

I. Pending Issues

Water Management

Water Quality Standards Triennial Review

Once every three years, the Department is required by the Federal Clean Water Act to review and amend as necessary its water quality standards. This process is known as the Triennial Review. The Department has conducted the review and identified needed additions, corrections, and updates to the water quality regulations. A number of new chemical parameter limits are proposed. The current Triennial Review is due as final to EPA by May 15, 2013. *To accomplish that, the triennial must be presented for proposed rulemaking to the EQB in April of 2012. A special web based meeting was held with WRAC in December 2011 to brief them on the final contents of the proposed Triennial. At the regularly scheduled WRAC meeting in January 2012, they voted to accept the Triennial as presented. If approved at the April 2012 EQB meeting, the triennial review proposed rulemaking will be published in the Pennsylvania Bulletin with provisions for a 45-day public comment period, and to hold a public hearing on the proposal. Concurrently, the Department will propose revisions to Chapter 16 Water Quality Toxics Management Strategy – Statement of Policy that are consistent with, and accommodate the proposed revisions to the water quality standards regulations.*

Act 167 Stormwater Management Planning

Twenty-four county-wide storm water management planning projects have been approved. County-wide plans together with watershed plans now cover many municipalities (approximately 1800 +/-) in the Commonwealth. Work is continuing on approximately eight more county-wide plans plus approximately six watershed plans. This leaves 35 County-wide plans needing work. The removal of the appropriated funds for planning grants from the Commonwealth budget in 2010 and in future budgets has caused many county and municipal officials to not move forward with the statutory required planning. They state that this is another mandate not funded by the Commonwealth which they can ill afford to implement in these tough economic times, forgetting that this statutory requirement has been in place since 1978. The Department continues to work with officials in the creation of the required plans as expeditiously as possible.

NPDES MS4 Permit (PAG-13)

PAG-13 was issued final on September 17, 2011. DEP is continuing its discussions with EPA Region III regarding provisions in PAG-13 particularly in regards to implementation of TMDLs and the implementation of the Chesapeake Bay TMDL. Fifteen work sessions reviewing the permitting requirements of federal MS4 program and the PAG-13 and individual permit applications were held in various locations of the Commonwealth from January 2012 through April 2012. Permit renewal applications or Notice of Intents (NOI) are required to be filed by September 14, 2012.

Pesticide Permits

DEP's regulations at 25 Pa. Code Section 91.38(2) have long required a joint permitting process for the use of algicides, herbicides and fish control chemicals by the Fish and Boat Commission (PFBC) and DEP. In October 2011, a new type of permitting for pesticide use was introduced when DEP issued a General NPDES Permit for Discharges Associated with Pesticides (PAG-15). The issuance of this general permit was in response to a federal court ruling that determined that pesticide applications fall under the requirements of the federal NPDES permits program. In addition to the 1,400 "Chapter 91 permits" issued by PFBC and DEP annually, DEP will also need to issue NPDES permits. There are no thresholds for state and federal agencies whose mission includes pest management – any application of pesticides requires NPDES permit coverage. For other entities, thresholds apply. As a result, only a portion of the Chapter 91 permitted activities will also need NPDES permit coverage. However, there are other pesticide applications that are outside of the scope of Chapter 91 that may require NPDES permit coverage. DEP's Central Office and regional offices are currently reviewing several NPDES permits for statewide or local pesticide usage. Preliminary guidance has been developed in the form of a frequently asked questions document, available on DEP's website (http://files.dep.state.pa.us/Water/Wastewater%20Management/EDMRPortalFiles/NPDES_Pesticides_FAQ.pdf)

State Water Plan

Development of Critical Area Resource Plans (CARPs)

CARPs are problem-solving plans on designated Critical Water Planning Areas (CWPA) that provide investigation and detail on water availability under existing and future demand conditions to identify conflicts among users and provide supply-side and demand-side alternatives to resolve those conflicts. Implementation of recommendations is voluntary.

Work continues on the two "Pilot" CARPs for the 1) Laurel Hill Creek/Back Creek watersheds in Somerset and Fayette Counties being prepared by the Somerset County Conservation District and 2) the Marsh Creek/Rock Creek Watersheds in Adams County being prepared by the Interstate Commission on the Potomac River Basin (ICPRB).

Since the last update, the department worked with Somerset County Conservation District (project sponsors) in reallocating project funds to hire Spotts Stevens and McCoy (SSM) consultants to assist in preparing plan recommendations as a supplement to USGS work. SSM is viewed as necessary to provide additional technical expertise to the project's most important components. Technical work is now expected to extend into June 2012. Upon final drafting, the Ohio Regional Water Resources Committee will be involved in a public hearing followed later by the plan's approval by the State Water Plan Statewide Water Resources Committee.

Similarly, efforts continue on the combined Marsh Creek/Rock Creek CARP in Adams County. The ICPRB has developed technical analyses related to water use and demands as well as identified management alternatives. Their work has been complimented recently with a university graduate student who has as part of her coursework volunteered time to work through a process with the local advisory committee in prioritizing the management alternatives relative to implementation. The Marsh Creek and Rock Creek project is scheduled to continue to about September 2012.

The ICPRB has maintained a blog page providing information on the project as well <http://www.marshrockwaterplan.blogspot.com/>

Supplemental work on piloting water conservation and water reuse for both CARP projects by SSM and the ICPRB is being arranged through funding from a project in establishing the Water Resources Technical Assistance Center. (See topic following)

Meeting information for both projects is posted at:

<http://www.pawaterplan.dep.state.pa.us/docs/Publications/News.pdf>

Water Resource Technical Assistance Center (WRTAC)

DEP has contracted with the Susquehanna River Basin Commission (SRBC) to establish the Water Resource Technical Assistance Center. The establishment of the Center is a requirement of Act 220. After a request for proposal (RFP) solicitation, SRBC selected the PA Environmental Council to develop a plan to establish the Center. The WRTAC advisory committee has met several times to review the work of the contractors selected to develop the WRTAC. The contractors include PA Environmental Council and Eastern Research Group (ERG).

The three goals of the project are to establish a leading edge website, develop a comprehensive business plan and legal non profit incorporation including establishment of a board of directors. As of May 2011 the website is complete and non-profit status achieved. The website is www.savewaterpa.org. The advisory group is looking for volunteers to review the website and recommendations on what groups should constitute the board.

PA Environmental Council (PEC) is encouraging everyone to utilize the website in water conservation outreach efforts. In addition PEC wants to use the website as a marketing tool to leverage outside funding from industrial water users, public water suppliers, foundations and other funding partners. In addition to the web site, PEC is evaluating the use of social media as another tool to implement the mission of the Center. Social media (i.e. LinkedIn) may offer the potential for enhanced collaboration among water resource professionals and enhanced technology transfer of water resource technologies. Opportunities, limitations and a strategy for social media use are being explored.

