

October 2015 Report to the Citizens Advisory Council
(new and updated information in italics)

DEP Highlights

Proposed Rulemaking – Chapter 78, Subchapter C (relating to oil and gas surface activities)

DEP presented the proposed Chapter 78, Subchapter C regulations to the EQB on August 27, 2013, who adopted the proposal for public comment. The 90-day public comment period, including nine public hearings, closed on March 14, 2014; about 24,000 comments were received. Of those comments, over 1,100 represented individual comments and the balance were submitted to DEP as form letters. IRRC submitted a 19-page comment letter to DEP on April 14, 2014, formally closing the comment period. DEP presented a summary of the comments received at the June 26, 2014, Oil and Gas Technical Advisory Board (TAB) meeting. Video of the meeting is available on the DEP YouTube Channel and the webinar is available on DEP's webinar page.

On July 10, 2014, former Governor Corbett signed into law Act 126 of 2014 (relating to omnibus Fiscal Code amendments). Act 126 contained the following provision:

Section 1741.1-E. Environmental Quality Board.

- (a) Regulations.--From funds appropriated to the Environmental Quality Board, the board shall promulgate proposed regulations and regulations under 58 Pa.C.S. (relating to oil and gas) or other laws of this Commonwealth relating to conventional oil and gas wells separately from proposed regulations and regulations relating to unconventional gas wells. All regulations under 58 Pa. C.S. shall differentiate between conventional oil and gas wells and unconventional gas wells. Regulations promulgated under this section shall apply to regulations promulgated on or after the effective date of this section.

As a result of this statutory change, DEP determined that the Subchapter C rulemaking process could continue, but that the regulations would be completely bifurcated on final rulemaking. The regulatory provisions applicable to conventional wells will be retained in the existing Chapter 78 and a new regulatory Chapter 78a will be created that is applicable to unconventional wells. No regulatory language outside of the scope of the proposed rulemaking will be altered as a result of this change (for example, the well drilling, operation and plugging requirements contained in Chapter 78, Subchapter D will be included, as appropriate, in both the conventional and unconventional Chapters).

On September 25, 2014, DEP presented the two individual chapters of the bifurcated proposed rulemaking to the members of TAB and discussed the pertinent aspects of the proposed rulemaking. The TAB meeting was conducted via a webinar in order to provide a greater opportunity for public participation; the webinar is available on DEP's webinar page. The bifurcated rulemaking was a first step toward placing the proposed regulatory language into a form that could be further adjusted to address public comments.

DEP determined it was necessary to utilize the Advanced Notice of Final Rulemaking (ANFR) process to take additional public comment on the draft changes included in the final rulemaking. DEP presented an overview of the proposed ANFR to TAB and the Conventional Oil and Gas Advisory Committee (COGAC) on March 20 and March 26, 2015, respectively.

On Saturday, April 4, DEP published notice of the Advance Notice of Final Rulemaking for revisions to the rulemaking in the *Pennsylvania Bulletin*, opening an additional 30-day public comment period.

On April 6, DEP announced extension of the public comment period by an additional 15 days to close on May 19, and the addition of three public hearings on April 29 (Washington), April 30 (Warren), and May 4 (Williamsport).

During the ANFR comment period, the Department received a total of 4,947 comments from 4,601 commentators. Of the comments received, 4,516 were form letters (10 different form letters), 129 were provided via testimony at public hearings, and 302 were unique comments. Department staff is in the process of preparing responses to all comments received for the proposed rulemaking and ANFR.

DEP presented an overview of the draft final rulemaking to COGAC and TAB on August 27 and September 2, 2015, respectively. *Following these advisory committee meetings, DEP hosted a public webinar session on Friday, September 18 with members of COGAC and TAB to further discuss several issues that were raised during the most recent advisory board meetings. An audiotape of this webinar along with the document that was the subject of the discussion is posted on the DEP website under the Public Participation page.* The draft final rulemaking is scheduled to be presented to TAB and COGAC on October 27 and October 29, respectively. After this, the final rulemaking will be presented to the Environmental Quality Board (EQB) on January 19, 2016.

Increasing Transparency in the Policy Process

As part of DEP's efforts to be more open and transparent in the policy development and review process, DEP has substantially revised its Policy for the Development and Publication of Technical Guidance. On Saturday, May 30, 2015, DEP published notice of availability of the Interim Final policy in the *Pennsylvania Bulletin*, opening a 45-day public comment period that closed on July 14, 2015. DEP received comments from: CAC, the Marcellus Shale Coalition, and Pennsylvania Aggregates & Concrete Association. Staff are currently preparing a comment and response document and working on finalizing the document. Issuance as Interim Final means that DEP staff should implement the changed process while public comment is accepted. Revisions to the policy: (1) enhance participation and transparency in the development of policies and technical guidance documents (TGDs) by requiring increased advisory committee involvement; (2) provide clarity to DEP staff about the procedures for development of these documents, and (3) remove outdated information and update existing information.

In tandem with the publication of the revised guidance, DEP launched eComment, a new online public comment system for policies, TGDs, general permits, SIP revisions, and other reports. eComment is accessible via the Public Participation portion of the DEP website, or at www.ahs.dep.pa.gov/eComment/. eComment enables users to: (1) view TGDs and other documents open for public comment; (2) link to the full text of the document on the eLibrary and to the *Pennsylvania Bulletin* notice; (3) submit comments electronically; and (3) view comments submitted by others. All comments received will be available publicly within 5 business days of receipt, and they will remain posted until documents are finalized.

As requested by CAC, DEP developed the new DEP Non-Regulatory Agenda as part of the efforts to enhance public participation and transparency. In keeping with the format of the Regulatory Agenda, the Non-Regulatory Agenda outlines policies and technical guidance documents that are planned for updates over the next year. Notice of availability of the first Non-Regulatory Agenda (Agenda) was published in the *Pennsylvania Bulletin* on Saturday, June 27. The Agenda is available on the Public Participation Center of DEP's website at www.dep.state.pa.us (Select "Public Participation Center," "Public Comments," "Technical Guidance").

Policy Office staff conducted trainings/webinars for both Central and Regional Office staff, as well as external stakeholders about the changes to the policy and eComment throughout June. Additional internal and external webinars and trainings for the Policy for the Development and Publication of Technical Guidance will be held after the policy is finalized.

Federal Regulations

Recently Submitted DEP Comments

None to report.

Regulations Planned for DEP Comment

Stream Protection Rule: The Office of Surface Mining Reclamation and Enforcement (OSMRE or OSM) is proposing to revise regulations to improve the balance between environmental protection and the Nation's need for coal as a source of energy. This proposed rule aims to better protect streams, fish, wildlife, and related environmental values from the adverse impacts of surface coal mining operations and provide mine operators with a regulatory framework to avoid water pollution and the long-term costs associated with water treatment. The proposed changes would apply to both surface mines and the surface effects of underground mines. DEP's Active and Abandoned Mine Operations Deputate, coordinating with DEP's Water Management Deputate, plans to provide comment on this rule. Given the length and complexity of the rule, DEP has requested an extension of the comment period, which *was initially* scheduled to close on September 25, 2015. *OSM granted a 30-day extension. The public comment period now closes on October 26, 2015.*

Oil and Natural Gas Sector: Emission Standards for New and Modified Sources: The EPA proposes to amend the new source performance standards (NSPS) for the oil and natural gas source category by setting standards for both methane and volatile organic compounds (VOC) for certain equipment, processes and activities across this source category. Specifically, EPA is proposing both methane and VOC standards for several emission sources not currently covered by the NSPS (i.e., hydraulically fractured oil well completions, fugitive emissions from well sites and compressor stations, and pneumatic pumps). In addition, EPA is proposing methane standards for certain emission sources (i.e., hydraulically fractured gas well completions, equipment leaks at natural gas processing plants) *that are currently regulated for VOC emissions.* The proposed amendments would establish methane standards for this equipment across the source category and extend the current VOC standards to the remaining unregulated equipment. Lastly, amendments to the current NSPS are being proposed that improve implementation of several aspects of the current standards. *The proposed rulemaking was published in the Federal Register on September 28, 2015(80 FR 56593). DEP provided testimony during EPA's public hearing in Pittsburgh on September 29, 2015. The public comment period will close on November 17, 2015. DEP intends to submit written comments to EPA on the proposal.*

Request for Scientific Views: Draft Recommended Aquatic Life Ambient Water Quality Chronic Criterion for Selenium -- Freshwater 2015: The EPA *opened* the comment period for the Agency's draft recommended aquatic life water quality chronic criterion for selenium in freshwater. EPA released a previous draft entitled “ External Peer Review Draft Aquatic Life Ambient Water Quality Criterion for Selenium–Freshwater, 2014” for public comment on May 14, 2014. EPA received scientific views from the public and stakeholders, and convened a contractor-led expert external peer review. EPA considered the results from the expert peer review and scientific views and comments from the public and stakeholders to develop the current draft document, which is now available for comment. Following closure of this public comment period, EPA will consider scientific views from the public on this draft document as well as any new data or information received. *DEP's Water Management Deputate provided comments on September 25, 2015. DEP regulation in Chapter 93, Table 5 currently has a chronic selenium criterion for 4.6 ug/L for the protection of aquatic life. The proposed selenium criterion for lotic (flowing) waters is 3.1 ug/L, which is slightly more stringent than our current criterion. DEP recommended that EPA release a technical guidance document concurrent with the final*

selenium criterion; that they provide detailed guidance on how to determine the steady state of a water body; that they simplify the conversion required to calculate the water column concentrations for fish tissue; and that they confirm the approval of the newly recommended criteria for selenium with U.S. Fish and Wildlife Service.

