**ACEC/NC and PENC Joint Environmental and Energy Committee**

**Meeting Date & Time:** Nov 30, 2023, 11:30 am to 1:00 pm

**Location:** ACEC Office &Virtual – MS Teams Call

**Meeting Agenda**

* Welcome, Introductions
  + Leah Young, KCI, (ACEC/PENC Chair) – [leah.m.young@kci.com](mailto:leah.m.young@kci.com)
  + Miles Galloway, The Wooten Company, (ACEC/PENC Co-Chair) – [mgalloway@thewootencompany.com](mailto:mgalloway@thewootencompany.com)
  + **Matt Fogelman, ECS, (Board Liaison) - MFogleman@ecslimited.com**
  + Emily Robinson, WSP, (Jr. Board Liaison) – [Emily.robinson@wsp.com](mailto:Emily.robinson@wsp.com)
  + Monica Fulkerson, Jacobs, (PENC Executive Committee Past-President) – [monica.fulkerson@jacobs.com](mailto:monica.fulkerson@jacobs.com)
  + Scarlett Kitts, Black & Veatch, (PENC Executive Committee President) – kittss@bv.com
* Accomplishments of 2023 so far
  + Identified Chairs for Subcommittees
  + Held first quarter meeting on Aug 3, 2023
* Goals for 2023-2024
  + Increase collaboration between ACEC and PENC
  + Identify Vice-chair for Environmental Committee –
  + Identify Chairs and Vice-Chairs for each Subcommittee
  + Regular meetings with NCDEQ Leadership (2-3 times per year) to develop higher level initiatives / collaboration.
  + Regular meetings (2-3 times per year) with NCDEQ Divisions by Subcommittees
  + Encourage broader participation across state by continuing to host virtual meetings. Looking for more sponsors across state
  + Networking Happy Hour
  + Provide update and a speaker to the FuelNC Workshop
  + Hold 4 meetings of the Environmental Committee as a whole, with at least 3 including a presentation on issues / items of interest to the Environmental Committee as a whole.
    - Each Subcommittee is tasked with providing a speaker for 1 meeting
  + Increase active membership and encourage more subcommittee meetings. Increase outreach to other regions of the State to promote wider membership footprint.
* Board Updates
* Subcommittees:
  + **Environmental -Andy Rodak, TRC (Chair)/ TBD (Vice-Chair)**
* Natural Resources- No meetings held, looking for a Vice Chair with NR interest who can help with this
  + Air- Met with DAQ (Mike Abraczinskas) on 11/29/23
    - * PFAS Update
        + DAQ rolling out a PFAS questionnaire that will be provided to new industries considering NC operations.
        + Promoting general awareness of PFAS in industry and emphasizing reduction in the use of PFAs-containing products in raw material feedstocks and packaging
        + Including a PFAS disclosure statement in air quality permits (duty to disclose)

Currently focusing adding this condition to air permits for sites on a case-by-case basis (no plans right now to reopen permits or include during permit renewals) based on sites that were found to have potential PFAS discharges due to other media (e.g., effluent testing showed PFAS), and not specifically due to air emission measurements.

Basing their look into which facilities will require this condition on EPA’s source category determinations in the EPA’s recent PFAS guidance documents

No *de minimis* reporting determination

No data showing PFAS effects based on inhalation exposure pathway, this is strictly being driven by PFAS atmospheric deposition into waterways