As of April 2012, DEP/SRBC funding for PEC has ended. PEC with DEP support will continue to explore opportunities for external funds and engage new stakeholders. DEP has redirected a small amount of money to focus on two CWPA's. Both of these CWPA's have a need for additional water efficiency planning. The limited funds will enable additional technical evaluation of water conservation, water reuse, water audit and general water efficiency goals in the two CARP's. It is anticipated, that the results of these case studies would be disimnmented through the regional and statewide water resourced committees.

Marcellus O&G Water Management Plan Activities

The Division of Planning and Conservation is currently reviewing recently passed unconventional gas-related legislation under HB 1950 (Act 13 of 2012) that provides that "No person may withdraw or use water from sources within this Commonwealth for the drilling or hydraulic fracture stimulation of any natural gas well completed in an unconventional gas formation, whether on or off of the land where the gas well is located, except in accordance with a water management plan approved by the department."

In addition, the Division is also reviewing draft oil and gas well regulations under Chapter 78 that includes provisions for water management and use.

The Department continues to review and approve water sources for Hydrofracing. As of February 2012, a total of 828 sources (surface, groundwater and purchases) were approved in compared with 717 from August 2011.

A display of those locations may be found on the DEP website within a GIS tool "WAVE" at:

http://www.wave.dep.state.pa.us/wave/Index.shtml?custom=4&tgtName=WUDS_WMP_SOURCES_V&tgtID=&toolUsed=StateWidet&map=1&Service=wave_image_swd&warning=false On the left side of the page,

under “Subject Area Layers” click off “Mine Orphan Discharges” to have a clear presentation of only Marcellus Gas well sources.

Or go to <http://www.depweb.state.pa.us> and click on “tools” then “mapping/GIS” then “WAVE tool”. Within the tool, click on “Launch WAVE”. Once in the application, choose the subject area “Water Withdrawal/Use/Discharge and then select the subject area layer “Marcellus Gas Well Water Sources”.

Coastal Zone Management

The PA General Assembly passed Senate Bill 791 (Act 72 of 2011) amending the PA Bluff Recession and Setback Act (BRSA), signed by the Governor on July 7, 2011. Act 72 redefines Bluff Recession Hazard Area (BRHA), effectively removing the BRSA setbacks along any Lake Erie Bluffs where the toe of the bluff is greater than 250 horizontal feet from the shoreline and further defined the shoreline as the Ordinary High Water Mark (OHWM). CRM staff have developed an Editor's Note for insertion into the Title 25, Chapter 85, Bluff Recession and Setback Regulations. The Editor's Note will alert readers to the changes in these definitions. The process to have the Editor's Note added to the regulation has begun and its announcement in the Pennsylvania Bulletin should appear within the next few weeks. The new definitions have also been included in current changes being drafted for the Municipal Reference Document (Technical Guidance Document #394-2000-001), which has been presented to the Coastal Zone Advisory Committee. The revised Municipal Reference Document is being finalized for initial announcement in the Pennsylvania Bulletin for the solicitation of public comment.

Chesapeake Bay Program

Chesapeake Bay TMDL/WIP

EPA published a Total Maximum Daily Load (TMDL) for the Chesapeake Bay on December 29, 2010, which establishes a ‘budget’ for nitrogen, phosphorous and sediment loadings. As part of the process, EPA directed states to submit Phase 1 Watershed Implementation Plans (WIPs) intended to demonstrate “Reasonable Assurance” that TMDL objectives would be met. *Over 125 individuals representing a broad range of organizations and interest volunteered to participate on a Management Team and workgroups that provided input throughout the development of the WIP. Although EPA approved the final WIP, they imposed a “backstop” on the urban stormwater sector, transferring 50% of the urban stormwater load that is not currently subject to NPDES permits from the load allocation to the wasteload allocation. EPA is doing this to signal that it is prepared to designate discharges as requiring NPDES permits to ensure nutrient and sediment reductions are achieved and maintained. This does not trigger any immediate changes to the NPDES permitting program.*

The Pennsylvania WIP documents are posted at:

http://www.depweb.state.pa.us/portal/server.pt/community/chesapeake_bay_program/10513. EPA has established a website specifically for the TMDL, which can be accessed at

<http://www.epa.gov/chesapeakebaytmdl/> .

Phase 2

Since the publication of Pennsylvania's Phase 1 Chesapeake Watershed Implementation Plan (WIP) and the Chesapeake Bay TMDL in 2010, several activities occurred that shifted the course of the development of the Phase 2 WIP. Both the Phase 1 WIP and the Chesapeake Bay TMDL were developed based on the Phase 5.3.0 Chesapeake Bay Watershed Model. Based on concerns with how the model treated agriculture nutrient management and urban lands, the EPA's Chesapeake Bay Program Office revised the model (Phase 5.3.2) and issued to the states revised Phase 2 WIP Planning Targets on August 1, 2011. These planning targets are identified in the below table.

<i>Phase 5.3.2 Watershed Model</i>			
<i>Nitrogen, Phosphorus and Sediment Delivered Loads</i>			
<i>(Millions of Pounds)</i>			
	<i>Nitrogen</i>	<i>Phosphorus</i>	<i>Total Suspended Sediment</i>
<i>2010 Progress</i>	<i>112.06</i>	<i>4.858</i>	<i>2,469.4</i>
<i>August 1, 2011 Phase 2 WIP Planning Targets</i>	<i>78.83</i>	<i>3.60</i>	<i>1,945</i>
<i>Remaining Reductions</i>	<i>33.23</i>	<i>1.26</i>	<i>524.4</i>

According to EPA’s current watershed model progress run for the year 2010, when compared to 1985, Pennsylvania achieved 27% of the nitrogen reductions, 31% of the phosphorus reductions, and 50% of the total suspended sediment reductions needed to reach Pennsylvania’s 2025 restoration targets. This is real progress. When compared to current 2010 progress reported by the watershed model, Pennsylvania needs to achieve an additional 33.23 million pound reduction in nitrogen, 1.26 million pound reduction in phosphorus, and 524.4 million pound reduction in sediment by 2025. Pennsylvania is committed to protecting and enhancing our streams and watersheds. The efforts here in Pennsylvania will in turn help in further restoring the Chesapeake Bay by 2025.

