

**March 2017 Report to the Citizens Advisory Council**  
(New and updated information in italics)

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**DEP Highlights**

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**E-Permitting Project**

*Earlier last year the Department launched an e-permitting project for the mining program starting with the bituminous surface permit. Future projects will move to other mining permits as well serve as the foundation for expanding to other areas of the Department. After considering leveraging other e-solutions - both DEP and other agencies - it was decided the best strategy for expanding the effort to other permits would be to develop the application in house from the ground up. A project manager was brought in and a work group was formed from staff from IT and the mining program. Once the project was formalized, requirements gathering began in late March 2016. The e-permitting system went live on February 13. The first electronic filing administrator registered on the website on February 21. In addition to continuing to work on enhancements to the bituminous surface mining permit, work will continue on other mining related applications. Development work will expand into other DEP program area needs using what was developed for the mining program where there are common features and information collection needs.*

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**Federal Regulations**

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**Recently Submitted DEP Comments**

*On February 13, 2107 the Department submitted comments to EPA concerning its proposed rule Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications and State Implementation Plan Requirements. The Department's comments support the proposed method for transitioning from the 1997 NAAQS for ozone to the 2008 NAAQS for ozone; favor Option 1, which would "revoke the 2008 ozone standard for all purposes one year following the effective date of the designations for the 2015 ozone standard"; request that EPA should maintain the same method for establishing classification thresholds; and strongly urge EPA to update all inventory and modeling tools, especially the MOVES Model, with the best information from engine manufacturers and scientists. A copy of the Department's letter can be found at <https://www.regulations.gov/document?D=EPA-HQ-OAR-2016-0202-0107>.*

**Regulations Planned for DEP Comment**

Nothing to report.

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**Regulatory Update (detailed summaries included in respective program sections)**

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Please refer to the [DEP Rolling Regulatory Agenda](#) for the Regulatory Update.

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**Proposals Open for Public Comment**

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- Interim Final Technical Guidance: Comprehensive Environmental Assessment of Proposed Project Impacts for Chapter 105 Water Obstruction and Encroachment Permit Applications (Opened 1/21/2017, Closes 3/21/2017)

- Environmental Assessment Approvals for PENNVEST Funding Consideration February 2017 (Opened 2/25/2017, Closes 3/27/2017)
- Proposed Conditional State Water Quality Certification under Section 401 of the Clean Water Act for the United States Army Corps of Engineers Nationwide Permits (Opened 2/25/2017, Closes 3/27/2017)
- Proposed Rulemaking: Gasoline Volatility Requirements (Opened 2/25/2017, Closes 5/1/2017)
- Air Quality Draft General Permit GP-5A; Draft General Permit GP-5, and Air Quality Permit Exemption List (Opened 2/4/2017, Closes 6/5/2017)

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### **Recently Closed Comment Periods**

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- Federal Consistency under the Coastal Zone Management Act; Issuance and Reissuance of Nationwide Permits (Opened 2/4/2017, Closed 2/21/2017)
- Draft Technical Guidance: Closure Requirements for Aboveground Storage Tank Systems (263-4200-001) (Opened 2/4/2017, Closed 3/6/2017)
- Draft Technical Guidance: Closure Requirements for Underground Storage Tank Systems (263-4500-601) (Opened 2/4/2017, Closed 3/6/2017)
- Cryptosporidia, E.coli and Turbidity LT2ESWTR Laboratory Reporting Instructions for Public Water Systems Using Surface Water or Groundwater Under the Direct Influence of Surface Water (GUDI) Sources (Opened 2/4/2017, Closed 3/6/2017)
- Proposed State Implementation Plan Revision: Base Year Inventory for the Delaware County Nonattainment Area for the 2012 Annual PM2.5 Fine Particulate Matter NAAQS (Opened 2/4/2017, Closed 3/10/2017)

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### **Communications Monthly Press Releases (All New, not Italicized)**

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#### **Press Releases Issued**

**February 02** – DEP Announces BWA for PWSA Customers Can Be Lifted

**February 06** – DEP to Host Public Hearing on Proposed Natural Gas Compressor Station in Carbon County

**February 06** – UPDATED: DEP Opens Public Comment Period for New and Revised General Permits to Regulate Methane Requirements

