive home the
20 importance of addressing education as an
21 environmental factor for the disadvantaged. First,
22 Author shows that profound effect that differential
23 levels of education can have on relative earnings.
24 He goes on to clearly show the fundamental
25 disadvantage of inequality by demonstrating that

1 inequality itself impedes economic mobility. A
2 quote from the study, two of the strongest
3 predictors of children's ultimate educational
4 attainment are parental education and parental
5 earnings.

6 If Author was not sufficiently
7 persuasive, one need only visit Cho to realize that
8 economies which offer differential compensation as a
9 fundamental condition of their structure will evolve
10 to inequality at the exponential scale. While one
11 may be disillusioned by these data, we should
12 recognize the inherent capacity for such competitive
13 economies to have the promotion, the potential to
14 promote well-being. We should also be mindful of
15 the potential for class-based migration up the
16 income ladder via enhanced skill sets.

17 I'm sorry I took a couple of extra
18 seconds. But I told you I'd go to the end of the
19 paragraph.

20 SECRETARY MCDONNELL: Please state
21 your name.

22 MS. CORNINGHILL: Hi. My name is Jo
23 Corninghill. And I just wanted to say a couple
24 things. One, I'm 24 years old. And so I will be
25 dealing with the state of the world getting worse

1 and worse for a lot longer than a lot of people in
2 this room. And I also, I just, I want to say that I
3 am not - I did not identify as being part of a
4 marginalized community. I'm speaking to the
5 question about DEP engaging with marginalized
6 communities, number three. I'm curious how many
7 people, by show of hands, identify as being part of
8 a marginalized community. Raise your hand.

9 Okay, we've got about two in a pretty
10 small, like room full of not many people. And so I
11 think that answers the question. I don't have
12 anything to say on behalf of marginalized
13 communities. And I don't think I or anyone who is
14 not from them should be saying anything on behalf of
15 them. Although, I do really appreciate all of the
16 information spoken today. And I think there's
17 really important work going on. I think you could -
18 it's also as if you didn't do anything because
19 there's so much more yet to be done in terms of
20 getting that input from the people who are actually
21 being impacted. Thanks.

22 DR. HALWORTH: Dr. Marilyn Halworth
23 again. I just wanted to mention that although
24 poverty is really very important to health, there's
25 no question about that, there are some very specific

1 ways that we can overcome the environmental justice
2 communities, some of these issues.

3 The VW settlement has just come out
4 and Pennsylvania has been identified as one of those
5 states that they're actually going to get a pile of
6 money. And I would urge you to utilize those funds
7 for our environmental justice communities. Those
8 vehicles that overburdened our communities because
9 they weren't following the law, they did so more so
10 in very populated areas, very environmentally
11 vulnerable areas. And so let's, you know, just kind
12 of make it right in some ways by using those funds
13 in those same places.

14 SECRETARY MCDONNELL: Anyone else that
15 would like to speak? If there's nobody else? I'll
16 turn it back over to Carl.

17 MS. ROSENWEIN: My name is Linda
18 Rosenwein. My name is Linda Rosenwein and I'm here
19 with Planet Philadelphia, which is a radio show on
20 the environment of our community. I wanted to
21 second what someone said about helping us to help
22 you. There are a lot of people with different
23 organizations here today and around the Philadelphia
24 area who have projects that they are working on
25 related to environmental justice. And it's not a

1 thing about -- separating the government out saying
2 this and we're doing that. I think they're, that
3 getting a survey of what's out there and how you
4 could partner with different places might really
5 help you in your endeavors.

6 REP. BULLOCK: State Representative
7 Donna Bullock again. I just wanted to come back and
8 say thank you again to the Secretary and DEP for
9 coming out. Thank you all for coming out. I
10 volunteer the whole system our district. And I also
11 wanted to thank Water Works for opening their gates.
12 I know it's not always convenient to find one
13 central location for everybody. But I definitely
14 was honored to have this session today in my
15 district.

16 Secondly, this is not going to be the
17 last time for this. This is not going your last
18 time for Philadelphia. And I'm going to make that
19 promise to everybody in the room today. Last fall,
20 I had an environmental justice commissioner right in
21 the heart of North Philadelphia at 23rd and Ridge.
22 Many of you that are here today was in that room.
23 And we also had many people right in the community
24 of North Philadelphia interacting with advocates.

25 And in that meeting I said to those

1 folks, and I say all the time, I was never, I never
2 considered myself an environmentalist. I didn't
3 understand it. I was a city girl. And I didn't
4 realize that the environment was everything around
5 me. And I also acknowledge that many of us do not
6 have the privilege to be an advocate. Many of us do
7 not have the privilege to sit in on a listening
8 session. Many of us don't have a privilege to go to
9 Harrisburg and speak our minds. So those of us who
10 do have that privilege, those of us who have the
11 time and the resources to be an advocate, to be a
12 policy expert, you have a responsibility with that
13 privilege.