It should be noted that EPA’s watershed model can be a useful tool to help guide management actions and project their results. It is not, however, sufficiently precise to measure actual progress or lack thereof. It should not be used in a regulatory context to determine whether an enforcement action or other penalty is appropriate.

To facilitate local implementation of reduction actions needed to meet the Chesapeake Bay goals, EPA directed the Chesapeake watershed jurisdictions to sub-divide nutrient and sediment reductions by local areas in a Phase 2 WIP. DEP sub-divided at the county-level, as the EPA Chesapeake Bay watershed model is based in part on county level data. The reduction targets are for planning purposes only, and do not become regulatory allocations at the county level. An October 5th letter from EPA supports this approach. In the letter EPA stated that they do “not expect the jurisdictions to express the ‘local area targets’ in terms of Phase 5.3.2 Watershed Model inputs or outputs, such as pounds of pollutant reductions by county.”

Phase 2 was addressed in a process similar to Phase 1. DEP staff re-convened the Management Team that was formed to help develop the WIP and met with workgroups. DEP staff held eight county workshops from October through early November to solicit input on the Phase 2 draft. Significant input was obtained from the meeting participants and was utilized to draft the second phase of the WIP. The Draft Phase 2 WIP was submitted to EPA on December 15, 2011.

DEP held a 45 day public comment period on the Draft Phase 2 WIP from December 17, 2011 to January 30, 2012. Many of the public comments received supported the issuance of local area targets to help inform county and municipal governments of the approximate level of effort necessary to reach Pennsylvania’s TMDL allocations. In its formal evaluation of Pennsylvania’s Draft Phase 2 WIP, EPA also called for local area targets. In response to these comments, DEP will provide revised Draft County Planning Targets. Pennsylvania’s Final Phase 2 WIP and 2012 – 2013 Programmatic Milestones were submitted to EPA on March 30, 2012 and are posted to DEP’s Chesapeake Bay Program website. The Draft County Planning Targets will be posted to DEP’s website following finalization of Pennsylvania’s Phase 2 WIP watershed model input deck.

Following issuance of the Final Phase 2 WIP, on April 2, 2012 the Bureau of Point and Non-Point Source Management (BNPNSM) issued a point source supplement to the Final Phase 2 WIP to EPA. This supplementary document described the status of TMDL implementation for point sources through the establishment of TN and TP annual load limits in NPDES permits, and set forth an updated permitting strategy. Specifically, the document addressed the following:

- *It determined that the issuance of permits to significant sewage dischargers is nearly complete, and that upon completion total cap loads in permits will exceed the wasteload allocations (WLAs) in the TMDL. However, the exceedance is due to the connection of retired on-lot sewage systems, and so DEP will need to shift some load from the non-point source septic load allocation (LA) to the point source WLAs.*
- *It estimated reserves for significant industrial waste dischargers following the initial round of permitting, and a strategy for managing these reserves.*
- *It modified the list of significant sewage and industrial waste dischargers based on updated information.*
- *It provided updated direction on permitting non-significant discharges, approving offsets, and certifying or verifying credits.*

BNPNSM intends for the document to be dynamic, with frequent updates based on the collection of additional data and modifications due to new or changing circumstances that are encountered.

Nutrient Trading

DEP continues to implement the Nutrient Trading Program as designed in the regulations, 25 Pa. Code, Chapter 96, "Water Quality Standards Implementation." The Nutrient Trading Program regulations, Section 96.8, "Use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed" were published in the Pennsylvania Bulletin and became effective on October 9, 2010. (Reference, 40 Pa. B. 5790.) The program has become very successful in providing a cost-effective means for facilities subject to limits for nitrogen, phosphorus and sediment to meet those limits by working with other facilities or with nonpoint sources, or both. It has become an integral part of Pennsylvania's Chesapeake Bay Program strategy to advance the restoration and protection of this very valuable water resource. However, DEP has recognized that there are a few program components that could be enhanced. *As a result, Deputy Secretary for Water Management Kelly Heffner and Paul Marchetti, Executive Director for Pennvest sent notices to potential members of a stakeholder group comprised of buyers, sellers, governmental agencies, environmental groups and other interested parties asking them if they would be interested in participating in a series of meetings to further evaluate the need for revisions in the policies, guidance and regulations governing the Nutrient Trading Program. These meetings are scheduled as follows:*

- *Meeting 1 – May 8, 2012, Room 105*
- *Meeting 2 – May 14, 2012, Room 105*
- *Meeting 3 – June 5, 2012, 2nd Floor Training Room*
- *Meeting 4 – June 11, 2012, Room 105*

Another important component to facilitate the nutrient trading market involves Pennvest. Pennvest has been serving as the Nutrient Credit Clearinghouse for nutrient credit trading transactions. In this context, credit buyers and sellers contract with PennVest rather than directly with each other. These transactions occur through periodic credit auctions. The next Pennvest auction will take place on *June 13, 2012*. Additional

information can be found at:

http://www.pennvest.state.pa.us/portal/server.pt/community/pennvest_internet/9242 .

The nutrient trading regulations provide for three distinct activities regarding the generation of credits: certification, verification and registration. Certification is written approval by DEP that a proposed nutrient reduction activity will generate credits. Verification is the process of confirming that the certified activity took place. Registration is the accounting mechanism used by DEP to track and associate the use of credits for permit compliance. Detailed information on these projects can be found in a spreadsheet at <http://www.dep.state.pa.us/river/nutrienttrading/projects/index.htm>. These credits are verified on a yearly basis.

For the current compliance year (2011-2012), eight projects were recently submitted by Red Barn Trading Company for review of verification information. Information on the exchange of credits can be found at: <http://www.dep.state.pa.us/river/nutrienttrading/registration/index.htm> .

By definition, Chapter 96.8 defines a trade as “A transaction that involves the sale or other exchange, through a contractual agreement, of credits that have been certified, verified and registered.” Using that definition, 31 trades have occurred since the beginning of the program. This total includes the exchange of credits involving PennVEST, either with a buyer or seller. Information on these trades is the same information as that contained in the registration spreadsheet link found at: <http://www.dep.state.pa.us/river/nutrienttrading/registration/index.htm> .

Based on data made known to DEP, the price of nitrogen has been in the range of \$2.50 to \$15 per pound. The price of phosphorous has ranged from \$1.50 to \$10 per pound. Additional details on contract pricing can be found in the spreadsheet contained in the link found at: <http://www.dep.state.pa.us/river/nutrienttrading/contract/index.htm>

Agriculture Updates

Related to the efforts to implement the Phase 1 Chesapeake bay WIP, there have been several significant activities to enhance compliance with PA’s environmental regulations that address agriculture (Ag).

