

**United States Environmental Protection Agency  
Local Government Agency Committee's  
(LGAC)  
Small Community Advisory Subcommittee  
(SCAS)**

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December 9, 2015  
Meeting Summary

*The Meeting Summary that follows reflects what was conveyed during the course of the meeting that 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 sources be consulted in cases where any concern may exist about statistics or any other information within the Meeting Summary.*

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Local Government Agency Committee (LGAC)  
Small Community Advisory Subcommittee  
Winter 2015 Meeting  
December 9, 2015  
11:00am – 12:00pm (EST)  
Washington, DC**

**Meeting Summary**

**SMALL COMMUNITY ADVISORY SUBCOMMITTEE (SCAS)**

**I. INTRODUCTION/WELCOME**

Commissioner Robert Cope, Chairman, called for introductions and called the meeting to order.

**II. EPA UPDATES**

Mark Rupp, Deputy Associate Administrator, EPA's Office of Congressional and Intergovernmental Relations, was introduced and asked to make opening remarks. Rupp thanked everyone for their hard work for SCAS and the review for the LGAC meeting. Mayor Elizabeth Kautz of Burnsville, MN was one of several local leaders who was in Paris for the Climate Summit. Rupp stated that it was a great honor it was to have someone from the LGAC there.

**III. REMARKS OF EPA AGRICULTURE ADVISOR**

Ron Carleton, EPA's Agriculture Advisor to the Administrator, echoed Mark Rupp's comments of appreciation to the LGAC and SCAS. He gave a report out of the Farm, Ranch, and Rural Communities Federal Advisory Committee (FRRRC), charged with taking up the issues of soil health, particularly in regard to the benefits of water and air quality. We're going to see challenges of growing population and more intensive cultivation. Some of the challenges posed by climate change are intense weather events and more intense precipitation. There is interest in collaboration and partnerships to further healthy soils initiatives, and to work with the farm communities. The FRRRC met in Denver in October, 2015. The FRRRC will have calls over the next few months, and will meet in DC later next spring. Jeff Tiberi stated if the FRRRC will have a DC meeting, and he

hoped EPA will extend an invitation to him as the Executive Director of Planning for the Montana Association of Conservation Districts.

#### **IV. PUBLIC COMMENTS**

Commissioner Cope opened the time on the agenda for any members of the public to address the SCAS.

Aziz Urmulla thanked SCAS for the opportunity to speak. He stated that he appreciated hearing the discussion today. He didn't receive any attachments to review.

Commissioner Cope stated that SCAS does not release draft copies to the public. However, he stated that once they are approved they will be published on the EPA website.

No other participants came forward and the public comment period was closed.

#### **V. SCAS BUSINESS ACTIONS**

##### **A. Draft MS4 Letter**

Commissioner Cope stated SCAS has been working with the Protecting America's Waters Workgroup (Water Workgroup) on this letter. Commissioner Peterson said there haven't been any recent changes to the letter. The letter contained a paragraph on environmental justice (EJ). The Water Workgroup has agreed to cosign this letter. Mayor DuPree wanted to make sure that the impacts on environmental and public health impacts especially on small communities. Mayor DuPree made a motion. Commissioner Peterson seconds. Motion was approved.

##### **B. Decentralized Waste Water Treatment (Attachment 2)**

Mayor DuPree stated the SCAS talked about outreach to conservation districts to make sure that we got the word out. There weren't too many options discussed, even in slightly larger communities. SCAS would be able to reach out to different districts and would be able to disseminate this information much better. Commissioner Cope said that he wanted to make sure that health departments are considered. Motion was made to move the letter to the LGAC. Commissioner Peterson made the motion. Mayor DuPree seconded the motion. The motion passed..

**C. Capacity Building for Small Communities (Attachment 3)**

Commissioner Cope stated that Mayor Marilyn Murrell championed this issue of capacity building whereby small communities have access to needed resources and financing necessary for community vitality. Mayor DuPree stated that the SCAS identified the EPA Water Finance Centers as a great opportunity for small communities to build capacity. Commissioner Cope proposed a motion to move this letter to the LGAC. Jeff Tiberi made the motion, and it was seconded by Commissioner Peterson. Motion passed.

**D. SCAS Discussion on LGAC Workgroup Letters**

**1. Environmental Justice Workgroup**

**A. Draft Toxic Algal Bloom Letter (Attachment 4)**

Commissioner Cope stated this draft letter addresses nonpoint source runoff and nutrients from farming that flows into rivers. Mayor Jacqueline Goodall asked, "Is the letter going to move forward in the next 2 weeks. It was agreed that it would be signed late in 2015 Commissioner Cope stated SCAS can motion to move this forward. Do we want to cosign this letter? Commissioner Cope heard no objections, therefore SCAS moved to cosign if it is supported at the full committee meeting.

**B. Draft Plan Environmental Justice 2020 (Attachment 5)**

Mayor DuPree stated Draft Plan Environmental Justice 2020 is a great letter, especially the addition of mandatory EPA Environmental Justice training. Commissioner Cope said we didn't get the circuit rider, but this is on the right track. Commissioner Peterson made a motion to approve. Sundberg seconds. Motion was approved.

**2. Protecting America's Waters Workgroup**

**A. Draft Corps and EPA Coordination MOU on Clean Water Implementation (Attachment 6)**



Commissioner Cope stated the permitting process needs to be transparent and coordinated. That is what SCAS heard in the public meetings in the Fall 2014. Hearing no additional comments, Commissioner Cope proposed a motion to move forward the letter to the LGAC. A motion was made by Jeff Tiberi, and seconded by Mayor DuPree. Motion passed. Commissioner Peterson puts forward motion for SCAS cosign. Seconded by Mayor DuPree. Motion passed unanimously.