* + - * Budget Bill SL2023-134
* Would expand list of activities allowable prior to obtaining an air permit
* These include construction (but not operation) of a new air contaminant source , equipment, or associated air cleaning or emissions control device.
* Will only be allowed if permit application has been submitted and deemed “administratively complete”.
* Would only be applicable to new (greenfield) facilities
* NCDAQ considers this bill confusing and is causing a great deal of uncertainty
* Would potentially conflict with the Federal rule and NC’s SIP
* EPA could potentially issue a SIP call and force DAQ to audit facilities who attempt this permit strategy
* NCDEQ Legal is currently looking into
* Takeaway advice from DAQ is to consult an attorney before pursuing this permit strategy
  + - * PM 2.5 NAAQS
* Will be released by EPA soon
* Could be either 9 or 10- if 9, there could be issues in NC with ambient readings affected by recent wildfires
* This could adversely impact permit limits for industry
* DAQ is looking into development of an exceptional events submittal to EPA to allow for discounting of air data directly related to wildfire activity
* The submittal will request that background air values exclude data associated with wildfires for modeling purposes
* GA and SC are looking into this as well
* DAQ plans to submit the exceptional event justification in early 2024
  + - * Other Items
* Synthetic Minor permit fees- still under consideration for increase
  + 615 facilities affected
  + DAQ has to determine if 1994 statute for fee needs to be replaced entirely or if it can just be modified with the new fee
  + DAQ looking at what other states charge
    - * NC Clean Energy Technology Center
* Participated in an Industrial Decarbonization Dialogue on November 29, 2023 at McKimmon Center
* Event held in support of US EPA’s Carbon Pollution Reduction Grant (CPRG) Program through a planning grant led by NC Department of Environmental Quality, goal to bring together industry representatives to identify priority climate action items that support industrial sector goals to reduce greenhouse gas emissions
* NCDAQ has federal grant money from Infrastructure Investment Act and CPRG to support decarbonization efforts in industry, transportation and academia
* Looking for ideas on how the money can be spent
* Looking for shovel-ready projects that could benefit from this funding
* Deciding whether to pursue individual projects of use funds for a broader approach
* Goal is to demonstrate to EPA there is intertest in NC to use these funds and where they would be targeted
* Putting together an application package to submit to EPA that will include these ideas
  + **Solid & Hazardous Waste – Justin Fabriziani, Terracon (Chair)/ TBD (Vice-Chair)**
    - Last meeting with NCDEQ Division of Waste Management – NCDEQ wanted to know if there were any ACEC initiatives that they could support
    - Working on setting up a meeting with NCDEQ Division of Waste Management. Still hoping for this year, but will likely slide to 2024
    - NCDEQ brownfields sealing issue is still a concern and will address it with NCDEQ at meeting

**One Water – Shirshant Sharma, Atkins (Chair) / Bob Miller, McGill (Vice-Chair)**

* + - Still trying to get a meeting with NCDEQ/DWR. Indirect message is that DEQ is overloaded and doesn’t have time for committee involvement. Will keep trying to reach out.
    - Need input from the committee about specific issues related to water that we can bring to DWR.
  + **Energy** **– Srijib Mukherjee, Oak Ridge National Laboratory, (Chair) / Brandon Finch, McAdams (Vice-Chair)**
    - Srijib and Brandon have had an initial meeting and we will be working to recruit more members…we hope to be able to share more updates at the next meeting
* Speaker: **Stephen Brown – Deriva Energy: New Technologies, Means and Methods in Energy Facilities now and into the Future.**
  + Mr. Brown received his undergrad and Master’s from UNCC in civil engineering, with a focus on environmental sustainability. Stephen has worked in the energy field for 10 years in engineering, contracting, and project management, and is currently a lead engineer for solar and battery storage development at Deriva Energy, formerly Duke Energy Renewables. Stephen lives in Raleigh and enjoys spending his free time outdoors with his family
* Open Items:
  + - Budget Passed
    - SB 673 – Wastewater flows - Passed
    - Code 488 – Veto Overridden
  + NCDEQ sealing issue – NCDEQ Brownfields Section requires certifying language in Vapor Intrusion Mitigation Systems (VIMS) designs that appear to be excessively broad and onerous. The following language is taken from the VIMS Submittal Requirements dated July 2021**:**

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* + - Other members have expressed concern that additional divisions in NCDEQ have similar certifying language requirements or requests for member firms
    - ACEC has reached out to PENC to see if there has been any movement – no updates yet
* Meeting/Events for Next Year:
  + Future 2023-2024 Joint Environmental and Energy Committee Meetings are tentatively scheduled as follows with subcommittee in paratheses responsible for lining up presentations – More information to come
    - Networking and Social Event – TBD
    - ~~1~~~~st~~ ~~Quarterly Meeting – Aug 3, 2023~~
    - ~~2~~~~nd~~ ~~Quarterly Meeting – November 30, 2023 (Energy)~~
    - **3rd Quarterly Meeting – February 15, 2023 (Solid & Hazardous Waste)**
    - **4th Quarterly Meeting – May 16, 2023 (One Water/Environmental)**