Extensive education and outreach activities have been undertaken to ensure farm operators are aware of their regulatory requirements under Pennsylvania’s Erosion Control regulations and the Manure Management Manual. Beginning in July 2011, County Conservation Districts in the Chesapeake Bay watershed have engaged in over 1,110 site visits. DEP expects that 4,000 site visits will be completed by July 2012. With the completion of the “Manure Management Manual,” DEP organized six regional trainings on the DEP Manure Management Manual. About 280 staff attended the training sessions. Dr. Doug Beegle and Jerry Martin from Penn State Extension prepared the bulk of the presentation in a “train-the-trainer” format that allowed participants to both learn the manual and prepare to deliver this information to farm operators and others in their local jurisdictions. Using federal Chesapeake Bay funds and PA Clean Water Funds, DEP supported mini-grants for conservation districts to conduct local training/workshops for farmers, consultants, and others to improve awareness of the revised Manure Management Manual and to assist farmers in completing manure management plans. As of March 30, 2012, 31 conservation districts will hold 41 full day and 58 half-day training sessions by June 2012.

To support Pennsylvania’s expanded outreach to the Ag community to increase compliance with Chapter 102 and manure management requirements, DEP worked with the Lancaster County Conservation District and the Ag Ombudsman program to develop and produce outreach materials. Pennsylvania has prepared several easy to read materials on Pennsylvania’s existing regulatory programs. This series of information includes the “Am I in Compliance” brochure which has a distribution of ~20,000 copies since January 2011; the “Ag E&S Barn sheet” which was prepared in July 2011; and the “Manure Barn Sheet” which was prepared in November

2011. At least 8,000 of each barn sheet have been distributed. These materials were prepared for general distribution and for use in conservation district site visits.

As part of Pennsylvania Ag compliance efforts, DEP evaluated and modified several regulatory tools that aide in implementation of the existing Manure Management and Ag E&S requirements.

In October 2011, DEP completed the revisions to the Manure Management Manual. These revisions were completed with full participation of DEP's Agricultural Advisory Board and its members, including the PA Farm Bureau, PennAg Industries, PA Grange and others. Final revisions were presented to DEP's Agricultural Advisory Board in June. The final Manual was published as a PA DEP Technical Guidance Document on October 29, 2011. Since final approval of the Manure Management Manual in October 2011, the department has been training conservation districts, partner organizations and agencies and has distributed over 5,000 hard copies of the Manual.

In 2010, DEP revised the Chapter 102 regulatory requirement for Ag. In July 2011, NRCS developed the "Conservation Planning and Regulatory Compliance Handbook" for NRCS staff. This guidance referenced Pennsylvania's Chapter 102 regulations and provided tools and guidance for NRCS staff involved in conservation planning that addresses the requirements for Ag E&S. Guidance does not implement Pennsylvania's regulatory program, but provides guidance as to what requirements are found in Pennsylvania and how this interfaces with NRCS conservation planning activities.

Pennsylvania continues to integrate the Ag components of the Chapter 102.4(a) into the program guidance materials and delegation agreement. The program guidance and delegation agreements modifications have not yet been completed for all aspects of the revised Chapter 102 program.

Additional enforcement activities have been conducted using special EPA Chesapeake Bay grant funds. Under this grant, over next five years, DEP compliance staff will perform 2,250 compliance inspections and 500 compliance actions. While staffing under this grant was not completed in 2011, the outputs are significant. Staff under this grant performed 208 Ag inspections and 104 compliance actions. These resulted in over \$20,000 in fines/penalties being assessed.

Chapter 105 Regulation Revisions

The Division of Waterways, Wetlands, and Stormwater Management is currently working to revise the Chapter 105 Dam Safety and Waterway Management regulations and are proposing new permitting fees and a new submerged land license charges.

The proposed fees were shared with WRAC at the May 11, 2010 meeting and the July 14, 2010 meeting for comment. After a few questions, WRAC motioned for the draft regulations be forwarded to the Environmental Quality Board (EQB).

Program staff presented the draft rulemaking to EQB on December 21, 2010. After some discussion, John Arway, Executive Director, PA Fish and Boat Commission, moved to adopt the proposed rulemaking, with a 30-day public comment period. Walter Heine, Citizens Advisory Council, seconded the motion, which was approved by a majority of the Board members. Joe Deklinski, on behalf of Rep. Scott Hutchinson, voted in opposition to the motion.

As a result of the Department's reorganization effort, the newly formed Bureau of Waterways Engineering and Wetlands, Division of Wetlands, Encroachments and Training and Division of Dam Safety published the Chapter 105 Dam Safety and Waterway Management fee revision package on January 28, 2012 in the Pennsylvania Bulletin for a 30-day public comment period. As a result, the Department received a number of

public comments regarding the proposed fees from 29 commentators. Bureau staff is currently reviewing comments on the proposed new permitting fees and a new submerged land license charges for development of a final rulemaking later this year.

Revisions to the construction stormwater general permit PAG-02

The Department will be releasing the draft construction stormwater general permit (PAG-02) for public comment this spring. The draft PAG-02 incorporates requirements from the updated Chapter 102 regulation revision, but will not include numeric effluent limitations for turbidity which were proposed and then stayed by EPA. A stakeholder group will be established to provide feedback on the permit and program. It is anticipated that the final permit will be submitted to EPA for review in late summer to early fall and published as final in December 2012.

Stormwater Offsetting Workgroup

The Department has organized a workgroup to address issues related to offsetting stormwater through permits at an offsite location. The group will be working through the winter and spring to provide structure to the Department in developing a stormwater offsetting policy. It is anticipated that a draft policy will be available for public comment in *fall/winter* of 2012.

Riparian Buffer Waivers

The amended Chapter 102 regulations that took effect last November included a requirement for 150 foot buffers on special protection (high quality and exceptional value) streams for projects requiring permits under the chapter. An applicant may request a waiver of width and/or composition requirements for the riparian buffer under 102.14(d)(2). *The Department has developed guidelines for permit preparers to follow in preparing the waiver requests and permit reviewers to follow in evaluating these waiver requests. To date, the Department has received approximately 50 waiver requests from the riparian buffer requirements and has issued approximately 10 permits including riparian buffer waivers.*

DEP Reorganization for Acid Mine Drainage (AMD) Program

The decision to reorganize the agency was part of a very thought out and detailed process that DEP undertook to evaluate how we do business and our goals for the future. We completed an extensive review and evaluation of our programs and organizational structure to assess our efficiency, improve coordination, enhance communications to be more responsive and maximize the efforts of our greatest asset, our staff, to restore, and protect our natural resources. To effectively implement these goals, the first step was to make changes to our organizational structure. Below is the link to a fact sheet which summarizes the changes and includes the new structure for your information and use.

