

U.S. Environmental Protection Agency's

Local Government Advisory Committee (LGAC)

Teleconference, February 6, 2012

The Meeting Summary that follows reflects what was conveyed during the course of the meeting which is summarized. The Committee is not responsible for any potential inaccuracies that may appear in the meeting summary as a result of information conveyed. Moreover, the Committee advises that additional information sources be consulted in cases where any concern may exist about statistics or any other information contained within the Meeting Summary.

**Environmental Protection Agency
Local Government Advisory Committee
Teleconference**

February 6, 2012

2:00-3:00 p.m. (ET)

Meeting Summary

I. *Welcome*

Mayor Heather McTeer, LGAC Chairwoman and **Mayor Bob Dixon** welcomed committee members, EPA participants and others. [Introductions were made, a quorum was established]. The meeting was called to order at 2:05 pm (ET).

II. *Integrated Water Quality Planning Update*

Ms. Nancy Stoner, Acting Assistant Administrator for the Office of Water thanked LGAC for inviting her to speak. She recapped with a summary of the discussion that she and Assistant Administrator Cynthia Giles, Office of Enforcement, had with the LGAC at the December 2, 2011 meeting. On October 22, EPA released a Memorandum, *Achieving Water Quality Through Integrated Municipal Stormwater and Wastewater Plans*, <http://cfpub.epa.gov/npdes/integratedplans.cfm>. Workshops on this draft framework are being held in EPA Regions across the country to get feedback from stakeholders. The draft framework is available to the public for comment until February 29. The framework is consistent with the previous discussion with LGAC. The Office of Water is committed to approaches which “*make every dollar go farther*”. **Mayor Jennifer Hosterman** asked whether a workshop was being held in EPA Region 9 and made a request for a 6th workshop/listening session to be held in Southern California. Ms. Stoner indicated that she made a note to this request which may or may not be possible because of budget constraints.

A Federal Register Notice went out providing additional information on the workshops (published on January 11, 2012). The Federal Register notice also provides instructions on how the public may also provide input to the Agency through e-mail, fax or mail. The Federal Register notice is available at

http://www.epa.gov/npdes/regulations/integratedplanningworkshops_frn.pdf

Mayor Carolyn Peterson asked Ms. Stoner, “*How do you let people know about the workshops?*” Ms. Stoner was unsure of the details but there was information on their website and in the Newsletter. She said that Water Headlines is a great resource:

<http://water.epa.gov/aboutow/ownews/waterheadlines/index.cfm>

Councilor Teresa Coons asked about Region 8's specific plans to host a workshop. Ms. Stoner said that the Office of Water has met with all of the Regional Administrators and enforcement staff, but there are no stakeholder meetings planned for Region 8 at this time. Ms. Stoner thanked the LGAC for their interest in water issues. She indicated that she would be open to a discussion to a Region 8 workshop if it is needed and critical.

III. *Remarks to the LGAC*

Joyce Frank, Principal Deputy Associate Administrator for the Office of Congressional and Intergovernmental Relations expressed that the work that LGAC does to protect public health and the environment is very important to the EPA.

[Technical difficulties resulted in the call to end and restart in 3 minutes].

Ms. Frank welcomed everyone again. She said that she was unable to make the meeting in December due to a long-standing commitment. But she was pleased to be on the teleconference (today) and to address the Committee.

She indicated that there was very good feedback from the Administrator. She not just thanked the Committee for their work (to date) but also pledged her continued support for the continued work of this Committee. The Committee's advice is taken very seriously here at the Agency. The Committee's advice allows EPA to continue to protect environmental and public health as is the Agency's mission, but with a local and community focus. Thank you! This is very important work- your community knows it, and we know it here at EPA.

The next face to face meeting is scheduled for April 19-20 in Denver, Colorado. We are working on tight budgets but the work of this Committee is very important. We know how important it is that you meet in person and we are trying to do that while also tightening our budget.

We will soon launch in the next couple of weeks a national solicitation for nominees to the LGAC. Many of you will be eligible for another term on the LGAC, some of you are not.. Some of you may wish to continue and some of you may not. We ask that you consider your time and resources and get back to us regarding your interest in serving another term on the Committee. We also ask you to nominate anyone who you believe would be a good candidate to serve on the Committee. This will be a wide and open solicitation for members. And that process will be completed in the Fall of 2012 (September). The notice of this solicitation will appear in the Federal Register Notice in a few weeks. We ask that you share this Notice with other elected and appointed officials and your colleagues.

Ms. Frank said that she would like to give a friendly reminder about the Hatch Act (5 U.S.C.A. 7324), since we are in an election year. The Hatch Act limits and prohibits certain political activities of Federal employees both on and off duty. (Members of the Senior Executive

Service, are subject to further restrictions and should contact the General Counsel's office for additional guidance.)

Another issue for EPA Federal Advisory Committee(s) is that registered lobbyists are prohibited from serving on federal advisory committees. If you are a registered lobbyist with the Senate and House, then you need to notify us of that immediately. There is a prohibition for registered federal lobbyist serving on FAC's. Thank you in advance for adhering to this policy.

Thank you again for your individual contributions and your work as a committee. I look forward to the discussions today.