Regulatory Update (detailed summaries included in respective program sections)

Pre-Draft Proposed Rulemakings

- Noncoal Mining Program Fees (25 Pa. Code Chapter 77) - Program drafting regulatory language and working with Aggregate Advisory Board.
- Coal Mining Program Fees (25 Pa. Code Chapter 86) – Program developing regulatory language and working with Mining Reclamation Advisory Board
- Control of VOC Emissions from Gasoline Dispensing Facilities (Stage II)(25 Pa. Code § 129.82)– Program drafting regulatory language.
- Underground Coal Mine Safety: Proximity Rule (25 Pa. Code Chapter 208) – Program working on developing draft regulatory language with the Board of Coal Mine Safety.
- Underground Coal Mine Safety: Performance-Based Cable Safety Requirements (25 Pa. Code Chapter 208) – Program working on developing draft regulatory language with the Board of Coal Mine Safety.

Draft Proposed Rulemakings

- Control of VOC Emissions from Industrial Cleaning Solvents (25 Pa. Code Chapters 121 and 129) – Planned for EQB consideration in late 2015/early 2016.
- Disinfection Requirements Rule (25 Pa. Code Chapter 109) – Discussed with Small Water Systems TAC Board on May 18 and 26, and June 16 and 30. Tentatively planned for EQB consideration in the fourth quarter of 2015.
- Safe Drinking Water General Update (25 Pa. Code Chapter 109) – Rulemaking package under further development.
- Radiological Health (25 Pa. Code Chapters 215-230 and 240) – Planned for EQB consideration in the fourth quarter of 2015.
- Radiation Protection Program Fees (25 Pa. Code Chapter 215) – Tentatively planned for EQB consideration in the fourth quarter of 2015.
- Unsuitable for Mining; Big Run and Willholm Run Watersheds (25 Pa. Code Chapter 86) – Planned for EQB consideration in early 2016
- Environmental Laboratory Accreditation Fee Amendments (25 Pa. Code Chapter 252) – Planned for EQB consideration in 2016.
- Class A Stream Redesignation (25 Pa. Code Chapter 93) – Tentatively planned for EQB consideration in the fourth quarter of 2015.

Proposed Rulemakings

- *Handling and Use of Explosives (25 Pa. Code Chapters 210 and 211) – Approved by the EQB September 15, 2015.*
- Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations (25 Pa. Code Chapter 129) – Adopted as proposed by the EQB at its

April 21 meeting. Published in the Pennsylvania Bulletin on August 8, 2015, opening the public comment period. Three public hearings *were held on* September 8, 9, and 10 (Norristown, Harrisburg, Pittsburgh). *No one provided testimony on the proposal.* Public comment period ends October 13.

- Remining Requirements (25 Pa. Code Chapters 86 and 88) – Discussed with MRAB October 2014. Adopted by EQB as proposed at its May 20 meeting. *Published in the Pennsylvania Bulletin October 3, 2015. Public comment period closes November 2, 2015.*
- Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings (25 Pa. Code Chapter 129) – Adopted as proposed by the EQB at its October 21, 2014 meeting. Published in the Pennsylvania Bulletin on August 8, 2015, opening the public comment period. Three public hearings *were held on* September 8, 9, and 10 (Norristown, Harrisburg, Pittsburgh). Public comment period ends October 13.
- Revised Total Coliform Rule (25 Pa. Code Chapter 109) – Adopted as modified by EQB its April 21 meeting. Discussed with the Small Water Systems Technical Assistance Center (TAC) Board at its April 30 meeting. As a result, rulemaking *was* split into three parts: the first covers the Federal Revised Total Coliform Rule and will move forward as modified; the second includes provisions for disinfectant *requirements*; and the third encompasses a general update to Chapter 109. The latter two rulemakings are moving through the rulemaking process separately from the RTRC. *Published in the PA Bulletin October 3, 2015. Two public hearings scheduled for 1pm on November 3 (New Stanton) and November 5 (Norristown). Public comment period closes December 1, 2015.*

Draft Final Rulemakings

- Environmental Protection Performance Standards at Oil and Gas Well Sites (25 Pa. Code Chapter 78) – Rulemaking has been split into two parts: Chapter 78 applies to conventional wells and Chapter 78a applies to unconventional wells. Advanced Notice of Final Rulemaking (ANFR) was developed for this rule. ANFR language discussed at the March 20, Oil and Gas Technical Advisory Board (TAB) meeting and the March 26, Conventional Oil and Gas Advisory Committee (COGAC) meeting. ANFR published in April 4, *Pennsylvania Bulletin*, opening 30-day public comment period. On April 18, published notice of 15-day public comment period extension and addition of three public hearings. Public comment period closed May 19; COGAC meeting held August 27 and Oil and Gas TAB meeting held on September 2 to discuss Draft Final Rule. TAB meeting and COGAC meeting will be held on October 27 and October 29, respectively, to consider the Draft Final Rule.
- Administration of Land Recycling Program (25 Pa. Code Chapter 250) – Published in the *Pennsylvania Bulletin* on May 17, 2014. Comment period closed June 17, 2014. Two comments received. IRRC comments received July 17, 2014. Draft final-form Annex presented to Cleanup Standards Scientific Advisory Board December 17, 2014. Rulemaking package currently under review.
- Additional RACT Requirements for Major Sources of NO_x and VOCs (25 Pa. Code Chapters 121 and 129) – Public comment period closed June 30, 2014. IRRC comments received July 30, 2014; program is drafting the comment/response document and the final rulemaking package. A draft final-form Annex was presented to the Air Quality Technical Advisory Committee (AQTAC) for consideration at a special meeting held November 7, 2014, and to the Small Business Citizens Advisory Council (SBCAC) on January 28. An update on the revised draft final-form RACT II rulemaking was provided to AQTAC at its April 16 meeting. *On September 15, 2015, the CAC voted unanimously to forward the final rulemaking to the Board with several recommendations. The EQB will consider the final-form regulation on October 20, 2015.*

Final Form Rulemakings

- *Security Rule for Radioactive Material (25 Pa. Code Chapter 215) – Adopted as proposed by the EQB at its October 21, 2014 meeting. Published in the Pennsylvania Bulletin on March 21. Public comment period closed April 20; no comments received. IRRC letter received May 20. Approved by the EQB September 15, 2015.*
- *Control of VOC Emissions from Fiberglass Boat Manufacturing Materials (25 Pa. Code Chapter 129) – Public comment period closed September 22, 2014. Three hearings held August 19 (Pittsburgh), August 20 (Norristown), and August 21, 2014 (Harrisburg). IRRC comments received October 22, 2014; program is drafting the comment-response document and final rulemaking package. A draft final-form Annex was presented to the Air Quality Technical Advisory Committee (AQTAC) for consideration at a special meeting held November 7, 2014, and to the Small Business Citizens Advisory Council (SBCAC) on January 28. A conference call was held with CAC’s Policy and Regulatory Oversight Committee on February 20; CAC endorsed the regulation at its March 17 meeting. The final-form regulation was adopted by the EQB at its May 20 meeting. Scheduled for consideration by IRRC on October 22, 2015.*
- *Standards for Surface Facilities (25 Pa. Code Chapter 208) – Public comment period closed on September 2, 2014. IRRC comments received October 2, 2014; the final rulemaking package is under review. Approved by the Board of Coal Mine Safety at its June 23 meeting. Scheduled for consideration by the Independent Regulatory Review Commission (IRRC) on October 22, 2015.*

Petitions

- *Hosensack Creek Watershed – Accepted for study by EQB at its April 21 meeting; notice of acceptance of petition for further study published in Pennsylvania Bulletin May 2. Currently under evaluation by DEP.*
- *Browns Creek Watershed – Accepted for study by EQB at its April 21 meeting; notice of acceptance of petition for further study published in Pennsylvania Bulletin May 2. Currently under evaluation by DEP.*
- *Stony Run Watershed – Accepted for study by EQB at its February 18, 2014 meeting; notice of acceptance of petition for further study published in May 3, 2014 edition of the Pennsylvania Bulletin. Currently under evaluation.*
- *Clearfield Creek Watershed (Three Petitions: Killbuck Run, Wyerough Run, and Beaverdam Run) – Approved for further evaluation by the EQB at its May 21, 2014 meeting. Currently under evaluation.*
- *Beaver Creek – Accepted for study by EQB at its August 19, 2014 meeting; notice of acceptance of petition for further study published in August 30, 2014 edition of the Pennsylvania Bulletin. Currently under evaluation. Letter in support of Redesignation received January 27 from the Delaware Riverkeeper Network.*
- *Upper Paradise Creek – Accepted for study by EQB at its August 19, 2014 meeting; notice of acceptance of petition for further study published in August 30, 2014 edition of the Pennsylvania Bulletin. Currently under evaluation.*

Proposals Open for Public Comment

- *Proposed Rulemaking: Remining Requirements (Opened 10/3/2015, Closes 11/2/2015)*
- *Proposed Rulemaking: Revised Total Coliform Rule (Opened 10/3/2015, Closes 12/1/2015)*
- *Draft Assessment and Listing Methodology: Nutrient Impact Assessment Protocol for Wadeable Streams (Opened 10/3/2015, Closes 11/17/2015)*
- *Draft Assessment and Listing Methodology: Lake Assessment Protocol (Opened 10/3/2015, Closes 11/17/2015)*

