

**ENVIRONMENTAL JUSTICE ADVISORY BOARD**  
**Meeting Minutes**  
**Tuesday, April 1, 2003**  
**Room 105, Rachel Carson State Office Building**  
**Harrisburg, PA**

Ed Thomas, Interim Chairperson, called the Environmental Justice Advisory Board meeting to order at 10:25 a.m.

**Members in Attendance:**

Mr. Calvin Little  
Mr. Alfred Ryan, PECO Energy  
Mr. Edward Thomas  
Mr. Jerome Balter, Public Interest Law Center of Philadelphia  
Mr. Wilder Bancroft, Allegheny County Health Department  
Mr. Eli Brill, Dechert, Price and Rhoads  
Mr. Patrick O'Neill, City of Philadelphia Law Department  
Ms. Ayanna King, Ayanna's Consulting & Concepts  
Mr. Mark Freed, Langsam Stevens LLP  
Ms. Alisa Harris, Pa. DEP

**Members not in Attendance:**

Ms Deborah Kilmartin, Kilmartin Environmental Consulting, Inc.  
Mr. Truong Phuong, International Service Center  
Mrs. Sis-Obed Torres Cordero, Council of Spanish Speaking Organizations  
Mr. Edgar Howard  
Ms. Pheralyn Dove  
Mr. Gary Horton, Sons of Lake Erie  
Dr. Stephen Kauffman, Center for Social Word Education

**Others in Attendance**

Marcus Kohl  
Alice Wright  
Holly Cairns  
Michael Corbin  
Krishnan Ramamurthy  
Justina Wasicek  
Lou Guerra, Jr.  
Christopher Allen  
Lorraine Wagner  
Marge Hughes  
Janine Legg  
William Cluck

**Edward Thomas** made a motion to approve the minutes of November 15, 2002. The minutes were approved by all board members.

A motion was made to review the bylaws. There was a quorum to vote on the bylaws.

**Alisa Harris** suggested to the board that more people be added to the board instead of fewer people because some board members are having problems coming to meetings and committing their time to this advisory board.

**Jerome Balter** suggested that the board raise the number of people, but set the quorum at nine.

**Patrick O'Neill** suggested that alternates be allowed to come to the meetings to represent the member and to vote. He stated if you have 17 members, then you would have 17 alternates that could vote.

**Mark Freed** said he could not understand why some of the members could not get to a meeting every other month. He suggested if the board accepts alternates, then the member should try to make at least every other meeting date.

**Eli Brill** suggested if the board accepts alternates, those alternates should represent each industry that is in environmental justice communities.

**Jerome Balter** said he doesn't have a problem with alternates, but suggested that at least nine members be present for a quorum. He doesn't want alternates to vote.

Some board members were confused concerning the definition of a quorum.

**Patrick O'Neill** suggestion a definition for a quorum to the Environmental Justice Advisory Board. There needs to be a minimum of nine members or alternates present with a minimum of seven members present for a quorum. Alternates should vote.

The bylaws will be amended by Alisa Harris and Justina Wasicek to reflect the changes discussed and to allow alternates to represent the member, but at least seven members need to be present for a quorum at the advisory board meetings. The bylaws will be voted on at the next meeting on June 3.

**Alisa Harris** gave a biographical sketch of the Acting Secretary, Kathleen McGinty.

**Acting Secretary McGinty** was introduced to the Environmental Justice Advisory Board members. The board members then introduced themselves to the Secretary.

**Acting Secretary McGinty** said Alisa Harris will be an active participant in the weekly Executive Staff meetings. By attending these staff meetings, Alisa will be kept informed of the pending and hot issues within the Department, and as liaison to the Environmental Justice Advisory Board, will help facilitate this advisory board.

**Acting Secretary McGinty** also spoke of her first experiences regarding environmental justice during the time when she worked in then-Senator Gore's office in 1989. McGinty was involved in the drafting of Executive Order 12898, in which President Clinton called for environmental justice actions in minority and low-income communities across the country.

**Acting Secretary McGinty** applauded DEP, along with the Environmental Justice Work Group and Advisory Board members for being proactive in executing these orders and moving forward with environmental justice in Pennsylvania.