IV. *Report-out from SCAS*

Mayor Bob Dixson said that the letter on the Partnership for Sustainable Communities was approved by SCAS so it could be taken to full committee. At the December 1st meeting Mr. Tom Curtis from American Water Works Association (AWWA) expressed his concern that EPA was developing drinking water standards which were based upon 'politics' as opposed to science. Last week, Ms. **Cynthia Dougherty, Office of Groundwater and Drinking Water and Mr. Eric Burneson** briefed the SCAS on drinking water standards as they pertain to carcinogenic volatile organic compounds (cVOCs) and perchlorate, which was very informative and beneficial. SCAS was also updated today about wastewater systems by Ms. Kellie Kubena from the Office of Wastewater Management. SCAS will discuss these items further in Denver.

V. *Air Workgroup*

Supervisor Salud Carbajal said the Air Workgroup met on January 27, 2012 and considered two letters. The first letter was about the new Boiler Maximum Achievable Control Technology (MACT) standards. The second letter focused on the ozone standard. There were a few minor changes to the letters at the January workgroup meeting. **Supervisor Carbajal** put forward a motion for the Boiler MACT letter to be accepted, with a change on the signatory block of the letter to be changed with the LGAC chairwoman's name to be the first, meaning the chair of LGAC would sign on the left, and the chair of the workgroup to be the second, on the right. The motion was seconded and approved. The Boiler MACT letter carried, with all 'aye's'. Then there was a motion to create a policy wherein the chair of LGAC will be the first signatory, on the left, on all letters. The motion was seconded by **Councilor Teresa Coons**. A suggestion came forward by **Mayor Carolyn Peterson**, and seconded by **Mayor Elizabeth Kautz**, to make it a policy on all correspondence going out for the LGAC that the signature block for the Chairwoman should be on the left, and the other signature(s) on the right. The 'ayes' carried the motion approving it.

Supervisor Salud Carbajal said the letter on ozone standard did two things: 1) expressed concern from the LGAC on the delay and 2) reaffirmed support of a similar ozone

flex program for states to prepare for the future. A motion was made by Councilor Teresa Coons, and seconded by Mayor Jennifer Hosterman. All approved by saying, “aye.”

V. *EJ Workgroup*

Mayor Lisa Wong thanked the EPA staff for their time and support to the workgroup. The EJ workgroup met on January 6, 2012 and was briefed by **Ms. Carol Ann Siciliano**, Office of General Counsel and **Mr. Charles Lee**, Office of Environmental Justice on the proposed permitting guidance. She expressed a need to start a dialogue with communities as early as possible in the regulatory process. This gives EPA a sense of what communities are capable of complying with, makes the permit process easier, and builds trust with the communities. Sue Hann said that American Public Works Association (APWA) and American Society of Civil Engineers (ASCE) are developing tools for sustainable infrastructure. She mentioned this as part of the Institute for Sustainable Infrastructure.

<http://sustainableinfrastructure.org/news/pr020111.cfm>

VI. *Protecting America’s Waters Workgroup*

Representative Chris Ross was not able to join because he was in session. **Councilor Coons** mentioned nutrient standard guidelines in Colorado. **Mr. Tiberi** suggested that this go on the agenda for the next water workgroup meeting. Fran Eargle reminded everyone that Ms. Nancy Stoner invited comments from the LGAC until February 29th for the Integrated Municipal Stormwater and Wastewater Plans Draft Framework. Ms. Becky Cook said that she would schedule a workgroup call for next week to discuss hydraulic fracturing, integrated planning and nutrient standards.

VII. *Public Comments*

There were no comments from the public.

VIII. *General Business*

Supervisor Carbajal had a correction for the December 2, 2011 meeting summary, for ‘emergent’ to be changed to ‘conversion’ technology. He also asked if there would be an opportunity for workgroup meetings in Denver. Ms. Eargle agreed that time was built for workgroup meetings to occur prior to the LGAC meeting on the afternoon of April 18 and morning of April 19. It was agreed upon that the morning of April 19th would be set aside for workgroup meetings.

Mayor Heather McTeer asked that if everyone had opportunity to review the meeting summary from December 2, 2011. **Mayor Carolyn Peterson** moved the meeting summary be approved as corrected with corrections. All said, ‘aye’.

Mayor Dixon reclaimed his time to put forward a motion to accept the SCAS letter on sustainable communities. It was seconded by **Commissioner Cope**, and all approved.

IX. *Wrap Up and Adjournment*

Mayor Heather McTeer, Chairwoman, adjourned the meeting at 2:58 p.m. (ET).

**Environmental Protection Agency
Local Government Advisory Committee
Teleconference
February 6, 2012, 2:00-3:00 p.m. (ET)**

Participants

LGAC Members

The Honorable Heather McTeer, Chair

The Honorable Robert Dixon

The Honorable Salud Carbajal

The Honorable Teresa Coons

Ms. Sue Hann

The Honorable Edward Emmett

Dr. Hector Gonzales

The Honorable Carolyn Peterson

The Honorable Tom Hickner

The Honorable Margaret Whipple

The Honorable Jennifer Hosterman

The Honorable Lisa Wong

The Honorable Elizabeth Kautz

The Honorable Randy Roach

The Honorable Ron Davis

EPA Representatives

Frances Eargle, Designated Federal Officer, LGAC, OCIR

Catherine Davis, Designated Federal Officer, SCAS, OCIR