- *Draft Assessment and Listing Methodology: Aquatic Macrophyte Coverage Procedures for Lake Assessments (Opened 10/3/2015, Closes 11/17/2015)*
- *Draft Assessment and Listing Methodology: Quantitative Plankton Sampling Method for Lakes (Opened 10/3/2015, Closes 11/17/2015)*
- *Draft Assessment and Listing Methodology: Chlorophyll A Sampling Method for Lakes (Opened 10/3/2015, Closes 11/17/2015)*
- *Draft Assessment and Listing Methodology: Recreational Use Assessment Methodology Bacteriological Sampling Protocol (Opened 10/3/2015, Closes 11/17/2015)*
- *Draft Assessment and Listing Methodology: Cause and Effect Survey Protocol (Opened 10/3/2015, Closes 11/17/2015)*
- Proposed Rulemaking: Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings (Opened 8/8/2015, Closes 10/13/2015)
- *Pennsylvania's Path to Compliance with EPA's Final Rule for Carbon Pollution Emissions Guidelines for Existing Sources: EGUs (Clean Power Plan) (Opened 9/3/2015, Closes 11/12/2015)*
- 2015 Pennsylvania Climate Impacts Assessment Update (Opened 8/27/2015, Closes 11/4/2015)
- *Nutrient Credit Trading Program Certification Request: Energy Works, Adams County; CAFO layer manure from Hillendale Farms (Opened 9/26/2015, Closes 10/26,2016)*
- Modification of Residual Waste General Permit WMGR052 (Opened 8/15/2015, Closes 10/14/2015)
- Proposed Rulemaking: Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings (Opened 8/8/2015, Closes 10/13/2015)
- Proposed Rulemaking: Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations (Opened 8/8/2015, Closes 10/13/2015)

Recently Closed Comment Periods (September 2015)

- Nutrient Credit Trading Program Certification Request (Inter-Basin): Greencastle (Franklin County), for nutrient credits generated in the Potomac River Basin for use in the Susquehanna River Basin (opened 9/12/2015, closed 9/30/2015)
- Nutrient Credit Trading Program Certification Request: Unlimited Renewables (Lancaster County), CAFO layer manure from Esbenshade and Kreider farms (Opened 8/29/2015, Closed 9/28/2015)
- Draft Land Recycling Program Technical Guidance Manual for Vapor Intrusion into Buildings from Groundwater and Soil under Act 2 (Opened 7/25/2015, Closes 9/23/2015)
- Proposed SIP Revision: 2011 Base Year Inventory for the Allentown-Bethlehem-Easton, Lanc, Phila-Wilmington-AC, Pitt-Beaver Valley, and Reading for the 2008 8-Hour Ozone NAAQS (Opened 8/22/2015, Closed 9/21/2015)
- Draft Reclamation Fee Fiscal Year Report (2014-2015) (Opened 8/22/2015, Closed 9/14/2015)
- Nutrient Credit Trading Program Certification Request: Lycoming Conservation District (Lycoming County) on behalf of Jim McCoy Farms (Opened 8/1/2015, Closes 9/11/2015)
- Nutrient Credit Trading Program Certification Request: Lycoming Conservation District (Lycoming County) on behalf of Harry Rogers (Opened 8/1/2015, Closes 9/11/2015)
- Nutrient Credit Trading Program Certification Request: Lycoming Conservation District (Columbia County) on behalf of GNH Farms (Opened 8/1/2015, Closes 9/11/2015)
- Nutrient Credit Trading Program Certification Request: Lycoming Conservation District (Sullivan County) on behalf Lambert Farms (Opened 8/1/2015, Closes 9/11/2015)
- Nutrient Credit Trading Program Certification Request: Lycoming Conservation District (Lycoming and Tioga County) on behalf of Bishcroft Farms (Opened 8/1/2015, Closes 9/11/2015)

- Nutrient Credit Trading Program Certification Request: Lycoming Conservation District (Clinton County) on behalf of Schrack Farms (Opened 8/1/2015, Closes 9/11/2015)
- Radiation Protection Compliance & Enforcement Guidance (Opened 7/25/2015, Closed 9/8/2015)
- Federal Consistency Under the Coastal Zone Management Act: Boat Lift on Niagara Pier, Presque Isle Bay, Lake Erie (Opened 8/15/2015, Closed 8/31/2015)

Monthly Press Releases (All New, not Italicized)

September 2015 Press Releases

September 1 – Mosquito Spraying Set for Lackawanna County on September 3

Mosquito Spraying Set for Montgomery County on September 3

September 2 – DEP Issues Code Orange Air Quality Action Day Forecast for September 3 for the Philadelphia Area

September 3 – DEP to Hold 14 Listening Sessions on the Clean Power Plan

September 9 – Lake Erie Cleanup Seeks Volunteers to Clean Up Shoreline

September 10 – DEP to Update the Public on Lackawanna County Mine Fire Project

September 11 – Mosquito Spraying Set for Luzerne County on September 14

September 16 – DEP Issues Code Orange Air Quality Action Day Forecast for September 17 for the Susquehanna Valley and Philadelphia Area

DEP Reaches Penalty Agreement with Research Laboratory REI Consultants

September 17 – DEP Issues Code Orange Air Quality Action Day Forecast for September 18 for the Lehigh and Susquehanna Valleys and the Philadelphia area

DEP Grants Air Quality Plan Approval for Natural Gas-Fired Power Plant in Luzerne County

ADVISORY – DEP to Hold Webinar on Oil and Gas Drilling Regulations

September 18 – DEP Reaches Settlement with Northampton County Company for Air Quality Violations

September 21 – ADVISORY – JOHNSTOWN & WAYNESBURG – DEP to Hold Listening Sessions on Clean Power Plan

DEP Reminds Homeowners to Maintain Septic Systems

September 22 – ADVISORY – HARRISBURG – Secretary Quigley to Convene Third Meeting of Governor Wolf's Pipeline Infrastructure Taskforce

DEP to Host Public Hearing on Falls Township Waste Facility

September 23 – DEP Reminds Pennsylvanians to Maintain Home Heating Oil Tanks

September 24 – Pennsylvania Department of Environmental Protection Has Immediate Employment Opportunities in the Mining Program

DEP Revokes Accreditation for Southeast PA Laboratory

September 25 – DEP to Host Public Hearing on Use of Emission Reduction Credits at York County Energy Plant

September 29 – DEP’s Rich Beam Wins National Teaching Award

ADVISORY – PHILADELPHIA & MARCUS HOOK – DEP to Hold Listening Sessions on Clean Power Plan

September 30 – ADVISORY – DEP Announces Free Chemical Management Webinar for Schoolteachers and Administrators

DEP Update on Chemical Release into Water Supply in Potter County

DEP Announces Regional Keystone Energy Education Program Workshop in Philadelphia

DEP Offers Municipal LED Street Lighting Workshops for FirstEnergy Customers

Active and Abandoned Mine Operations

Federal Proposed Stream Protection Rulemaking

On July 27, OSM published a substantial revision to the coal mining regulations relating to the protection of streams. The scope of the rule is extensive. Many new additional requirements are proposed, including, for example, site-specific continuous precipitation data for every mine site. The comment period for the proposed rulemaking *was originally scheduled to end September 25, but has been extended to October 26*. The Department is evaluating the rule and expects to submit comments.

Act 54 Report Review

The Bureau of Mining Programs is working with the California District Mining Office to systematically review the Act 54 report. This process will involve review of the report and the comments relating to the report. The goal is to compile and evaluate all of the recommendations and identify action items. Discussions have identified a few categories of actions items. These include issues that have been addressed, but so recently that they could not be reflected in the Act 54 report, short-term actions, such as form revisions, and longer-term actions including database enhancements. The Department has received the CAC comments and will work with the Council to address their concerns.

Noncoal and Coal Mining Fees

The 3-year reports for noncoal mining fees in Chapter 77 and coal mining fees in Chapter 86 are due in October and November of this year. The draft report for coal mining fees was reviewed with the Mining and Reclamation Advisory Board (MRAB) on April 23 and the draft report for the noncoal mining fees was reviewed with the Aggregate Advisory Board on May 13. The fee reports were presented to the EQB at its May 20 meeting. The Department will be engaging with the Aggregate Advisory Board for the noncoal mining fees. *The Department met with the AAB Regulation, Technical and Legislation committee on September 22 to review information that had been requested by the PA Aggregate and Concrete Association. Another committee meeting will be scheduled.*

Aggregate Advisory Board

The Aggregate Advisory Board was established by Act 137 of 2014. The first meeting of this board was held on May 13. The members identified topics for the Department to provide information on at future meetings. The primary focus of the topics is the Noncoal Surface Mining Conservation and Reclamation Fund, from the perspective of revenue, expenses and reclamation liabilities for abandoned mine sites. The second meeting was held on August 12. The next meeting has been scheduled for November 10.

Final Rulemaking – Land Reclamation Financial Guarantees and Bioenergy Crop Bonding

This rulemaking implements Acts 95 and 157 of 2012, which provide an incentive for the reclamation of coal mine sites with bioenergy crops and establish the Land Reclamation Financial Guarantee Program, respectively. The rulemaking will provide the ground rules for implementing the biofuels incentive. Act 95 allows for reclamation bond coverage for operators who re-mine and reclaim the area with biofuel crops for no cost. The regulation also will provide the framework for bonding assistance underwritten by existing Commonwealth funds and premiums paid by the operators. Act 157 specifically requires that EQB promulgate regulations to implement the Land Reclamation Financial Guarantee program. The regulations will establish eligibility requirements, program limits and operational standards. The rulemaking also includes amendments to Chapters 77, 87, 88, 89, 90 and 211 that are exclusively related to the correction of the citation for the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1- 1396.19b) due to the addition of section 19.2 in Act 157. Numerous corrections are also included in Chapter 86.

