

ACEC/NC and PENC Joint Environmental and Energy Committee

Meeting Date & Time: Feb 15, 2024, 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
 - Miles Galloway, The Wooten Company, (ACEC/PENC Co-Chair) – malloway@thewootencompany.com
 - **Patrick Waterman, LaBella, (Board Liaison) - PWaterman@LaBellaPC.com**
 - Emily Robinson, WSP, (Jr. Board Liaison) – Emily.robinson@wsp.com
 - Scarlett Kitts, Black & Veatch, (PENC Executive Committee President) – kittss@bv.com

- Accomplishments of 2023 so far
 - Identified Chairs for Subcommittees
 - Held quarterly meetings on Aug 3 & Nov 30, 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:
 - **ACEC Board – Patrick Waterman**
 - Board is looking to realign the Committee structure and had a sub-committee working on it. We want to ensure that Member Firms know what each committee does and the goal of the committee
 - ARPA Funding will be placed on the Legislative Agenda to determine the timeline and will there be an adjustment. Discussion has been that as long as a consultant has been selected by 12/2024, then municipality is in compliance. More to follow
 - DEQ still an issue

- **Jr. Board – Emily Robinson**
 - Lunch and learn with Beth Ritter – February 22
 - Legislative Advocacy/PAC Informative Social (Winston Feb 29 and Charlotte March 7)
 - Lunch and Learn with Diana Alt – March 21
 - Fuel NC Social – April 10
 - Fuel NC – April 11
 - Developing Professionals Round Table – April 24 (only in person Raleigh/Charlotte, encourage your young staff to attend)
- Subcommittees:
 - **Environmental -Andy Rodak, TRC (Chair) / Dan McCauley (Hart & Hickman)**
 - Air- Met with DAQ (Mike Abraczinskas) on 02/13/24
 - PM 2.5 NAAQS
 - New standard released by EPA -9 µg/m³ EPA
 - 14 out of 18 reporting stations in NC are in attainment with the standard
 - Of the four in non-attainment status, all were impacted by the air quality resulting from the Canadian wildfires
 - NCDAQ has one year to respond to the new standard w/r/t their SIP and two years to achieve attainment
 - Will request from EPA exemption of data from Canadian wildfire impacts from design value for attainment designations over this period
 - This could adversely impact permit limits for industry
 - GA and SC are looking into this as well
 - DAQ plans to submit the exceptional event justification later this year
 - 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)
 - No data showing PFAS effects based on inhalation exposure pathway, this is strictly being driven by PFAS atmospheric deposition into waterways
 - Responders only have to provide information on PFAS-containing compounds that are used directly in the manufacturing process, not those contained in commercial products (e.g.. janitorial supplies) used at the facility
 - 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
 - Takeaway advice from DAQ is to consult an attorney before pursuing this permit strategy
- Mods to Permit modification application review times:
 - 270 days for Major modifications to PSD permits
 - 90 days for Minor modifications
 - Staffing
 - DAQ rolling out bonus program to staff for expedited review/issuance of Title V permits
 - Using \$850K funding allocation for this
 - 10 vacancies for permit engineers to fill
 - DAQ losing staff to other divisions due to compensation (e.g. , DWR has ARPA funding that has allowed them to increase salaries for staff and hire)
 - DAQ seeing an uptick in adversarial interactions between the regulated community/consultants and their staff due to perceived delays in permit issuance
 - Takeaway is to improve relationships between DAQ and the regulated community through a better understand of the staffing situation they are currently in
 - Ambient Air Quality Monitoring
 - DAQ still sorting through EPA final ruling
 - Brunswick County is now in the Wilmington MSH (formerly in Myrtle Beach MSH)
 - NCDAQ is updating their web page to communicate the ambient air monitoring results to the public.
 - DAQ will be changing the Air Quality Index (AQI) (i.e., color-coding) within 60 days following publication in the Federal Register
 - DAQ requesting public support in funding mechanisms to support hiring of more staff
 - Outside Involvement Committee Meeting-
 - Stakeholder group that includes DAQ staff, the regulated community, environmental groups
 - DAQ provides updates on key changes or issues affecting the division.

- Opportunity for regulated community to ask questions of the DAQ staff and management on a wide range of air quality issues and processes
- Meets quarterly at the Green Square building in Raleigh and at various regional locations across the state.
- Can participate virtually
- Next Meeting: February 20, 2024 1:30-3:30 p.m.
- Info and meeting agendas: <https://deq.nc.gov/about/divisions/air-quality/outside-involvement-committee>
- **Solid & Hazardous Waste – Justin Fabriziani, Terracon (Chair)**
 - Working on scheduling our next meeting with Division of Waste Management Section Chiefs. It will likely be late-February or March.
 - DWM looking to support ACEC initiatives, if we have things we think they could support, please let Just know.
 - Still looking for Vice Chair for subcommittee, please reach out to Justin with volunteers.
- **One Water – Shirshant Sharma, Atkins (Chair) / Bob Miller, McGill (Vice-Chair)**
 - Still having trouble setting meetings with NCDEQ – have talked to the Board about involvement.
- **Energy – Srijib Mukherjee, Oak Ridge National Laboratory, (Chair) / Brandon Finch, McAdams (Vice-Chair)**
 - No Updates
- Speaker: McKhenzy Welch, CPESC, CEPSCI – “Innovations for Sustainable Coal Ash and Landfill Closure”
- Open Items:
 - FUEL NC – April 11th
 - ARPA Grant Funding Timeframe
 - Design to be done by 12/2024 – NCDEQ likely not going to complete reviews by then
 - Construction on ARPA Funded projects complete by 7/2026 for grant close out by 12/2026 – likely need to get Congress to extend funding deadline
 - FEMA BRIC Grant Additional Funding – NCDPS additional \$25M for awarded BRIC Grant Funding for inflation costs
 - New NCBELS allowances for PE seals – Joe Teagues (Teague Institute of Govt Relations) *NCBELS allow Engineering Science grads from UNC to come take 2 transportation planning courses at NCSU and be Environmental Engineer whatever that is. And they have their own PE to go along with it. There may be push to get environmental engineer to have exclusive stamp for DEQ but that might lead to exclusive Environmental Engineer stamp on whatever DEQ chooses and Environmental Engineers might claim it as their own practice sort of like structural engineers who have their own exam studying lateral and longitudinal forces. I can see slice and dicing our practice. there is way Reader Law Program where engineers can be licensed to practice law in NC like Virginia and 3 others states do. NC have the same program but NC Supreme Court Chief Justice chooses to continue or not. Be alert. Technical Mediator Program at NC Supreme Court is open to Engineers to practice law like NCBELS apprentice program like qualify by experience.*

- Meeting/Events for Next Year:
 - Future 2023-2024 Joint Environmental and Energy Committee Meetings are tentatively scheduled as follows with subcommittee in parentheses responsible for lining up presentations – More information to come
 - Networking and Social Event – TBD
 - ~~1st Quarterly Meeting – Aug 3, 2023~~
 - ~~2nd Quarterly Meeting – November 30, 2023 (Energy)~~
 - ~~3rd Quarterly Meeting – February 15, 2023 (Solid & Hazardous Waste)~~
 - **4th Quarterly Meeting – May 16, 2023 (One Water/Environmental)**