

MINUTES
ENVIRONMENTAL QUALITY BOARD MEETING
November 15, 2022

VOTING MEMBERS AND/OR ALTERNATES PRESENT

Ramez Ziadeh, Chair, Acting Secretary, Department of Environmental Protection
Aimee Wechsler, alternate for Allison Jones, Secretary, Governor's Office of Policy and Planning
Cheryl Cook, alternate for Russell Redding, Secretary, Department of Agriculture
Adam Walters, alternate for Neil Weaver, Acting Secretary, Dept. of Community & Economic Development
Kristen Rodack, alternate for Dr. Denise Johnson, Acting Secretary, Department of Health
Patrick McKenna, alternate for Jennifer Berrier, Secretary, Department of Labor and Industry
Roy Gothie, alternate for Yassmin Gramian, Secretary, Department of Transportation
Heather Smiles, alternate for Tim Schaeffer, Executive Director, Pennsylvania Fish and Boat Commission
Michael DiMatteo, alternate for Bryan Burhans, Executive Director, Pennsylvania Game Commission
Andrea Lowery, Executive Director, Pennsylvania Historical & Museum Commission
Regi Sam, alternate for Gladys Dutrieuille, Chair, Public Utility Commission
Nick Troutman, alternate for Senator Gene Yaw, Senate Environmental Resources & Energy Committee
Emily Eyster, alternate for Senator Carolyn Comitta, Senate Environmental Resources & Energy Committee
Glendon King, alternate for Rep. Daryl Metcalfe, House Environmental Resources Energy Committee
Evan Franzese-Peterson, alternate for Rep. Greg Vitali, House Environmental Resources & Energy Committee
Robert Barkanic, Citizens Advisory Council
Cynthia Carrow, Citizens Advisory Council
Trisha Salvia, Citizens Advisory Council
James Schmid, Citizens Advisory Council
John Walliser, Citizens Advisory Council

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

Laura Griffin, Regulatory Coordinator
Brian Chalfant, Acting Policy Director
Robert "Bo" Reiley, Bureau of Regulatory Counsel

CALL TO ORDER AND APPROVAL OF MINUTES

The hybrid meeting of the Environmental Quality Board (EQB or Board) was called to order by Chairperson Ziadeh at 9:07 a.m. The Board considered its first item of business: approval of the October 12, 2022, EQB meeting minutes.

Andrea Lowery made a motion to adopt the October 12, 2022, EQB meeting minutes. Cheryl Cook seconded the motion, which was approved by the Board (19-0).

CONSIDERATION OF FINAL RULEMAKING: RADIATION SAFETY REQUIREMENTS FOR NON-HEALING ARTS RADIATION PRODUCING DEVICES (25 Pa. Code Chapters 225, 227, 227a and 228)

Krishnan Ramamurthy (Deputy Secretary for Office of Waste, Air, Radiation, and Remediation) provided an overview of the final rulemaking. Dwight Shearer (Director for Bureau of Radiation Protection), John Chippo (Division Chief for Bureau of Radiation Protection) and Nicholas Pistory, (Assistant Counsel for Bureau of Regulatory Counsel) assisted with the presentation.

There was no discussion following the Department's presentation.

Cheryl Cook made a motion to adopt the final rulemaking. Andrea Lowery seconded the motion, which was unanimously approved by the Board (19-0).

CONSIDERATION OF FINAL RULEMAKING: NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) SCHEDULES OF COMPLIANCE (25 Pa. Code § 92a.51)

Lisa Daniels (Acting Deputy Secretary for Water Programs) provided an overview of the final rulemaking. Manyi Liu (Director for Bureau of Clean Water) and Adam Duh (Assistant Counsel for Bureau of Regulatory Counsel) assisted with the presentation.

There was no discussion following the Department's presentation.

Andrea Lowery made a motion to adopt the final rulemaking. Cheryl Cook seconded the motion, which was which was unanimously approved by the Board (19-0).

CONSIDERATION OF RULEMAKING PETITION: BRODHEAD CREEK, MONROE COUNTY (25 Pa. Code § 93.9c)

Lisa Daniels (Acting Deputy Secretary for Water Programs) provided an overview of the petition. Manyi Liu (Director for Bureau of Clean Water), Josh Lookenbill (Program Manager for Bureau of Clean Water), and Michelle Moses (Assistant Counsel for Bureau of Regulatory Counsel) assisted with the presentation. There was no discussion following the Department's presentation.

Alexander Jackson, Craig Todd, and Don Baylor provided a presentation on behalf of the petitioner, Brodhead Watershed Association. After the presentation, Nick Troutman asked if any individuals or organizations responded in opposition to the petition. Alexander Jackson responded that everyone was supportive.

Cheryl Cook made a motion to accept the petition for further evaluation by the Department. Andrea Lowery seconded the motion, which was approved by the Board (18-1). Glendon King (alternate for Representative Daryl Metcalfe) voted in opposition.

OTHER BUSINESS

Laura Griffin provided the following regulatory updates.

- On October 12, 2022, the Board adopted three rulemakings, which are scheduled for consideration at IRRC's meeting on Thursday, November 17, 2022:
 - VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coating Operations, Synthetic Organic Chemical Manufacturing Industry Processes and Large Petroleum Dry Cleaners for the 2015 Ozone NAAQS final rulemaking
 - Safe Drinking Water PFAS MCL Rule final rulemaking
 - Control of VOC Emissions from Conventional Oil and Natural Gas Sources final-omitted rulemaking
- Two final regulations have been published in the Pennsylvania Bulletin and are now effective:
 - The Municipal Waste Rural Transfer Facility Permit-By-Rule final rulemaking was published in the October 29, 2022 issue of the *Pennsylvania Bulletin*.
 - The Additional RACT Requirements for Major Sources of NOx and for the 2015 Ozone NAAQS VOCs final rulemaking was published in the November 12, 2022 issue of the *Pennsylvania Bulletin*.

Glendon King inquired about the Water Quality Standards for Manganese and Implementation final rulemaking and if the Department had made a decision on whether to proceed. Ramez Ziadeh explained that staff are still reviewing the IRRC Order and that the Department would respond by the deadline of November 20th.

NEXT MEETING

The next meeting of the EQB is tentatively scheduled for December 2022, and Chairperson Ziadeh added that the Department would notify the Board in advance if another meeting will be held before the end of the year.

Chairperson Ziadeh closed the meeting by thanking the members and alternates of the Board for their service and feedback over the last 8 years.

ADJOURN

With no further business before the Board, Glendon King moved to adjourn the meeting. Michael DiMatteo seconded the motion, which was unanimously approved by the Board. The November 15, 2022, meeting of the Board was adjourned at 9:57 a.m.