Approval to initiate the rulemaking process was received in April 2013. An initial draft of the rulemaking was prepared to review with the MRAB and a series of meetings with the Regulation, Legislative and Technical committee of the MRAB were held. The proposed rule was reviewed by the MRAB on October 24, 2013. The MRAB recommended that DEP proceed to EQB with the rulemaking package. The proposed rulemaking was approved by EQB at its July 15, 2014 meeting and published for comment in the October 25, 2014 edition of the *Pennsylvania Bulletin*. Comments were received from three public commenters and the Independent Regulatory Review Commission. Minor revisions to the proposed rulemaking were required as a result of the comments. Draft final regulatory language was presented to the MRAB at its January 22 meeting. The MRAB recommended that DEP pursue the final rulemaking as quickly as possible. The rulemaking was approved at the April 21 EQB meeting. The final rule was published on August 22. *Implementation of the regulations has gone smoothly.*

Other Coal Mining Program Rulemakings

Preliminary discussion is underway for rulemaking packages relating to surface coal mining water supply replacement, remining and water quality, and general coal mining program improvements. Staff met with the MRAB's Regulation, Legislative and Technical Committee on November 25, 2014, to discuss the coal mining program improvements rulemaking. The MRAB committee expressed the concern that it may be premature to proceed, specifically relating to the definition of surface mining activities, since there is litigation related to this underway in the federal system. The proposed remining rulemaking was reviewed by the MRAB at their meeting on October 23, 2014. The MRAB recommended that DEP proceed with the rulemaking process for the remining regulations. The EQB adopted the proposed remining rulemaking at its meeting on May 20. The water supply replacement rulemaking will be deferred until the remining and program improvement packages are completed due to priorities identified by MRAB. The proposed rulemaking for the explosives program was

reviewed with the MRAB and the Aggregate Advisory Board. Each recommended that the Department proceed with the rulemaking process. It is anticipated that the proposed rulemaking will be presented to the EQB in the fourth quarter of 2015.

Proposed Rulemaking – Areas Unsuitable for Surface Mining, Big Run and Willholm Run Watersheds, Clearfield County

Graham Township was the petitioner for the unsuitable for mining designation. As a result of the formal petition, a comprehensive technical evaluation of the area was done which yielded the result the area within the Big Run and Willholm drainage be designated as unsuitable for mining operations. The regulation proposes to amend 25 PA Code, Chapter 86, Section 86.130 to add paragraph (b)(19) to achieve the designation within the noted watersheds which includes the Mercer, Lower Kittanning, and Clarion #1,#2, and #3 coals. DEP does not anticipate any controversy or opposition with this proposal. This proposal was reviewed by the MRAB in April. It is expected to move forward to be presented to the EQB at a meeting later this year.

NPDES Permitting for Mine Sites

The Mining Program continues to work with EPA to implement NPDES permitting and compliance improvements. The focus has shifted from developing tools (e.g. TGD, SOP, Permit Document and Inspection Report) to deploying the tools. EPA is working with the Mining Program to identify the parameters of further interaction between the agencies. A two-year work plan has been drafted. A checklist that would eventually provide an alternative to submission of draft permits is under discussion; some progress has been made in identifying the content of the checklist, but a final draft has not yet been prepared. Monthly calls with EPA to discuss program issues have been reinstated. A number of workgroups are being established to address on-going issues. One of the workgroups will be evaluating the best way to integrate remining in TMDL watersheds. EPA has recently identified an example of a draft permit and fact sheet that provided them with the information they needed in a very clear and concise manner.

Guidance Document Revisions

The Bureau of Mining Programs is systematically reviewing the library of Technical Guidance Documents (TGDs) to identify all of the documents which require changes. The following TGDs are under active development:

Use of Reclamation Fill at Active Noncoal Sites (563-2000-301): This TGD describes the process of and conditions in which DEP may permit the use of certain fill materials (deemed “Reclamation Fill”) obtained from an off-site source in the reclamation plan of an active noncoal mine site. It was originally published as final at the end of 2013. The PA Aggregates and Concrete Association (PACA) pointed out some discrepancies after this final publication. The Mining Program actively engaged PACA to address their concerns, resulting in a major revision to the guidance. This revision was published in the *Pennsylvania Bulletin* on December 27, 2014, and DEP accepted comments on the revision until January 26. This guidance will replace the existing qualifications for reclamation fill to be consistent with the environmental clean-up standards of Chapter 250. The Comment-Response document has been finalized and minor revisions have been made to the guidance as a result of comments. The final guidance and Comment-Response has been routed for final publication, *but will be reviewed with the Aggregate Advisory Board at their November 10 meeting before being published.*

Guidelines for the Beneficial Use of Coal Ash at Coal Mines (563-2112-228): This guidance explains new requirements for the beneficial use of coal ash under the provisions of Chapter 290, including clarification of the implementation of new requirements in the areas of water monitoring, ash quality monitoring and certification of coal ash sources. Revisions to this TGD were published in the *Pennsylvania Bulletin* on December 13, 2014; the comment period closed on January 13. Comments were received from one commentator. No substantive changes will result from the comments.

Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities (563-2112-115): This guidance provides direction in establishing effluent limits for NPDES permits associated with mining activities to ensure timely and compliant point source permitting. It was revised in consultation with US EPA. The revisions were published in the *Pennsylvania Bulletin* on December 27, 2014 and DEP accepted comments until January 26. No changes are necessary as a result of the comments.

Blaster's License Suspension and Revocation Procedure (562-2402-501): This TGD describes the procedures for the suspension, modification or revocation of blaster's licenses and/or penalty assessment actions; it was substantially revised to be more transparent and provide new procedures for these actions. The substantive revisions were published in the *Pennsylvania Bulletin* on May 5, 2014 and DEP accepted comments until July 7, 2014. Comments are being reviewed, a comment response document is being developed, and changes will be made to the TGD where necessary.

In addition, the Engineering Manual for mining has been revised with input from PACA and the Pennsylvania Coal Alliance. It is anticipated that the Engineering manual will be published for comment in *October*.

Board of Coal Mine Safety (BCMS)

Draft Rulemaking: Proximity Detection Systems for Continuous Mining Machines – The Mine Safety and Health Administration (MSHA) had issued a final rule on proximity detection systems for continuous mining machines in underground coal mines earlier this year. The MSHA rule excludes except full-face continuous mining machines. Miners working in the vicinity of continuous mining machines are at risk of pinning, crushing, and striking hazards. This rule provides for greater protection for miners regarding these hazards. The rule had been distributed to the Board for review prior to their June meeting. At the June meeting the Board directed DEP to draft initial regulatory language to incorporate the MSHA rule on proximity detection systems for continuous mining machines in underground coal mines into PA mine safety regulations.

Final Rulemaking: Standards for Surface Facilities – This proposed rulemaking will allow for the implementation of existing federal regulations that broadly relate to the surface work areas of underground bituminous coal mines and govern surface installations, thermal dryers, safeguards for mechanical equipment, electrical equipment, trailing cables, grounding, surface high-voltage distribution, low- and medium-voltage alternating currents, ground control, fire protection, maps, personnel hoisting, wire ropes, trolley wires and trolley feeder wires, and slope and shaft sinking. As a result, the existing federal regulations will become independently enforceable by the Commonwealth. Adopting these proposed regulations will ensure that surface operations at underground bituminous coal mine sites are safely conducted and maintained. Although underground bituminous coal mine operators are already required to comply with these regulations, implementing this proposed rulemaking will provide DEP with the independent authority to enforce the federal requirements. This will result in improved efficiency and enhanced autonomy for the Commonwealth. The rulemaking was adopted by the BCMS at its June 10, 2014, meeting. It was published for comment in the August 2 *Pennsylvania Bulletin*. No public comments were received. Two comments were received from IRRC on October 2, 2014, asking for language clarification. DEP legal staff addressed these points and the final

regulation package is completed. The Board approved the final rulemaking for standards for surface facilities at their June 23, 2015, meeting. *The draft rule has been delivered to the House and Senate Environmental Resources and Energy Committees and IRRC. It is tentatively scheduled for consideration by IRRC at its October 22, 2015 meeting.*

Air Quality

Climate Change Advisory Committee (CCAC)

Climate Change Advisory Committee; October 2nd, 10 a.m., 12th floor Conference Room, RCSOB

Air Quality Technical Advisory Committee (AQTAC)

Air Quality Technical Advisory Committee; October 8th, 9:15 a.m., Room 105, RCSOB

Air Quality Rulemaking Packages

Control of VOC Emissions from Fiberglass Boat Manufacturing Materials –The proposed rulemaking for fiberglass boat manufacturing materials would establish RACT as recommended in the applicable EPA Control Technique Guidelines (CTG) document. The EQB approved the proposed rulemaking for public comment at its May 21, 2014 meeting. The proposed rulemaking was published in the Pennsylvania Bulletin on July 19, 2014 (44 Pa.B. 4502). The public comment period closed September 22, 2014. The IRRC comment period closed October 22, 2014. On November 7, 2014, the AQTAC voted to support DEP’s recommendation to forward the draft final-form Annex to the EQB for consideration. The draft final-form Annex was discussed with members of the CAC Policy and Regulatory Oversight Committee on December 15, 2014. On January 28, the Small Business Compliance Advisory Committee voted to support DEP’s recommendation to forward the draft final-form Annex to the EQB for consideration. A follow-up conference call with CAC’s Policy and Regulatory Oversight Committee was held on February 20. The CAC endorsed the regulation during the March 17 meeting. The EQB unanimously adopted the final-form rulemaking at its May 20 meeting. *IRRC will consider the final rulemaking on October 22, 2015.*

Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Coating Processes and Pleasure Craft Surface Coatings – At the AQTAC meeting on February 20, 2014, the committee unanimously concurred with DEP’s recommendation to submit the proposed Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Coating Processes and Pleasure Craft Surface Coatings rulemaking to the EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA Control Technique Guideline (CTG) documents. On March 18, 2014, the CAC concurred with DEP’s recommendation to forward the proposed rulemaking to the EQB. The Small Business Compliance Advisory Committee (SBCAC) was briefed on the proposed rulemaking on April 23, 2014. The SBCAC voted unanimously to concur with DEP’s recommendation to forward the proposed rulemaking to the EQB for consideration with a recommendation that DEP consider flexibility for small businesses during the development of the proposed rulemaking. The EQB approved the proposed rulemaking for public review and comment at its October 21, 2014 meeting. The proposed rulemaking was published in Pennsylvania Bulletin on August 8, 2015, starting a 60-day public comment period (45 Pa. B. 4366). *EQB hearings were held September 8, 9, and 10, 2015, in Norristown, Harrisburg, and Pittsburgh, respectively. No testimony was presented at the hearings. The public comment period will end on October 13, 2015.*

Control of VOC Emissions from Industrial Cleaning Solvents – At its February 20, 2014 meeting, the AQTAC concurred with DEP’s recommendation to submit the proposed Control of VOC Emissions from Industrial Cleaning Solvents rulemaking to the EQB for consideration. The proposed rulemaking would establish RACT requirements for industrial cleaning solvents as recommended in the EPA CTG documents. The SBCAC was briefed on the proposed rulemaking on April 23, 2014. The SBCAC voted unanimously to concur with DEP’s recommendation to forward the proposed rulemaking to the EQB for consideration with a recommendation that

DEP consider flexibility for small businesses during the development of the proposed rulemaking. The CAC Policy and Regulatory Oversight Committee discussed this rulemaking during a conference call on May 6, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, on June 17, 2014, the CAC concurred with DEP's recommendation to forward the proposed rulemaking to the EQB. It is anticipated that the EQB will consider the proposed rulemaking in the fourth quarter of 2015.

