

**Minutes of the
April 14, 2010 Meeting of the
Water Resources Advisory Committee (WRAC)**

The regular meeting of the WRAC was called to order at 9:35 a.m. by Chairperson Stephen Rhoads on Wednesday, April 14, 2010 in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA.

The following committee members were present:

Buddy, Beach, P.E., Consol Energy (Retired)
Don Bluedorn, Esq., Babst, Calland, Clements, Zomnir
Rob Cavett, Merck & Co., Inc.
Carol Collier, Delaware River Basin Commission
Matt Ehrhart, Chesapeake Bay Foundation
Arthur Gazkik, P.E., Ross Township
D. Tyler Gourley, University of Pittsburgh (via phone)
Jeff Hines, P.E., The York Water Company
John K. Jackson, Ph.D., Stroud Water Research Center (via phone)
Gary Merritt, P.G., North Star Generation Inc.
Cory Miller, University Area Joint Authority
Jennifer Reed-Harry, PennAg Industries Association
Stephen Rhoads, East Resources, Inc. (Chair)
Edith Stevens, League of Women Voters of PA
Bob Wendelgass, Clean Water Action (Vice Chair)
E. Charles Wunz, P.E., Herbert, Rowland & Grubic, Inc.

The following committee members were not present:

David Anderson, P.G., Moody and Associates, Inc.
Nick Pinizzotto, Western PA Conservancy
Robert Traver, PhD, P.E., Villanova Urban Stormwater Partnership

The following DEP staff members were present:

Duke Adams, Policy Office
Dana Aunkst, Bureau of Water Standards & Facility Regulation
Tom Barron, Bureau of Water Standards & Facility Regulation
Pam Bishop, Office of Chief Counsel
Doug Brennan, Office of Chief Counsel
Ron Gilius, Bureau of Oil & Gas Management
John Hines, Deputy Secretary, Water Management
Marge Hughes, Bureau of Watershed Management
Marcus Kohl, Office of Water Management
Richard Morrison, Office of Chief Counsel
Tom Starosta, Bureau of Water Standards and Facility Regulation
Curt Sullivan, Office of Chief Counsel

Susan Wilson, Citizens Advisory Council

The following guests were also present:

Mary Anna Babich, EQT Production Co.
John Brosious, PMAA
Joe Deklinks, House of Representatives
Teresa Copenhaver, Triad Strategies
Jim Erb, API
Judy Eschberger, Novak Strategic Advisors
Nancy Evans, PPL Corp.
Bob Fisher, R. J. Fisher & Associates
Josie Gaskey, PCA
Grant Gulibon, PA Builders Asso.
Suzanne Hall, EPA
Alisa Harris-Daniels, Exelon Corp.
Rolf Hanson, API
Patrick Henderson, Senate of PA
John Jewett, IRRC
Kimberly Long, Exelon Corp.
Jeff McNely, ARIPPA
Christian Muniz, GSP Consulting/Pitt Chamber
Walt Nicholson, Williamsport Sanitary Authority
Erik Ross, Delta Development
Al Sever, Tioga Minerals
John Snedden, Hart Resources
Carla Suszkowski, Range Resources
Pam Witmer, Bravo Group
Scott Wyland, Hawke, McKeon & Sniscak
George B. Wolff

Approval of Minutes:

The minutes of the March 17, 2010 meeting were approved on motion as final.

New Business:

Chapter 96

Ann (Smith) Roda (annsmith@dep.state.pa.us), Water Planning Office, presented an overview of the comments received regarding Chapter 96, Water Quality Standards Implementation. Chapter 96 will also be on the agenda for the May meeting as final rulemaking and will be on the EQB agenda in early summer.

Chapter 95

Dana Aunkst (daunkst@state.pa.us), Bureau of Water Standards and Facility Regulation and Richard Morrison (rimorrison@state.pa.us), Bureau of Regulatory Counsel, discussed and answered questions regarding the proposed changes to Chapter 95,

Wastewater Treatment Requirements, and requested a formal record of the WRAC's recommendations. Extensive discussion was held on various areas, specifically clarification on the watershed approach, the impacts on the conventional oil and gas industry and the recycling mandate for oil and gas wastewaters. The Department agreed that further discussion on the regulation was necessary and that it would consider making changes to the regulation based on the comments collected at WRAC. Further, the Department agreed to meet with individual stakeholders to discuss concerns.

The following motion was passed on majority:

WRAC appreciates all of the department's efforts to respond to our comments and improve the regulation. WRAC believes that the current draft of the regulation is substantially improved over the draft we reviewed in July of 2009, and we understand that additional improvements will be made based on our comments today. Although some of the individual WRAC members continue to have significant concerns about the regulation and whether it should proceed without an advance notice of final rulemaking, in light of the progress and efforts made to date and in light of the department's desire to proceed with the regulation, the consensus of the Committee is that the regulation should proceed for final consideration by the EQB.

Chapter 92

Tom Starosta (tstarosta@dep.state.pa.us), Water Standards and Facility Regulation, presented an overview of the comments received regarding Chapter 92a, National Pollutant Discharge Elimination System Permitting, Monitoring and Compliance. Chapter 92a will also be on the agenda for the May meeting as final rulemaking and will be on the EQB agenda in July.

Public Comment

No public comment was received.

The meeting was adjourned at 12:20 p.m.

The next scheduled meeting of WRAC is May 11, 2010 beginning at 9:30 am in Room 105 of the Rachel Carson State Office Building.