The Bureau of Abandoned Mine Reclamation (BAMR) had an integral support role in the Abandoned Mine Land Fund reauthorization effort and DEP is proud of the awarding-winning work they have accomplished in addressing the Commonwealth's abandoned mine problems. The working relationship that stakeholders have developed with BAMR will not be impacted, it will be expanded. The same staff will be in the same offices, but they will now be reporting to the new Bureau of Conservation and Restoration (BCR). At a time when resources are at a premium, centralizing our stream restoration activities into a new Bureau in our Office of Water Management Program made sense. The new BCR will focus on watershed restoration which includes a division whose priority is restoring acid mine drainage (AMD) impacted streams. This will improve DEP's efficiency in addressing the Commonwealth's AMD problem. The BCR will include DEP's U.S. Environmental Protection Agency 319 Program that will allow for greater cooperation, especially given the number of streams with the Total Maximum Daily Loads (TMDL) developed or in the development process for

AMD. BCR and BAMR will continue to work together as will all of DEP to comprehensively address the land, water, and health and safety projects in the Commonwealth.

DEP Reorganization Fact Sheet Link:

<http://files.dep.state.pa.us/AboutDEP/AboutDEPPortalFiles/ReorgPublic/REORGFactSheetOrgChart.pdf>

II. Pending Issues

Waste Management

Recycling Fund and Solid Waste Advisory Committees

At the September 15th Recycling Fund Advisory Committee meeting, the Department reviewed the FY 2010-2011 Recycling Fund Expenditures and presented the FY 2012-2013 Recycling Fund Spending Plan. The Committee approved the 2012-2013 Recycling Fund Spending Plan as presented by the Department.

At the September 15th Solid Waste Advisory Committee meeting, the Department presented the draft proposed Municipal Waste Regulations – Chapter 284 Regulated Medical Waste. The Solid Waste Advisory Committee approved the request to submit the draft proposed Municipal Waste Regulations – Chapter 284 Regulated Medical Waste to the Environmental Quality Board (EQB) as a draft proposed rulemaking. Staff in the Division of Municipal and Residual Waste is in the process of preparing the regulations package for presentation to the EQB in 2012. The Department also presented the 2011 Draft Hazardous Waste Facilities Plan. The Solid Waste Advisory Committee approved the 2011 Draft Hazardous Waste Facilities Plan as presented by the Department. The Final 2011 Hazardous Waste Facilities Plan was published on November 28, 2011.

The Bureau of Waste Management is working with the Dept. of Agriculture, the PA State Conservation Commission and the Community Awareness Committee of the American Mushroom Institute to update the 1997 Guidance manual on Best Practices for Environmental Protection in the Mushroom Farm Community. Proposed changes to the manual will require all Mushroom Farms to develop and implement Mushroom Farm Environmental Management Plans (MFEMP) for all composting operations on or off the production site. Other proposed changes could include additional odor and nutrient control measures for the production of compost and the spreading of the spent substrate. In addition, the use of certified manure haulers may be considered when transporting compost off site and for all land application of compost. If best management practices are followed in accordance with an approved MFEMP, the department will waive the need for a composting permit for composting on and off the production site.

Environmental Cleanup and Brownfields

Land Recycling Program Technical Guidance Manual

The Cleanup Standards Scientific Advisory Board has established a new Process Workgroup to review the Land Recycling Program Technical Guidance Manual and provide recommendations for pending revision. The existing Vapor Intrusion Workgroup is reviewing the existing vapor intrusion guidance and will provide recommendations on development of a revised vapor intrusion section to the Land Recycling Program Technical Guidance Manual. These workgroup recommendations will be made to the full Cleanup Standards Scientific Advisory Board and final recommendations of the Board will be forwarded to the Department. The

Department is planning to have a final draft document available for public comment by the end of December 2012.

Energy Initiatives

Electric Vehicle Infrastructure

Alternative Fuels Incentive Grant

The Department of Environmental Protection announced on October 25th the award of more than \$4.4 million in Alternative Fuels Incentive Grants to 12 projects across the state. The projects will develop the state's natural gas and electric vehicle infrastructure and achieve emissions reductions equivalent to taking 10,000 cars off the road. The grants, funded by a portion of the state's annual utilities gross receipts tax, will encourage new markets for alternative fuels, fleets and technologies across Pennsylvania. In one project, the Clearfield County Area Agency on Aging will receive \$86,500 to convert four meal-delivery vans to reduce costs and better serve the county's older residents while reducing emissions. Waste Management Inc. will receive \$400,000 to assist in constructing a compressed natural gas fueling station in Bristol Borough, Bucks County. The facility is expected to reduce the southeast region's annual greenhouse gas emissions by 2,238 tons per year.

Williamsport's River Valley Transit will also receive a \$400,000 grant to construct a compressed natural gas fueling station that will provide cheaper, cleaner-burning fuel to the city and Lycoming County's police, fire, emergency response, public transit and school bus fleets. The Berks County Intermediate Unit will receive \$100,000 to support the continued use of B20 blended biodiesel, a diesel fuel that contains 20 percent biomass, reducing the area's emissions by nearly 633 tons of greenhouse gases per year. A full list of awards is available on the AFIG website.

The Pennsylvania Energy Development Authority (PEDA)

The PEDA Board of Directors met by conference call on October 12, 2011 and approved 13 alternative energy projects totaling 3.7 million dollars. The grant recipients provided matching funds totaling 41.7 million dollars.

A meeting was held at the Department of Public Works Building on February 2, 2012, as a follow-up to a meeting with the Department of Corrections (DOC) two weeks ago. Attending from DEP were Dan Lapato, Thomas Bell, David Althoff and Jessica Shirley. DOC was represented by Marcel Tassen and Department of General Services (DGS) was represented by Gary Taylor. At the meeting DOC stated they had two State Correctional Institutions (SCI) looking to promote the Combined Heat and Power (CHP) that would be most beneficial to a study. These were Muncy and Dallas. The three agencies agreed to review a scope of work (stating technical requirements) as an example of CHP that would potentially show cost efficiency and energy savings. Tom Bell will prepare the scope of work, due by February 10, 2012, to be reviewed by all. Once reviewed, a public notice can be prepared stating why the switch from coal to CHP. A Request for Proposal (RFP) can then be prepared for a full study going forward. This study could also be used as a global look at various large institutions.