Additional RACT Requirements for Major Sources of NO_x and VOCs – The proposed Reasonably Available Control Technology (RACT) rulemaking was approved by the EQB on November 19, 2013, and published for public comment in the Pennsylvania Bulletin (44 Pa.B. 2392) on April 19, 2014. Three public hearings were held May 27, 28 and 29, 2014. The public comment period closed on June 30, 2014. IRRC comments were received July 30, 2014. The total number of commentators is 134, including IRRC. By a vote of 11 to 5, the AQTAC voted to move to the EQB for consideration the RACT requirements at its November 7, 2014 meeting. The draft final-form Annex was discussed with the CAC Policy and Regulatory Oversight Committee on December 15, 2014, and the SBCAC on January 28. A follow-up conference call with the CAC's Policy and Regulatory Oversight Committee was held on February 20; the Committee voted unanimously to recommend EQB consideration of the RACT regulation by the full CAC on March 17. CAC tabled action on this proposal at the March 17 meeting. The draft final-form Annex was again discussed with AQTAC at its April 16 meeting. *On September 15, 2015, the CAC voted unanimously to forward the final rulemaking to the Board for action with several recommendations. The EQB will consider the final-form regulation on October 20, 2015.*

Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations – At its April 3, 2014 meeting, the AQTAC concurred with DEP's recommendation to submit the draft proposed rulemaking to EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA's CTG. The CAC's Policy and Regulatory Oversight Committee discussed this rulemaking with staff during a conference call on May 6, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, the CAC concurred with DEP's recommendation to forward the proposed rulemaking to the EQB on June 17, 2014. The EQB approved unanimously the proposed rulemaking for public comment and review at its April 21 meeting. The proposed rulemaking was published in Pennsylvania Bulletin on August 8, 2015, starting a 60-day public comment period (45 Pa. B. 4351). *EQB hearings were held September 8,9,10, 2015, in Norristown, Harrisburg, and Pittsburgh, respectively. No testimony was presented at the hearings. The public comment period will end on October 13, 2015.*

EPA Actions on Redesignation Requests and Maintenance Plans for the 1997 and 2006 PM_{2.5} National Ambient Air Quality Standards

Redesignation of the Johnstown Area to Attainment of the 1997 and 2006 PM_{2.5} Standards – On July 16, 2015, EPA approved Pennsylvania's request to redesignate the Johnstown nonattainment area to attainment for both the 1997 annual and the 2006 24-hour fine particulate matter (PM_{2.5}) NAAQS. EPA also approved as a revision to the Pennsylvania SIP the maintenance plan that shows maintenance of the 1997 annual and the 2006 24-hour PM_{2.5} NAAQS through 2025. The maintenance plan includes the 2017 and 2025 PM_{2.5} and NO_x mobile vehicle emissions budgets (MVEBs) for Johnstown, which EPA approved for transportation conformity purposes. EPA also approved the 2007 emissions inventory that is included in the maintenance plan (80 FR 42046).

Redesignation of the Lancaster Area to Attainment of the 1997 and 2006 PM_{2.5} Standards – On July 16, 2015, EPA approved Pennsylvania's April 30, 2014, request to redesignate the Lancaster County nonattainment area to attainment for both the 1997 annual and the 2006 24-hour fine particulate matter (PM_{2.5}) NAAQS. EPA also approved as a revision to the Pennsylvania SIP the maintenance plan that shows maintenance of the 1997 annual and the 2006 24-hour PM_{2.5} NAAQS through 2025. The maintenance plan includes the 2017 and 2025 PM_{2.5} and NO_x MVEBs for Lancaster, which EPA approved for transportation conformity purposes. EPA also approved the 2007 emissions inventory that is included in the maintenance plan (80 FR 42050).

Redesignation of the Pittsburgh-Beaver Valley Area to Attainment of the 1997 and 2006 PM2.5 Standards – On May 20, EPA proposed to approve Pennsylvania’s December 22, 2014, request to redesignate the Pittsburgh-Beaver Valley nonattainment area to attainment for both the 1997 annual and the 2006 24-hour fine particulate matter (PM2.5) NAAQS. EPA proposed to determine that the Area continues to attain the 1997 and 2006 PM2.5 standards. EPA is proposing to approve, as a revision to the Pennsylvania SIP, the maintenance plan that shows maintenance of the 1997 annual and the 2006 24-hour PM2.5 NAAQS through 2025. EPA is also proposing to approve as revisions to the Pennsylvania SIP, the 2007 emissions inventories for the 1997 annual PM2.5 NAAQS and the 2011 emissions inventories for the 2006 24-hour PM2.5 NAAQS included in the maintenance plan. In addition, EPA is proposing to approve the NOx motor vehicle emissions budgets (MVEBs) for the Area for the 1996 and 2006 PM2.5 standards for conformity purposes.

Infrastructure SIP Requirements for the 2008 Ozone and 2010 Sulfur Dioxide NAAQS – On August 5, 2015, EPA approved portions of two revisions to Pennsylvania’s SIP for the implementation, maintenance, and enforcement of the 2008 ozone and 2010 1-hour SO2 NAAQS. The plan revisions, which address basic program elements, including statutory and regulatory authority, monitoring, modeling, legal authority, and adequate resources necessary to assure implementation, maintenance, and enforcement of the NAAQS are referred to as “infrastructure” requirements. The DEP is required to submit infrastructure SIP revisions whenever EPA promulgates new or revised NAAQS. The final rule is effective on September 4, 2015 (80 FR 46494).

Title V Operating Permit Program Revision – On July 14, 2015, EPA approved a revision to Pennsylvania’s Title V Operating Permit Program, which amends the Title V emission fee program by increasing the annual emission fee to \$85 per ton of each regulated pollutant (up to 4,000 tons of each regulated pollutant) emitted by Title V facilities. The final rulemaking was submitted to EPA for approval on February 10, 2014. The final rule was effective on August 13, 2015 (80 FR 40922)

Final 2015 Ozone National Ambient Air Quality Standards

On October 1, 2015, EPA promulgated the “National Ambient Air Quality Standards for Ozone,” lowering the primary 8-hour ozone NAAQS from 75 parts per billion (ppb) to 70.0 ppb to “provide an adequate margin of safety to protect public health,” as required by the Clean Air Act. EPA also adopted a 70.0 ppb secondary standard to provide “increased protection against vegetation-related effects on public welfare.” In addition to updating the Air Quality Index to conform to the 2015 ozone standards, EPA expanded the ozone monitoring season for 32 states and the District of Columbia. Starting January 2017, EPA’s mandated ozone monitoring season for Pennsylvania will extend from March through October each year. Based on preliminary ozone monitoring data for 2013-2015, only eight Pennsylvania counties (Allegheny, Armstrong, Bucks, Delaware, Indiana, Lebanon, Montgomery, and Philadelphia counties) have monitors violating the new ozone standards. Designation recommendations for the 2015 ozone standards will be due to EPA by October 2016; EPA’s final designations will take effect in December 2017. Certain State Implementation Plan (SIP) revisions including “Good Neighbor” and “Infrastructure” SIPs will be due to EPA in October 2018; RACT and Emission Inventory SIP revisions will be due to EPA in December 2019. Attainment dates will range from 2020 -2037 depending on the classification of the ozone nonattainment area.

Final 2015 Ambient Air Quality Monitoring Network Plan

The DEP Air Monitoring Network consists of 72 air monitoring stations located in 39 counties in Pennsylvania. Criteria pollutant monitoring is performed at 63 of the 72 monitoring stations, and sampling for air toxics is performed at 20 of the 72 monitoring stations. On May 16, the DEP published notice of the 2015 Air Quality Monitoring Network Plan. As required by 40 CFR Parts 53 and 58, state and local agencies must enhance air monitoring to “improve public health protection and better inform the public about air quality in their communities.” The plan must be made available for public inspection for at least 30 days prior to final submission to the EPA Regional Administrator. The plan, which was due to EPA by July 1, includes a statement of purpose for each monitor and provides evidence that siting and operation of each monitor meets

Federal requirements. The plan also identifies proposed installations for new monitors including near-roadside NOx samplers, CO, ozone, PM2.5 and SO2 samplers and the relocation or termination of certain monitoring stations including PM10, NO2, ozone and SO2. DEP's public comment period closed on June 16, 2015. EPA may also provide an opportunity for review and comment prior to approving or disapproving a state's Monitoring Network Plan. During the 30-day public comment period, DEP received comments on the Network Plan from six commentators. The final plan was submitted to EPA in July 2015.