Rupp stated EPA remains under nationwide stay, due to 6th Circuit Court opinion. On December 8, 2015, there were oral arguments on the best place to take up this issues. If the 6th Circuit has jurisdiction, the judicial stay remains in place, but if 6th Circuit does not have jurisdiction, then the nationwide judicial stay falls, leaving only the 13 suing states under the judicial stay.

**B. Draft Water Quality Standards-Public Health Criteria (Attachment 7)**

Commissioner Cope stated that SCAS wants to reinforce the flexibility afforded to states in establishing water quality standards. Mayor DuPree said there is a public outreach aspect as well. Commissioner Peterson asked, "There is an implied recommendation found in the findings." Commissioner Cope then asked for a motion to move forward the letter to the LGAC. Mayor Goodall suggested being a cosigner. Moved by Commissioner Peterson, seconded by Mayor DuPree. Motion passed

**3. Cleaning Up Our Communities Workgroup**

**A. Draft Animas River and Abandoned Mines Letter (Attachment 8)**

Secretary Jeff Witte said this letter captures the issues that needed to be addressed, the recommendations are good and also "a good opportunity" for the EPA to turn a negative situation into a positive opportunity by pulling together with local communities to look at abandoned mines.

Commissioner Cope said The Bureau of Land Management (BLM) should work with the EPA because this is a public safety concern as well. Secretary Witte stated, "As SCAS moves forward water quality will play an even more important role." Secretary Witte

made a motion to approve, and it was seconded by Commissioner Peterson. Motion passed.

**B. Draft Brownfields (Attachment 9)**

Mayor DuPree stated SCAS has talked about this for a long time. We've talked about enforcement, job training, etc and he's happy that the SCAS is moving the letter forward. Commissioner Peterson made a motion to approve, and it was seconded by Mayor Dixon. Motion passed.

**C. Draft Pharmaceutical Rule (Attachment 10)**

Commissioner Cope said that the consumer will have to pay for the waste disposal of pharmaceuticals. Mayor DuPree stated there needs to be some adjustment to the language. Commissioner Peterson said that Council Member Richins was concerned about the recommendation to incentivize product stewardship. Jeff Tiberi made a motion to move letter to the LGAC. Mayor DuPree seconds. Motion passed.

**D. Draft Hazardous Waste Generator Rule (Attachment 11)**

Commissioner Peterson stated that she make a motion to approve, as written. Seconded by Mayor DuPree. Motion passed.

## **VI. NEXT STEPS/ACTION ITEMS**

### **A. July 31 Meeting Summary**

Commissioner Peterson didn't see the attachment for the July 31 meeting summary in the email. Once the edits are made, SCAS members can send edits to Fran. Hearing no comments or concerns, the motion was approved.

### **B. January Meeting**

Supervisor Sundberg stated his Supervisor's meetings are held on 'Tuesday's', therefore, the 4th Tuesday of the month SCAS meeting would be difficult to make. Commissioner Cope asked were there any objectives for the 27<sup>th</sup>. There were no objections and the meeting was set for January 27, 2016.

### **C. 2016 Agenda**

Secretary Witte commented on the agenda for 2016 that abandoned mine cleanup is an issue. He also stated that he would like to ask the Director of the New Mexico Conservation District to talk about the roadblocks and challenges of these kinds of cleanups. We've got to find better ways to approach it.

Commissioner Cope said that it would be good to weigh in on climate change impacts on communities and the costs of climate change. We need more economic input. Mark Rupp stated that the week of November 30, 2015, the EPA folk met with the National Association of Counties (NACo), the National League of Cities (NLC), and other groups. EPA has been working with states, regulatory agencies, utilities, etc. on a clean power plant rule. We need more engagement with locals on energy-saving activities.

Jack Bowles concurred that the recommendations are awesome. I've never seen 11 recommendation letters before. We've had 2 grand slams. Thanked all SCAS members, to Fran, and to the interns.

Mr. Tiberi had another consideration. With the Clean Power Plan, maybe there should be a letter to include local governments as these energy-saving committees are formed it would be beneficial.

## **VII. ADJOURNMENT**

Commissioner Cope called for a motion to adjourn. Mayor Dixon made the motion, and seconded by Mayor DuPree. The motion was carried. The meeting was adjourned around 12:00pm EDT.



Environmental Protection Agency  
Local Government Agency Committee  
Small Community Advisory Subcommittee  
December 9, 2015

**LIST OF PARTICIPANTS**

**LGAC Members**

Commissioner Robert Cope, SCAS Chair  
Mayor Johnny DuPree, SCAS Vice-Chair  
Mayor Dixon, LGAC Chair  
Supervisor Sundberg  
Executive Director Jeff Tiberi  
Commissioner Carolyn Peterson  
Secretary Jeff Witte  
Mayor Elizabeth Kautz

**EPA Representatives:**

Fran Eargle, DFO, LGAC  
Jack Bowles, Director State and Local Government  
Mark Rupp, Deputy Associate Administrator, OCIR  
Ron Carleton, Agriculture Advisor to the Administrator  
Demond Matthews, Presidential Management Fellow

**Members of the Public:**

Aziz Urmulla, AMPHA  
Julia Anastasio, Association of Clean Water Administrators

*We hereby certify that, to the best of our knowledge the foregoing minutes are accurate and complete.*

*Respectfully submitted.*



Demond L. Matthews  
Designated Federal Officer  
U.S. Environmental Protection Agency

8 MARCH 2016

Date



Commissioner Robert Cope  
Chairman  
Local Government Agency Committee's (LGAC)  
Small Community Advisory Subcommittee (SCAS)  
U.S. Environmental Protection Agency

MARCH 7, 2016

Date