**Acting Secretary McGinty** went on to discuss the connection between Brownfields redevelopment and Title VI.

**Acting Secretary McGinty** posed some considerations to the advisory board for future discussions:

What is the next step on Act 2? How can we as a Department and as an advisory board improve the blighted areas in various communities and make sure they are cleaned up? The Acting Secretary said these areas are not just environmental problems but become heavy crime areas in our communities. What does the Department need to do to cleanup more of these Act 2 sites? Are the streamlined standards that are in place now sufficient to protect human health.

**Jerome Balter** said Title VI was not sufficient for the environmental justice movement. He believed that the only way the victims could get any relief is if new legislation was considered. He asked the Acting Secretary to look into this and said he would be willing to send her material concerning this issue.

**Acting Secretary McGinty** suggested a meeting with some of the brownfields developers to talk about some of the issues that the advisory board has on this subject. She said she would work with Alisa Harris to come up with a process to do so.

## **PUBLIC COMMENT**

**Janine Legg, MBA** from the American Public Health Association in Philadelphia presented a research paper titled Building Healthy Communities in Environmental Justice Areas. She distributed information to each board member present.

**William Cluck**, an environmental attorney spoke to the board members about weaknesses of the underground storage tank regulatory program. He wants the Environmental Justice Advisory Board to assess public participation in this area. He feels the advisory board needs to encourage the development of local environmental advisory councils in low-income and minority communities.

## **END OF PUBLIC COMMENT**

The board members reviewed the mission statement and completed the survey that was in their board package.

**Mark Freed** suggested to the board that the introductory paragraph on this mission statement be deleted.

**Eli Brill** asked the question, how is this mission statement different from the work group mission statement?

He suggested that the mission statement have the same language that is on pages 13-14 of the Environmental Justice Work Group.

**Eli Brill** feels objective #2 of the mission statement should read: **(P. 13) to eliminate any current disproportionate environmental burdens within minority and low-income communities, and prevent future inequities or (P. 14) to take action to reduce or eliminate the existing environmental burdens in minority or low-income communities.**

**Alfred Ryan** said if the board chooses to adopt this language that objective #7 could be deleted.

**Alisa Harris** asked are you trying to eliminate environmental disparity language and use environmental burden language instead?

**Eli Brill** yes

**Alfred Ryan** feels that the board is confusing its authority given by the Department.

The board accepted the definition on Page 13 of the Environmental Justice Work Group for Objective #2.

Other suggested changes to the mission statement: the word **policy** changed to **activities** in the first paragraph, first sentence.

The word **regulation** changed to **legislation**, first paragraph, last sentence,

Objective # 4 change the **equitable enforcement** to **equal enforcement** and add after the word **statute, regulating community accountability, etc.**

The mission statement will be changed to reflect the changes and will be voted on at the next board meeting on June 3.

**Alisa Harris** proposed to the board members, how do we manage responsible care from corporate entities?

**Edward Thomas** selected Jerome Balter, Alfred Ryan and Calvin Little to further discuss this issue and bring it before the advisory board.

**Alisa Harris** stated that EPA Region III is encouraging states that have environmental justice concerns to conduct listening sessions throughout their states. Alisa asked the board for any suggestions on how to conduct these listening sessions.

**Alisa Harris**, Chairperson for the Public Participation Subcommittee asked that all board members comment on the Department's Interim Environmental Justice Policy and forward comments to her by April 15.

The absent board members will be sent a board package including the interim policy and will also be asked to comment by April 15.

It was suggested that the Cumulative Impact Analysis Subcommittee should not take the full responsibility for the board to develop a cumulative impact analysis statement. The Department should develop a draft strategy.

**Edward Thomas** suggested that this subcommittee have a conference call with its board members to discuss the transfer of this responsibility from the advisory board to the Department.

**Mike Corbin** suggested that the board should be educated about cumulative impacts so that all board members can discuss the issue.

**Edward Thomas** gave a definition of cumulative impact analysis. He suggested that the advisory board help develop the health of the community.

**Jerome Balter** felt that it is comparative health, not just health.

**Alisa Harris** asked the board members to check out the Department's website on environmental justice to see if there is any information that could be added.

**Edward Thomas** suggested an open page discussion on the web.

The next Environmental Justice Advisory Board meeting is scheduled for Tuesday, June 3 at 10:00 a.m. in Room 105 of the Rachel Carson State Office Building.

**Meeting adjourned at 3:32 p.m.**  
**Minutes taken by Lorraine Wagner**