EPA Approves Motor Vehicle Emission Budgets and General Conformity Budgets for the Scranton/Wilkes-Barre Maintenance Area

On June 15, EPA approved State Implementation Plan (SIP) revisions for Pennsylvania, as a direct final rule, to update the motor vehicle NOx emissions budgets for the 1997 8-Hour Ozone NAAQS maintenance SIP for the Scranton/Wilkes-Barre 1997 8-Hour Ozone NAAQS Maintenance Area. The approved SIP revisions also include general conformity budgets for the construction of the Bell Bend Nuclear Power Plant and updated point and area source NOx emission inventories.

EPA Approves PA's Control Technique Guidelines for Offset Lithographic Printing and Letterpress Printing; Flexible Package Printing; and Adhesives, Sealants, Primers, and Solvents

On June 25, EPA approved a State Implementation Plan (SIP) revision submitted for Pennsylvania pertaining to control of volatile organic compound (VOC) emissions from offset lithographic printing and letterpress printing, flexible package printing, and adhesives, sealants, primers, and solvents. The SIP revision also adopts the revisions as Reasonably Available Control Technology (RACT) requirements for source categories covered by EPA's Control Technique Guidelines including the following categories: offset lithographic printing and letterpress printing, flexible package printing, and adhesives, sealants, primers, and solvents. The final rule became effective on July 27.

Energy Initiatives

Alternative Fuel Fleet Vehicles

Since 2012, the Act 13 Natural Gas Energy Development Program has awarded \$20 million to 62 companies and organizations. To date, DEP has reimbursed grantees for the purchase or conversion of 289 heavy duty vehicles under the Act 13 program totaling more than \$5.6 million in program funds disbursed. The 289 vehicles supported to date with grant funds are estimated to be displacing over 4.0 million gasoline gallon equivalents per year. Over \$15,105,881 in actual incremental costs have been expended on alternative fuel vehicles due to this program.

Since 2013, the Alternative Fuel Incentive Grant Program has provided \$7 million to 66 awardees to support the purchase or conversion for light and medium duty natural gas vehicles as well as propane and electric fleet vehicles of any size. *So far, DEP has reimbursed grantees for the purchase or conversion of 217 vehicles totaling just over \$1.2 million in program funds disbursed. The 212 vehicles are estimated to be displacing approximately 518,989 gasoline gallon equivalents per year. Over \$2,507,738 in actual incremental costs have been expended on alternative fuel vehicles due to this program.*

Alternative Fuel Vehicle Rebate Program

On May 9, the alternative fuel vehicle rebate program announced continuing support and a new commitment of rebates for EVs and PHEVs at \$2,000. This new commitment of 250 rebates at \$2,000 resulted in another \$500,000 pledged to support alternative fueled vehicles purchased and registered by Pennsylvania residents. The \$2,000 rebate level will remain available until December 31, 2015, or until 250 rebates are issued, whichever occurs first. *As of September 18, 2015, 108 rebates remain at \$2,000.*

PA Turnpike Electric Vehicle Charging

DEP has been working with the PA Turnpike on the deployment of direct current (DC) fast charging stations on the PA Turnpike. *At the last update meeting in September, Car Charging Group, Inc. (CCGI), the technology provider for the Turnpike project, reported that the DC fast charging station construction is underway on the western plaza group (Oakmont, New Stanton, North & South Somerset and North & South Midway). All 6 western plazas are expected to have DC fast chargers installed and be operational by the end of November 2015. CCGI has prepared the bids for the central plazas (Sideling Hill, Blue Mountain, Cumberland Valley, Highspire and Lawn) but has not yet distributed the bids.* The chargers will be the first DC Level III chargers capable of fully charging an electric vehicle in 20 minutes on the Turnpike. It is anticipated that the Turnpike mainline will be fully electrified by June 2016.

Promoting an Energy Efficient Work Force

Building Operator Certification (BOC)/Building Re-Tuning (BRT) Training: BOC is a national, competency-based training program that empowers facilities personnel with the job skills and knowledge to transform workplaces into more comfortable and energy-efficient spaces. A variety of building management topics including lighting systems, heating ventilation & air conditioning (HVAC), indoor air quality, sustainability, and energy conservation are addressed. BRT trains facility managers in a systematic approach to finding low-to-no-cost energy efficiency improvements in a target building. DEP has entered into a contract with Penn State University to conduct BOC and BRT Training for facility managers from K-12 schools and local governments from July 1, 2015 through June 30, 2016. Additional BRT Trainings will be offered to Community Colleges as well. *The first BOC course will be offered in Allentown beginning on August 26th and will end on November 19th. The first cohort of BRT is still being organized, but the plan is to begin offering this training in northwest PA in September 2015.* Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).

BOC/BRT Class at Penn State University: Throughout the fall semester 2014, a course entitled Building Retuning Design for Energy Efficiency Leadership was offered for the first time to 8 undergraduate and graduate students at Penn State's University Park campus. This course, focused on energy efficient building operations, was based on the training materials from Building Operator Certification (BOC) and Building Retuning (BRT) programs. *Five building walk-downs/retunes of Penn State buildings were conducted by the students. In the spring semester 2015, three of the fall semester students continued on in an independent study course, during which they conducted four building retunes: College Township Municipal Building, two State College Area School District buildings, and one Penn State building.* DEP has entered into a contract with Penn State University for FY 2015-2016 to further develop the course and expand the offering to other colleges and universities. Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program.

Industrial Energy Efficiency Assistance

DEP contracts with the Pennsylvania State University's Technical Assistance Program (PennTAP) to help Pennsylvania companies improve their competitiveness by providing technical assistance and information. DEP and PennTAP entered into a new contract for FY 2015 – 2016 to provide 10 -12 energy efficiency assessments for small to mid-sized manufacturers. PennTAP will also provide ISO 5001 and DOE Superior Energy Performance technical assistance for several manufacturers. PennTAP's technical staff is in the outreach planning stages. Funding is provided by EPA's Pollution Prevention Incentives for States and the DOE's SEP.

PennTAP staff provided an energy efficiency assessment at Palcon, Lycoming County, Kampel Industries, York County and JLG Industries, Fulton County in September. They represent the lumber, wood, and paper; metal fabrication; and vehicle and vehicle equipment industries respectively. Three energy efficiency assessments at advanced materials and lumber, wood, and paper industry sites are scheduled for October. The PennTAP staff are also developing an energy efficiency assessment webinar tentatively planned for December 17, 2015.

The PennTAP technical staff are working with their marketing staff to develop outreach materials and a webinar on the ISO 50001 and Department of Energy Superior Energy Performance programs.

State Energy Program Competitive Award for Energy Efficiency Registry

DOE has announced the recipients of the 2015 SEP Competitive Awards. Tennessee's application in conjunction with the National Association of State Energy Officials (NASEO) and including Pennsylvania was approved. DEP's Energy Office will work with the Tennessee Department of Environment and Conservation, NASEO, The Climate Registry (TCR), APX (a private sector provider of Renewable Energy Certificate registrations) and other partner states (GA, MI, MN, OR), to begin development of an energy efficiency registry. The registry would enable market-oriented energy efficiency programs to provide transparent outcomes and also provide a robust accounting tool for use in meeting voluntary or mandated goals. The registry could be used by states to track energy efficiency projects and programs, avoid double counting, and enable potential future trading approaches and multi-state agreements. Work will begin on the project this winter. The project team will catalyze the establishment of a national energy efficiency registry by overseeing the development of the following deliverables:

1. Model registry principles and operating rules, informed by a national consensus multi-stakeholder process, that will form the foundation of the energy efficiency registry;
2. A roadmap with potential pathways for voluntary state adoption and implementation of the registry, and integration of the registry into broader state energy planning and policy; and,
3. A software platform, informed by the model registry principles and operating rules developed under a parallel but separate effort.

At the conclusion of this project, the team will deliver governance rules that enable the operation of a nationally accessible and user-friendly energy efficiency registry tool and a roadmap that enables states to understand its adoption and implementation. DEP plans to include DCED, PUC and other stakeholders in these discussions and planning as we move forward.

Environmental Cleanup and Brownfields

Cleanup Standards Scientific Advisory Board (CSSAB)

The CSSAB meeting scheduled for August 26 was cancelled. The next CSSAB meeting will be held on December 16 at 9 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market St. in Harrisburg.

Draft Technical Guidance Document for Vapor Intrusion

The Land Recycling Program has released the draft guidance document Land Recycling Program Technical Guidance Manual for Vapor Intrusion into Buildings from Groundwater and Soil under Act 2 (261-0300-101). The Vapor Intrusion (VI) Guidance has been substantially revised to update scientific deficiencies of the current guidance. Screening values and the way they are calculated have been updated and there are multiple clarifications that have been made to language, definitions and procedures. Revising the VI guidance will help to avoid confusion for remediators and regional office staff about how to address the VI pathway under the Statewide health standard and the site-specific standard. *The 60-day public comment period closed September 24, 2015.*

Storage Tank Advisory Committee (STAC)

The Storage Tank Advisory Committee (STAC) held its third meeting of calendar year 2015 on Sept. 1. Charlie Swokel, Chief, Division of Storage Tanks, reviewed the STAC membership list and stated that 15 of the 16 positions are filled. Currently, a local government member is the only vacancy. Richard Burgan, Director, Bureau of Special Funds, Department of Insurance, provided an update with regards to the Underground Storage Tank Indemnification Fund (USTIF). DEP staff reviewed the public comments received on the "Guidelines for the Evaluation of UST Cathodic Protection Systems" draft technical guidance and provided an

overview of the recently revised Federal UST regulations. Lastly, the committee approved revisions to the bylaws and set meeting dates for 2016. The final meeting for calendar year 2015 is scheduled for December 8 at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market St. in Harrisburg.

Environmental Education

Environmental Education Grants Program (EEGP)

DEP's Environmental Education and Information Center (EEIC) awards grants to colleges and universities, K-12 schools, county conservation districts, businesses, and non-profit organizations, municipalities to do professional development, curriculum integration, hands-on lessons as well as covering costs associated with a variety of environmental education topics. This program is funded through a portion of fines and penalties collected by DEP.