PA Sunshine Program

The PA Sunshine Grant Program opened with \$100 million dollars in funding as authorized by Act 1 in May of 2009. This program received additional funding of \$11 million dollars over the past year. The \$111 million dollars in funding is now close to depletion. A waiting list was established on August 19, 2011. There are currently 468 projects on a waiting list. The program has over 7300 projects that have been applied for or have received photovoltaic (PV) or Solar Hot Water (SHW) rebates totaling \$109 million dollars.

Small Business

Small Business Ombudsman, Jay R. Moyer, announced that DEP is offering a Storm Relief Small Business Advantage Grant to assist the many small businesses throughout the state that suffered damage from Hurricane Irene and Tropical Storm Lee. The grant offers a maximum of a 50 percent reimbursement up to \$9,500.00. To be eligible, the applicant must be a for-profit small business which sustained storm damage in one of the counties included in the federal disaster declaration. Costs incurred after August 26, 2011, and before December 31, 2011, are eligible for grant consideration. Applications must be postmarked or hand delivered to the SBO Office at RCSOB by 4:00 pm on December 31, 2011.

The Small Business Grant program recently awarded more than \$62,000 in grants to help 31 small businesses across the state invest in energy-efficiency or pollution-prevention projects. Of the 31 small businesses, eight received grants from the Storm Relief Grant Program, announced on October 24, 2011, offering a maximum of a 50 percent reimbursement up to \$9,500 for small businesses which sustained storm damage in counties that were declared eligible for disaster relief by FEMA.

To date, a total of 120 grants have been awarded, totaling \$723,089 of the available \$1,000,000 for the 2011 Advantage Grant budget. These 31 new grants will leverage \$249,116 of private sector funding in small businesses. Since its inception, the Advantage Grant program has invested more than \$6.1 million in 1,571 small businesses statewide.

American Recovery and Reinvestment Act Energy Funds

To date; DEP supported Keystone HELP has provided a total of 1542 consumer loans valued at \$12,317,734.69 to PA home-owners resulting in annual energy savings of 4,020,854kwh of electricity; 13,773,995kbTU reduction in heating fuel consumption; and a 6,767,862lb reduction in CO₂e emissions through installed residential energy conservation and efficiency measures. The Geothermal Loan Program funded 159 of those loans, totaling \$1,966,974.00. In addition, there have been 118 PHFA Renovate and Repair loans totaling \$2,487,897.00.

As of the week of October 24th, 2011, According to the DOE SEP Dashboard, Pennsylvania ranks 3rd among the States in the percentage of State Energy Program ARRA funds actually spent (\$86,151,232.00) of the \$99,684,000.00 received (or 86%). Pennsylvania has actually spent \$87,668,775.00 (87%) as DOE's reporting is a few weeks behind. The two states ranked above PA (WI and TN) have much smaller \$ allocations. PA ranks 6th in allocations while WI ranks 19th and TN 15th respectively. Currently the national average for expenditures is 59%.

As of the week of October 28th, 2011, the Department Of Energy listed Pennsylvania as ranked third nationally in terms of percent of total funds outlaid (86%) and first in actual dollars outlaid \$ 20,550,897 for state-level Energy Efficiency Conservation Block Grant recipients.

As of February 27, 2012, according to the Department of Energy (DOE) State Energy Program (SEP) Dashboard, Pennsylvania ranks 2nd among the states in the percentage of ARRA funds actually spent: \$92,112,163 of the \$99,684,000 awarded or 92%. Only Wisconsin ranks above PA in percent spent. The national average of spent ARRA funds is 73%.

ISO 50001 Workshop

An introductory workshop on International Organization for Standardization (ISO) 50001 was held on February 15, 2012, in Ridgway, PA. The workshop was well received, with 22 attendees consisting of businesses, consultants and a local township official. Ed Pinero, who was on the development committee of the

standard and is known worldwide as a subject matter expert, spoke about the benefits of ISO 50001. PennTAP, who will be selecting companies to participate in their ISO 50001 certification project, was also present at the workshop. The workshop and future workshops will be utilized to determine further development of activities for Phase II of the ISO 50001 State Energy Program Project.

Department of Corrections CHP Project (PEDA)

The Pennsylvania Energy Development Authority's (PEDA) scope of work for the Department of Corrections Combined Heat and Power (CHP) project has been completed and disseminated. A meeting has been scheduled for February 29, 2012 for all parties to review, discuss and proceed with the RFP process.

Energy Symposium

David Althoff, Dan Lapato and several regional energy managers attended the 2012 Energy Symposium hosted by the Central Penn Business Journal. This year's focus was on Natural Gas Vehicles (NGVs). Information was provided to a wide variety of attendees, including fleet owners, trucking companies, and auto dealers looking to save money with cleaner alternative fuel vehicles. Three of the natural gas vehicle projects highlighted during the event were funded by the Alternative Fuel Incentive Grant fund. Numerous stakeholders were present at the event and eager to talk to DEP and identify potential projects for funding to increase the use of natural gas into fleet operations.

Oil and Gas Issues

Act 13 Roll-out

The Department is in the process of implementing the provisions of Act 13 of 2012 (Oil and Gas Act) and has developed an "Act 13" web link on the home page of the DEP web site to direct the public to general information regarding the recently passed legislation. In particular, a "Frequently Asked Questions" (FAQ) document is available via the above-referenced website to respond to general questions related to Act 13. This FAQ document is dynamic in nature and will be updated periodically to include additional questions that are frequently posed to the Department.

The Department has posted an e-mail resource account on the Act 13 web page to allow the public a means to e-mail specific questions to DEP that may not already be addressed through the FAQ.

The final version of *the Act* has been posted on the Act 13 web site for the public to easily reference.

WebEx Presentations – Act 13 Topics

DEP is hosting a series of four WebEx presentations to the public to educate and inform them of the recently enacted Oil and Gas Act (Act 13).

On March 27, 2012, DEP presented a session that provided a general "Overview of the Oil and Gas Act – Act 13". One April 3, 2012, DEP presented a session that covered "Permitting and Notifications" and on April 10, a session was provided that covered "Environmental Protections and Enhancements". Each of the sessions consisted of a 30-minute verbal presentation followed by a 30-minute question and answer session.

The sessions have been very popular and well attended. A total of over 1,000 individuals have participated in the first three sessions.

A final WebEx session is scheduled for April 17, 2012 at 1:00 pm and will address the topic of “Inspections and Enforcement”. Each of the WebEx sessions is available to the public on the DEP website.

Comment Period Ends for Draft Erosion and Sediment Control General Permit (ESCGP-2)

On January 21, 2012, the Department published a draft Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-2) with a 60-day public comment period. This General Permit is intended to provide coverage under the Clean Streams Law to operators who conduct earth disturbance associated with oil and gas exploration, production, processing or treatment operations or transmission facilities where the total disturbance of the project is 5 acres or greater.