14 And so I thank you for coming out
15 today and understanding that while you may have
16 solely have spoken, I think in good - with good
17 intentions and on the right issues for all of
18 Philadelphians, all Pennsylvanians, we have to bring
19 that message back home. And I've heard that today.

20 And we will continue to do these conversations,
21 have other advocates also share our joy, and share
22 pains, which that young lady mentioned earlier.

23 And in doing that in an informal
24 environment that we had very informal mixers. There
25 was one speaker, Maurice Stanton from Clean Water

1 had spoke. But other than that, we did mix, got to
2 know each other, found out who the players were,
3 find out who that block captain was that's going out
4 every day and cleaning up her block. Because she
5 cares about her environment just as much as that
6 policy advocate from the Sierra Club that goes to
7 Harrisburg and knocks on my door. Every one of us
8 cares about our children. We care about our elders.
9 And we know that you do, too, Secretary. So I look
10 forward to a partnership, both in Harrisburg and
11 here in Philadelphia. And hopefully you'll come
12 back.

13 ---

14 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

15 ---

16 MR. JONES: So first, let me thank you
17 all for coming out today. I like the feedback and
18 testimony. And so the next session we're going to
19 have with information. So this last slide, for
20 people who were not able to be here, we're accepting
21 comments online and in writing. So please, if there
22 are folks who could be here, who you know want to
23 give testimony, they can submit that to us here.
24 We're always available. Again, the brochure, which
25 is out front, has all the same contact information

1 as well.

2 We're having all of these listening
3 sessions transcribed. So we have a stenographer
4 who's in the back. So a transcript of the testimony
5 from all the listening sessions will be made
6 available online. And then we anticipate this to be
7 the beginning of our conversation with you. So
8 listening starts with us gathering facts, which is
9 why we were taking the testimony now, so we can come
10 back out and determine how to move forward with the
11 steps that we take as a state as it relates from
12 environmental justice.

13 Thank you again from the Office of
14 Federal Justice. I will turn it back over to
15 Secretary McDonnell.

16 MR. MINNOTT: So again, I have more to
17 say. But can I just give it -?

18 MR. JONES: Correct. All written
19 comments that we receive in addition, will also be
20 attached with the written transcript testimony
21 available online.

22 MR. MINNOTT: Thank you.

23 SECRETARY MCDONNELL: Thank you, Carl.
24 I'll point out he did not get applause. I'm
25 surprised we didn't get more comments just as a

1 filibuster for the weather. That would help.

2 I thank you very much. Thank you to
3 the Representative and the Water Works here for
4 hosting us today.

5 One thing I'll leave you with, and
6 this is, you know, there's probably when you think
7 about the Secretary of a department, there's a lot
8 of roles that come into mine. One of the ways I
9 often describe my role in the agency is frankly my
10 calendar, right. I have 8 hours, 10 hours, 14
11 hours, 16 hours in a day in a series of half-hour,
12 hour, two-hour chunks while meeting with folks,
13 talking with folks. And for that half-hour,
14 whatever perspective I get, that's the perspective I
15 get. And that's all the perspective I get to get
16 for the answers.

17 So my view of all of this is if I sit
18 behind a desk on the 16th floor of a building in
19 Harrisburg, and just allow whatever perspective
20 comes in the door to come to me, that's not all the
21 perspective I need. That's why we're doing these
22 kind of sessions. That's why we're continuing to
23 engage in these kind of sessions. So I need all the
24 perspective. I want to really thank you for your
25 comments, your passion, your interests. Even though

1 those you just came out to listen tonight, thank you
2 for that. But I hope you learned something from
3 some of your fellow citizens here tonight. And I
4 really, really look forward to engaging with you all
5 in any number of forums on a government board basis.

6 So thank you very much. Thank you for your
7 participation.

8 * * * * *

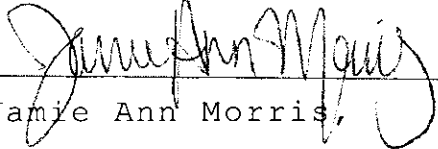
9 HEARING CONCLUDED AT 5:42 P.M.

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CERTIFICATE

1
2 I hereby certify that the foregoing proceedings,
3 hearing held before DEP Secretary McDonnell was
4 reported by me on 5/25/2017 and that I, Jamie Ann
5 Morris, read this transcript, and that I attest that
6 this transcript is a true and accurate record of the
7 proceeding.

8
9
10 
11 Jamie Ann Morris,
12 Court Reporter