The 2015 grant round opened October 6, 2014 and closed December 19, 2014. There were 180 applications approved and accepted by the program; the total requested amount was just under \$500,000. Grants awards totaling \$304,137 were made to 110 schools, universities, non-profit organizations, and conservation districts across Pennsylvania. Funded projects include: farm field days, summer camps, inquiry-based learning activities, professional development, and interpretive watershed signage. Grantees began work July 1st 2015. *Grant projects for the 2014 grant round have been reviewed, processed and all reimbursements are in process or complete.* The 2016 grant round opens October 5th 2015.

DEP at Home Exhibit

DEP at Home is an interactive, educational exhibit that promotes water conservation, clean watersheds, sustainable building materials, green/healthy products, energy efficiency and alternative transportation technologies, including electric (EV) and compressed natural gas (CNG) vehicles.

The exhibit was featured most recently on May 20 at the State Envirothon Event, hosted by the University of Pittsburgh at Johnstown. High school students working in school teams of five completed a scavenger hunt involving portions of the display, including various sustainable building materials, DEP's CNG van, and a Nissan LEAF. The exhibit was featured at the following events:

<u>Event</u>	<u>attendance</u>	<u>audience</u>
Farm Show (2015)	585,000	General Public
Pittsburgh Home and Garden Show	15,000	General Public
Erie Home and Garden Expo	10,000	General Public
State Envirothon	1,500	Students, faculty & Parents
Ag Progress Days	25,000	General Public
Northeast PA Home Show (Wilkes-Barre)	15,000	General Public
Suburban Philadelphia Home Show	20,000	General Public
Energy Path Conference	5,000	General Public

Capitol Earth Week Event	5,000	General Public
Phillies Red Goes Green Event	5,000	General Public
Total:	686,500	

Events being considered for the 2016 outreach season include:

PA Farm Show – January 9-16 in Harrisburg

NEPA Home & Garden Show – January 22-24 in Wilkes Barre

West Branch Builders Home Show – March 11-13 in Williamsport

Erie Home & Garden Expo – March 17-20 in Erie

SEF Energypath Expo – summer in State College

Ag Progress Days – August 16-18 in Pennsylvania Furnace

Keystone Energy Education Program (KEEP)

KEEP focuses on teaching about and tracking energy efficiency in school buildings and homes. Interested schools may attend workshops as a “building team.” Each building team may include any or all of the following:

- Teachers in grades 4-8
- School administrator or designee
- Building maintenance or facility manager or designee

Workshop participants learn about and explore energy conservation, efficiency, energy basics, student energy teams, benchmarking the school building using the free Energy Star Portfolio Manager program, and more. The first KEEP workshop of 2015 was held on April 7, at Westtown School in Chester County, a second at Slippery Rock University on May 12, and a third on June 17 at Ferguson Township Elementary School in Pine Grove Mills. One additional workshop is scheduled for the following date and location:

October 20th 2015: Springside Chestnut Hill Academy, 500 West Willow Grove Avenue, Philadelphia, PA (Register by May 21, 2015). To register, visit: <https://eventbrite.com/event/15879264307/>

In addition to DEP’s KEEP workshop series, schools are also encouraged to conduct their own KEEP formatted workshops within their own school districts. The DEP EE Grants Program offers a \$3,000 award to cover all or a portion of the costs associated with the workshops. Grantees have responded to this offering in the 2015 round... this track will be offered again for the 2016 grant round.

PA Falcon Reintroduction Program

The banding event was held May 21; over 100 teachers, students, DEP/DCNR/PGC staff and falcon program volunteers attended. Wildlife managers determined the brood of three chicks to be all female. Watch and rescue activities began May 30. Two of the three fledglings were rescued from the street after failed attempts to fly and returned to the ledge. The blue-banded female later flew into a building window and perished. Typically, mortality is high at any nest sight in the first few days/weeks after fledging. The watch and rescue program often gives the juvenile falcons a second chance at survival, increasing the numbers of breeding adults in the longer term. The fledglings have become completely independent. The adults will remain in the area,

defending the nest site. The 2016 breeding season will begin in late January when the adults are expected to renew their pair-bond.

Ongoing, active components of this program include: email interaction with web viewers, Falcon Wire and Twitter postings and school/youth programming on endangered species, featuring Rachel's falcons.

Oil and Gas

Conservation Well Application: *Hilcorp Energy Company (Hilcorp) submitted a permit application to DEP to drill a natural gas well through the Onondaga formation in Pulaski Township, Lawrence County. As such, this unconventional gas well is subject to the requirements of the Oil and Gas Conservation Law, 58 P.S §§401-419 ("Conservation Law"), including that the well be setback at least 330 feet from the lease boundary line. DEP has determined that the 330 foot setback requirement applies to the entire length of the vertical and horizontal well bore.*

Hilcorp has requested that DEP waive the 330 foot setback requirement. This is the first waiver request that DEP has received under the Conservation Law.

On September 16, 2015, DEP conducted a public hearing on Hilcorp's setback waiver request as required under the Conservation Law. Approximately 25 citizens attended the hearing. The comment period is now closed and DEP is preparing a response to the comments that were received.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Advisory Committee (RPAC)

The next RPAC meeting will be held in spring 2016, at a date to be determined

Radiation Protection Rulemaking Packages

Security Rule for Radioactive Material – This rulemaking incorporates by reference selected regulations from Title 10, Chapter I, of the U.S. Nuclear Regulatory Commission (NRC) Code of Federal Regulations (CFR) relating to radiation protection and control of radioactive materials. Recently NRC implemented new security-related regulations, known as 10 CFR Part 37, which Pennsylvania is required to adopt by March 2016. The purpose of this amendment is to reference the new Part 37, except for those subsections which only apply to the NRC. The rulemaking was recommended as proposed for presentation to EQB by the Radiation Protection Advisory Committee (RPAC) at its June 2014 meeting. The EQB adopted the proposed rulemaking at its October 21, 2014, meeting. It was published in the *Pennsylvania Bulletin* on March 21, opening a 30-day public comment period that ended April 20. The Independent Regulatory Review Commission's (IRRC) 30-day comment period closed on May 20. No comments were received from the public or the IRRC. *The EQB unanimously adopted the final-form rulemaking at its September 15 meeting.*

Radiation Protection Program Fees – This rulemaking amends Chapters 218 and 240 relating to fees. DEP must review the adequacy of established fees every three years, and the current fee review indicates the need for a fee increase in two program areas. The Radiation Protection Program found that the fees for Radioactive Materials and Decommissioning Program and Radon Program are insufficient to cover program costs. This information was presented in a 3-year Fee Report to the RPAC and EQB in 2014 meetings of these bodies. RPAC has endorsed the increases. *The proposed rulemaking is tentatively scheduled for presentation to the EQB on October 20.*

Radiological Health – This draft proposed rulemaking will amend 25 Pa. Code Chapters 215-240 to update Computed Tomography and Fluoroscopic regulations; to address new X-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section. This rulemaking has been discussed at length with RPAC in its 2014 and 2015 meetings. DEP received the Committee’s endorsement of the package at its July 23 meeting. Regulatory language is being finalized for anticipated EQB consideration in the spring of 2016.

Waste Management

Solid Waste and Recycling Fund Advisory Committees

The annual joint meeting of the Solid Waste Advisory Committee (SWAC) and Recycling Fund Advisory Committee (RFAC) *was* held on Thursday, September 24, 2015, at 10:00 a.m. in Room 105 of the Rachel Carson State Office Building in Harrisburg. *In* the RFAC portion of the meeting details of the Recycling Fund Expenditures and grants made in the prior fiscal year *were presented*. *The committee approved the Recycling Fund budget for FY 2016/2017*. *In addition*, presentations *were* made by staff from the Pennsylvania Department of Transportation and the Department of General Services regarding the MOUs the DEP holds with these agencies. A presentation *was* made by the Recycling Markets Center, and *the Bureau* presented information on its *proposed* recycling Convenience Center Grant Program. *The SWAC will publish its 2016 meeting schedule in December*.

U.S. Environmental Protection Agency Efforts to Reduce Methane Emissions Associated with Landfills

The USEPA’s Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks:1990 -2013, published in April 2015, ranks landfills as the third largest source of human-related methane emissions in the United States, accounting for approximately 18 percent of methane emissions in 2012. On August 14, 2015, EPA proposed “Standards of Performance for Municipal Solid Waste Landfills” and “Review of Amendments to Emission Guidelines and Compliance Time for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc).” These federal proposals are designed to update standards to reduce methane emissions and non-methane organic compounds from new, existing and modified municipal solid waste (MSW) landfills. EPA’s new source performance standards (NSPS) and emission guidelines (EG) promulgated under section 111 of the Clean Air Act are automatically adopted and incorporated by reference in their entirety in the Pennsylvania Code and will take effect in Pennsylvania on the same date as the federal rules. Pending the issuance of new or amended Plan Approvals and Operating Permits, if necessary, owners and operators of affected sources would be obligated to comply with the requirements to reduce methane emissions from new and existing MSW facilities in the Commonwealth. Both actions are part of the President’s Climate Action Plan – Strategy to Reduce Methane Emissions.

Water Management

NPDES Permitting

On May 30, DEP published a draft NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (PAG-13). The PAG-13 General Permit currently in effect does not expire until March 2018. If the reissued PAG-13 General Permit is published as final prior to the existing PAG-13 expiration date, it will not become effective until March 2018. DEP is seeking input on the draft PAG-13 early due to the possibility of changes to the General Permit that may necessitate significant efforts on the part of MS4 permittees in preparing future Notices of Intent (NOIs) for General Permit coverage. The most significant proposed change involves the development of Pollutant Reduction Plans for stormwater discharges to waters draining to the Chesapeake Bay and to waters impaired for nutrients and sediment, with mandatory

reductions in pollutant loadings. DEP provided a 60-day comment period in lieu of the standard 30-day comment period. DEP subsequently decided to extend the comment period for an additional 15 days based on several public requests; the comment period will now end on August 31, 2015. DEP will begin reviewing the comments thereafter and determining what changes are necessary in finalizing the General Permit.