The Department received a total of approximately 450 comments from the public and is currently reviewing the comments and developing a Comment/Response document.

Proposed Guidance Available for Comment – Addressing Spills and Releases from Oil and Gas Wells and Related Operations

The Department developed a draft technical guidance document titled “Addressing Spills and Releases from Oil & Gas Wells and Related Operations”. This policy was developed to facilitate a consistent and uniform general response by those working in and for the oil and gas industry to respond to spills and releases related to oil and gas well operations. The policy addresses expectations for 1) spill prevention and response planning, 2) notification to the Department in the event of a spill or release, 3) remediation of the spill or release to meet a standard established by the Land Recycling and Environmental remediation Standards Act and the required administrative process or alternate process, and 4) restoration and revegetation of areas impacted by spills or releases (particularly chlorides). The Department discussed the draft guidance with the Oil & Gas Technical Advisory Board in October 2011 and February 2012. Notice of the draft technical guidance will be published in the Pennsylvania Bulletin on April 14, 2012, with a 30-day public comment period.

Workload Report

The following is the Oil and Gas Workload Report for the week ending March 30, 2012:

OFFICE OF OIL AND GAS MANAGEMENT							
WEEKLY WORKLOAD REPORT – WEEK of 03/26/2012 to 03/30/2012							
WELL PERMIT APPLICATIONS ¹							
Year to Date	Received	Issued	Other ⁴				
Non Marcellus	433	634	12				
Marcellus	742	809	13				
Total YTD	1,175	1,443	25				
For Week 03/26 to 03/30							
Non Marcellus	18	21	0				
Marcellus	27	61	2				
Total for Week	45	82	2				
Marcellus Shale Permit Applications – 2005 to Present							
	Received	In Process	Issued	Denied	Withdrawn	Returned	Entered in Error
2005 - Present	11,038	328	10,479	36	126	12	56

WELL PERMIT APPLICATIONS IN PROCESS				
	Total In Process	< 60 Days	60 to 195 Days	> 195 Days
Non Marcellus	211	125	23	31
Marcellus	328	391	12	24
Total	539	516	35	55
Note: There are 106 Applications (NWRO-96/SWRO-10) that were received at the Regional Offices that have not been accepted for review and are not included in the weekly statistics.				
INSPECTIONS²				
Year to Date	Inspections	Wells Inspected	Violations	Enforcements
Non Marcellus	3,491	2,303	851	146
Marcellus	2,836	1,756	212	67
Total YTD	6,327	4,059	1,063	213
For Week 03/26 to 03/30				
Non Marcellus	118	96	14	2
Marcellus	112	100	4	0
Total for Week	230	196	18	2
WELLS DRILLED³				
	2012 Year to Date	Week 03/26 to 03/30	2005 – Present⁵	
Non Marcellus	274	11	19,757	
Marcellus	383	29	5,261	
Total	657	40	25,018	

¹Source: eFacts; permit may have been applied for during prior year and issued in current reporting period.

²Inspections count each individual inspection. Inspected wells count how many individual wells were inspected. Some wells may be inspected more than once during the time period.

³Source: Spud Data Report

http://www.portal.state.pa.us/portal/server.pt/community/oil_and_gas_reports/20297#InteractiveReports

⁴Other: Applications withdrawn, denied, returned, or entered in error.

Note: The Marcellus Shale numbers may fluctuate as we continue to refine the Marcellus Shale Wells data in the eFacts Database.

⁵ Figures have been adjusted to reflect data cleanup.

Spud Well Report Submitted to Public Utility Commission (PUC)

Pursuant to Act 13, DEP was required to provide to the PUC within 14 days of the effective date of the Act a list of all spudded unconventional gas wells that received a drilling permit. The Department considers the spud date of a well (i.e., the date that drilling commences) to be the date that setting of conductor pipe commences, regardless of the method used to set the conductor. If an operator does not use conductor pipe for a well, the spud date is the date that setting of the initial casing string commences.

The Department met this legislative mandate by providing to PUC this information. Specifically, DEP developed an electronic report for all spud well for which permits were issued through December 31, 2011 and developed similar reports for all spud unconventional gas wells for permits issued during the months of January and February 2012. Each of these reports is available to the public on DEP's Act 13 website. The PUC will use these reports to determine what impact fees to assess.

Oil & Gas Technical Advisory Board Meeting, Dauphin County

The Oil & Gas Technical Advisory Board (TAB) meeting was held in the Rachel Carson State Office Building on Thursday, February 16th from 10 AM until approximately 1:30 PM. DEP Oil & Gas staff presented information on the current draft of the spill policy and provided a summary of the draft proposed revisions to Subchapters C (surface activities) and D (subsurface activities) of Chapter 78. Status updates were provided on casing, cementing and well integrity and the following:

- Deepest Fresh Ground Water (DFGW) - Since the last meeting (October 5-6, 2011), some consensus has been achieved among some operators over the petrographic-analytical methods being considered in making a quantitative determination of fresh versus non-fresh groundwater. The next meeting, tentatively scheduled for early April, will discuss analyzing these methods and will consider the need to make adjustments for specific geologic conditions or geographic areas.
- Pre-drill Survey Database - Training for the Marcellus Shale Coalition's pre-drill survey database is being planned to be held in late April. Industry, consultants and PA DEP staff will be initially trained in using this EQUIS-based system. The "go live" date is now planned for the end of April. The Department continues to work on an internal data management system to receive the MSC database information, and pre-drill survey data from other sources.

TAB was provided handouts of the draft spill policy, written responses to comments on the spill policy received after the last TAB meeting and a summary of changes to Subchapter C of Chapter 78. Additional discussion was held on the spill policy, Chapter 78 revisions and other topics and subsequent comments were recorded.

The next Oil and Gas TAB meeting will be held on Wednesday, May 16, 2012 in Harrisburg.

Training Held on Electronic Oil and Gas Production Reporting for Operators

On January 27 and 30, 2012 a total of three WebEx training sessions were held on an operator's use of the on-line oil and gas production and waste reporting tool on DEP's web site. Training was crucial as the reporting window closes February 15th. The webinar was a team effort of Office of Communications, BIT and BOGPPM. Over 100 people attended the two day training session. A video of one of the sessions has been posted on the "Training & Workshops" page of the Oil & Gas web site.

Mining/Reclamation/AMD Issues

ABS BF Discharge Treatment

Progress is being made in systematically approaching the problem, with designs underway for many of the treatment facilities. Operation and maintenance continues for the facilities that are in place. Initial work has begun in order to prepare a draft NPDES permit for these sites. Water Quality Based Effluent Limit Calculations have been started. Revisions to a number of TMDLs are required to account for some of these discharges.