The Bureau of Point and Non-Point Source Management (BNPNSM) re-issued the NPDES General Permit for Discharges Resulting from Hydrostatic Testing of Tanks and Pipelines (PAG-10) on July 11, 2015. The PAG-10 is now valid for 5 years.

BNPNSM staff is currently working on the re-issuance of the NPDES General Permit for Discharges of Stormwater Associated with Industrial Activities (PAG-03). The current PAG-03 expires on December 05, 2015.

Proposed Rulemaking: Revised Total Coliform Rule

The purpose of the proposed RTCR Chapter 109 rulemaking package is to incorporate necessary federal requirements needed to obtain primacy and to provide for the increased protection of public health. The proposal does the following:

- Strengthens public health protection by ensuring the integrity of drinking water distribution systems and monitoring for the presence of microbial contamination.
- Establishes a Maximum Contaminant Level (MCL) for E.coli.
- Creates a treatment technique for coliforms that requires public water supplies (PWSs) to assess their system and correct any problems that have been identified.

The Bureau of Safe Drinking Water presented the draft proposed Revised Total Coliform Rule (RTCR) rulemaking package to the EQB at its April 21 meeting. The EQB approved the RTCR rulemaking as proposed with modifications. The modifications included separating the rulemaking into 2 parts: the proposed RTCR provisions, which were approved for publication for a 60-day public comment period; and the non-RTCR provisions, which will undergo additional stakeholder input.

The proposed rulemaking package was discussed at the April 30 Small Water Systems Technical Assistance Center (TAC) Board meeting, where the Board was apprised of the modifications made by EQB. At the meeting, the TAC Board voted to recommend that DEP further break down the general Chapter 109 rulemaking into two parts: the first dealing solely with the disinfectant residuals provisions required for primacy; and the second with the remaining portions of the general update. DEP began soliciting input from the larger water systems on the rulemakings at three additional TAC Board meetings held May 18 and 26, and June 16 in Harrisburg. Additional discussion and final recommendations on the disinfectant residuals provisions were given by the TAC at its meeting on June 30.

Survey of Effectiveness of the Abandoned Mine Discharge (AMD) Program

DEP conducted an evaluation of the impact of the 2011 reorganization on the AMD program. A key component of this evaluation was stakeholder input. A questionnaire was developed and placed on the DEP website in early June. The questionnaire was also circulated to key stakeholders for distribution. The questionnaire consisted of eight questions addressing "Reorganization Effectiveness" and four questions addressing "AMD Program Policy Input". The Bureau of Conservation and Restoration collected completed stakeholder questionnaires through June 30. DEP received 12 responses to the questionnaire. The responses, which were mostly positive, are being used to prepare a program evaluation document for Department consideration/action in the fourth quarter of 2015. This evaluation will also include data on the number of projects and the funds spent on AMD projects, which increased by 10% and 27% respectively, over the past two years prior to reorganization.

Sewage Advisory Committee Meeting

The Sewage Advisory Committee (SAC) meeting scheduled for September 22, 2015, will be rescheduled to a date yet to be determined.

Water Resources Advisory Committee Meeting

The Water Resources Advisory Committee Meeting held a meeting on August 12, 2015. DEP’s Policy Office provided a summary of the eComment system and the Department’s new guidance concerning the development and publication of technical guidance documents. The Bureau of Waterways Engineering and Wetlands gave an update on the Department’s efforts to implement Act 162 of 2014, which allows alternatives to mandatory riparian buffers in complying with individual NPDES permits for discharges associated with construction activities. As part of DEP’s efforts to engage advisory committees earlier in the policy development process, the Bureau of Point and Non-Point Source Management (BPNPSM) requested input from WRAC concerning the development of new technical guidance documents for the following three wastewater treatment technologies: sequencing batch reactors (SBRs), membrane bioreactors (MBRs), and ultraviolet (UV) disinfection. WRAC agreed that the guidance for SBRs was sufficiently developed for publication in the Pennsylvania Bulletin as draft for public comment. The Committee believed DEP should continue with the development of the MBR and UV disinfection guidance documents, but consult with the Committee prior to publication as draft for public comment. BPNPSM presented the results of toxicological research performed by Stroud Water Research Center concerning the impact of chloride on mayflies. This research was considered necessary for the development of any chloride water quality standard and WRAC expressed great interest in how the Department will use this research in the development of the next Triennial Review of Water Quality Standards.

Attachment 1

2015 Events Calendar

Please consult the DEP Calendar of Events for a comprehensive listing of upcoming events. The Calendar can be accessed in the Public Participation Center on the DEP website. Click on “Public Participation Center;” “News and Events.”

October	
2	Climate Change Advisory Committee; 10 a.m., 12 th floor Conference Room, RCSOB
2	Low-Level Waste Advisory Committee; 10 a.m., Room 105, RCSOB
8	<i>CANCELLED</i> : Air Quality Technical Advisory Committee; 9:15 a.m., Room 105, RCSOB
13	Small Water Systems Technical Assistance Center Meeting; 9:00 a.m., Room 105; RCSOB
14	Technical Advisory Committee on Diesel-Powered Equipment; 10 a.m., Westmoreland Room, New Stanton Office
20	Environmental Quality Board, 9 a.m., Room 105, RCSOB
21	Agricultural Advisory Board; 9 a.m., Susquehanna Room A, SCRO
22	Mining and Reclamation Advisory Board; 10 a.m., Room 105, RCSOB
27	Oil and Gas Technical Advisory Board; 10 a.m., Room 105, RCSOB
28	Small Business Compliance Advisory Committee; 10 a.m., 12 th floor Conference Room, RCSOB
28	Pennsylvania Pipeline Infrastructure Task Force Meeting; 1-4 p.m., SCRO
29	Conventional Oil and Gas Advisory Committee; 10 a.m., Room 105, RCSOB
29	State Board for Certification of Water and Wastewater Systems Operators, 10 a.m., 10 th floor Conference Room, RCSOB
November	

5	Environmental Justice Advisory Board; 8:30 a.m., Delaware Room, RCSOB
10	Aggregate Advisory Board Meeting; 10 a.m., Room 105, RCSOB
17	Environmental Quality Board, 9 a.m., Room 105, RCSOB
18	Pennsylvania Pipeline Infrastructure Task Force Meeting; 1-4 p.m., SCRO
December	
2	Laboratory Accreditation Advisory Committee; 9 a.m., Bureau of Laboratories Building, Harrisburg
4	Climate Change Advisory Committee; 10 a.m., Room 105, RCSOB
8	Board of Coal Mine Safety; 10 a.m., Cambria Office, Ebensburg
8	Storage Tank Advisory Committee; 10 a.m., Room 105, RCSOB
10	Air Quality Technical Advisory Committee; 9:15 a.m., Room 105, RCSOB
10	State Board for Certification of Water and Wastewater Systems Operators, 10 a.m., 10 th floor Conference Room, RCSOB
15	Environmental Quality Board, 9 a.m., Room 105, RCSOB
16	Agricultural Advisory Board; 9 a.m., Susquehanna Room A, SCRO
16	Cleanup Standards Scientific Advisory Board, 9 a.m., Room 105, RCSOB
16	State Board for Certification of Sewage Enforcement Officers; 10 a.m., Conference Room 11B, RCSOB
17	Small Water Systems Technical Assistance Center Board, 9 a.m., Room 105, RCSOB

Attachment 2

Oil and Gas Workload Report

YTD WELL PERMIT APPLICATIONS - 1/1/2015 to 9/18/2015						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	322	49	350	344	342	6
UNCONVENTIONAL	1,516	241	1,544	1,511	1,457	33
Sub Total	1,838	290	1,894	1,855	1,799	39
AUTHORIZATIONS	467	191	312	279	N/A	33
Total	2,305	481	2,206	2,134	2,064	72

WEEKLY WELL PERMIT APPLICATIONS - 9/12/2015 to 9/18/2015						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS

CONVENTIONAL	2	2	14	14	14	0
UNCONVENTIONAL	16	15	31	29	29	2
Sub Total	18	17	45	43	43	2
AUTHORIZATIONS	4	3	10	1	N/A	9
Total	22	20	55	44	44	11

HISTORICAL WELL PERMIT APPLICATIONS AS OF 9/18/2015

	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,115	197,064	195,844	189,843	1,220	105,398
UNCONVENTIONAL	20,791	20,527	20,106	16,710	421	10,187
Sub Total	217,906	217,591	215,950	206,553	1,641	115,585
AUTHORIZATIONS	41,223	40,978	40,689	N/A	289	18,523
Total	259,129	258,569	256,639	246,843	1,930	134,108

YTD INSPECTIONS - 1/1/2015 to 9/18/2015

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	7,963	5,753	623	191
UNCONVENTIONAL	9,678	4,907	272	91
CLIENT/SITE	3,281	0	1,068	733
Total	20,922	10,660	1,963	1,015

WEEKLY INSPECTIONS - 9/12/2015 to 9/18/2015

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	130	122	0	2
UNCONVENTIONAL	178	175	1	0
CLIENT/SITE	81	0	9	9
Total	389	297	10	11

WELLS DRILLED

	Two Years Prior 1/1/2013 to 9/18/2013	One Year Prior 1/1/2014 to 9/18/2014	Year To Date 1/1/2015 to 9/18/2015	Week of 9/12/2015 to 9/18/2015	As of 9/18/2015
CONVENTIONAL	669	578	248	8	194,511
UNCONVENTIONAL	885	1,002	617	18	9,446
Total	1,554	1,580	865	26	203,957

This report was prepared by Hayley Jeffords, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email hjeffords@pa.gov or call (717) 772-3525.