Proposed Rulemaking-Coal Permit Fees

DEP presented a proposed rulemaking package to the MRAB at the October meeting. This package included fees for coal mining permit applications. The MRAB objected to the fee amounts and recommended that the rulemaking proceed without the fee revisions. In the meantime, BMR is working with the MRAB's Regulation,

Legislative and Technical Committee (RLT) to establish a fee approach that is in line with recommendations the MRAB made at the January 2010 meeting.

On April 22, 2010, the MRAB made a recommendation that the Department prepare a rulemaking package that includes permit fees that would generate about \$400,000 per year. This rulemaking package was approved at the October 2010 EQB meeting. The regulation was published for comment in December 2010. No comments were received. Based on processing delays, republication is necessary. The proposed rulemaking was republished for comments on March 10, 2012.

Noncoal Program Fees

Preliminary work has commenced for fees to support the noncoal mining program. The fees have been calculated to support the program costs (about \$3M). Outreach meetings have been held to explain the reason for the fees and how the amounts were calculated. The proposed fees were approved at the June EQB meeting. The proposed regulations were published in the August 28 PA Bulletin, with a 30-day comment period. Comments were received from about 20 commenters. IRRC also provided comments. The Department provided an opportunity for additional comment by public notice of a 30-day comment period. Twenty additional comments were received in response to this solicitation. The final-form rulemaking is in line to be presented to the EQB at the April meeting.

NPDES Permitting for mine sites

The mining program has focused its attention on improving the documentation for NPDES permit reviews. This is necessary due to recent initiatives by EPA and OSM. Efforts will focus on dealing with the conductivity/TDS requirements and reasonable assurance of meeting the state water quality standards. EPA has conducted a permit quality review for NPDES permits for mine sites. The Department has engaged EPA in discussions intended to improve NPDES permitting for mining permits. New issues continue to be raised by EPA. The Department has focused its attention on the regulatory requirements. Some of EPA's objections seem to go beyond the regulations. *Comments have been received on about 112 of the 200 permits sent to EPA as of April 2012.* A preliminary draft guidance document has been prepared and informal comments have been received from the PA Mining Professionals and the PA Coal Association. *It is anticipated that the proposed guidance document will be published for comment in the next two months.*

Act 54 Report

BMR is reviewing the Act 54 report and the comments provided by the Citizen's Coal Council. *The Department has had preliminary discussions with the potential contractor and has initiated the process to begin the next report.*

Office of Homeland Security

The Pennsylvania's Office of Homeland Security resides within the Pennsylvania State Police (PSP). A major change is taking place within the Commonwealth at this time. The Commonwealth is implementing the Fusion Center concept using the PSP Pennsylvania Criminal Information Center (PaCIC) as a foundation. DEP will participate in the Fusion Center, as will the other State Agencies who have responsibility for Critical Infrastructure and Key Resources.

Environmental Education

Environmental Education Grants Program (EEGP)

The 2012 grant round opened on October 3rd. We're getting several summary email proposals each day. We respond with comments and let the applicants know if there are any issues with the proposal. The summary proposals will increase as the deadline for submissions draws closer. Applications are due to the program by December 16th 2011.

The scores, rater comments, amounts and regional considerations have undergone final review. A list of 160 applicants has been submitted to the Grants Center for CRP/eFacts checks in preparation for a recommendation package. Staff is reviewing progress reports from 2011 grant projects. Reimbursement requests are being submitted as compliance items are verified.

Outreach

Environmental Education outreach activities include the following:

- October 7th Energy conservation/audit program for Girl Scout Group EE Center
- October 8th Energy conservation hands on exhibits for youth and general public at Energy Fair
Ohiopyle Community Center

Workshops Conferences and Board Meetings

October 13th Pathways to Green Schools meeting with PDE - DEP is one of many agency partners in promoting and supporting green technologies in K-12 schools.

Upcoming Outreach Events

October 25th Teacher workshop at the Tom Ridge Education Center Erie The Director will do an EE grants writing workshop.

Other EE Initiatives

- The EE Director is working with the Pa Department of Education (PDE) to continue a 25 year partnership through an MOU designed to integrate DEP initiatives into K-12 education. The MOU has been fully executed.
- The EE Director is working with the Susquehanna River School/Pride of the Susquehanna Riverboat to explore partnering opportunities in delivering watershed education programming to students and educators.

The Director is working with other agencies and organizations to enhance career opportunities through the Governor's Science, Technology, Engineering and Math (STEM) initiative. The STEM initiative meshes well with DEP's alternative energy technologies related programs. This initiative has been augmented by the new Greening of Pennsylvania's Labor Market initiative with ARRA funding through L&I. DEP's Director of EE is involved regularly with the Pennsylvania Center for Environmental Education (PCEE) as Board Chair. PCEE is located in Slippery Rock, PA and is funded and administered by the State System of

Higher Education. The center serves as a clearing house and resource tool for formal and non-formal educators throughout the state. The Environmental Education and Information Center is developing a Trout in the Classroom exhibit in the Center. Brook trout will be on display in the Center as they are raised from eggs to fingerlings to adults, then released in the spring.

Green Schools

Jack Farster is working with PDE and other agencies on the green schools initiatives. The federal Green Ribbon Schools Program is the focal point of this initiative. Schools applying for Green Ribbon status will be recognized nationally. A total of 40 schools have applied for exemplary recognition. The director will be involved in the review process.

Falcon Outreach/Education

CMS is coordinating the purchasing and installation of equipment to upgrade the falcon cam web broadcast

The first eggs were recently laid. This generates a great deal of interest from web viewers. The director will respond to many email requests for information and updated information will be posted more frequently. The new camera system has been purchased and paid for. The director will work with CMS and their vendor to schedule the installation. The work should be completed in August or September when the fledglings have dispersed from the area.

DEP Regulations and Proposals Recently Finalized

PA Bulletin Publication Date	Proposals or Regulations
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Office of Program Integration

Project Syllabus

The Department is examining in detail its permitting process and will be making improvements to our decision making process. Fundamentally, the objective is to look both inward and outward to identify opportunities for improvements to the process that improve consistency and efficiency in decision making while improving the quality of submissions to the agency. Likely outcomes will be improved and updated guidance documents, revised permit forms, strict adherence to policies relating to deficient applications and a push towards electronic permitting. Initial recommendations are currently being developed and will be provided to the Secretary later this spring. Implementation of initial recommendations should be expected in late summer or early fall.