**February 13** – DEP Approves PA Pipeline Project/Mariner East 2 Permits

**February 14** – Harrisburg Falcons Begin 17th Courtship Season

**February 14** – Drought Declarations Change for 17 Counties

**February 15** – ADVISORY – LOCATION CHANGE – Vanport Public Hearing Feb. 28

**February 15** – DEP to Host Public Meeting on Broomall Lake Dam Project

**February 15** – ADVISORY – MEADVILLE – WEDNESDAY – DEP to Host Public Meeting on Covanta Environmental Solutions, LLC Permit – Municipal Waste Transfer Station

**February 16** – ADVISORY – FRIDAY – Department of Environmental Protection to Hold Webinar on 2016 Lawrence County Seismic Events

**February 17** – DEP Finds Spatial/Temporal Correlation between Hilcorp Hydraulic Fracturing and April 2016 Seismic Events in Lawrence County

**February 22** – Governor Wolf Announces First Stakeholder Meeting on Statewide Solar Energy Development Planning

**February 23** – DEP Extends Comment Period On Methane Permits

**February 27** – WPX Energy Assessed \$1.2 Million Civil Penalty for Groundwater and Water Supply Impacts

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## **Active and Abandoned Mine Operations**

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### **2017 Abandoned Mine Land Program Grant**

On January 6, the Office of Surface Mining Reclamation and Enforcement announced that \$33.5 million will be awarded to Pennsylvania under the 2017 Abandoned Mine Land (AML) Program Grant which became effective on January 1. Compared to the 2016 funding level the 2017 AML distribution is a reduction of \$9.4 million or 21.9%. The drop in funding is attributable to the decline in coal production. Pennsylvania's total Title IV Grant Distribution is \$36 million. However, the FY 2017 sequestration of mandatory Federal budgetary resources withheld 6.9% of the AML grant funds equaling \$2.9 million. Last year, the impact of sequestration was a cut of 6.8%, the loss of \$3.1 million. The cumulative impact of sequestration is the loss of nearly \$16.5 million in AML funding since 2013.

### **E-Permitting Project**

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### **Federal Proposed Stream Protection Rulemaking**

On July 27, 2015, the federal Office of Surface Mining 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 was extended to October 26. The Department completed its evaluation of the rule and submitted comments on October 23. The Department's 17 pages of comments included specific recommendations for alternative approaches or revised language for purposes of improving the proposed regulations. In other instances, there were sections that were not clear and requests were made for clarification. Overall, two specific requests were made: to expand the preamble to comprehensively address each aspect of the proposed rule and the supporting science and to clarify the proposed regulatory language based on feedback received during the initial comment period. OSM has engaged with the states to discuss concerns about the rule. From this interaction it is clear that OSM is working to finalize the rule as quickly as it can. Indications are that the final rule will account for many of the comments made. The final Environmental Impact Statement was posted on OSM's webpage in mid-November. The final rule was published December 20. Many revisions were made in response to comments.

However, the fate of the rule is uncertain based on possible litigation or action by Congress. *On February 16, President Trump signed legislation that revoked the stream protection rules.*

### **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 action items. The Department has received the CAC comments and will work with the Council to address their concerns. The TGD Surface Water Protection-Underground Bituminous Coal Mining Operations will be revised to address some of the issues raised in the Act 54 report and in response to recent litigation. Work has started on the scoping for the next report.

### **Final Rulemaking**

#### **Draft Final-Form Rulemaking – Handling and Use of Explosives**

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. The EQB approved the package on September 15, 2015, but the Attorney General's Office tolled the regulation on November 10, 2015. Program staff and Regulatory Counsel developed a response which was submitted to the Attorney General's Office on December 29, 2015. This was published in the Pennsylvania Bulletin on February 27, 2016, opening the public comment period. Several comments were received by the close of the comment period on March 28 which are currently under review. The final-form rulemaking was presented to the MRAB at their July meeting, resulting in a recommendation to proceed. This rulemaking was presented to the Aggregate Advisory Board at their November meeting which also resulted in a recommendation to proceed. It has been routed for approval and will be presented to the EQB in 2017.

### **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:

#### **Bonding: Direct Submittal of Bonds (563-2504-407)**

This draft guidance outlines the process operators should follow to submit their mine reclamation bonds directly to the Division of Contracts, Procurement and Bonding. The revisions incorporate changes that have occurred since the document was last published in 1997. The 30-day comment period on this draft TGD will be held 1/14 – 2/13. The Department is reviewing and considering all of the comments submitted on this Draft TGD.

### **Board of Coal Mine Safety (BCMS)**

### Draft Final-Form Rulemaking - Proximity Detection Systems for Continuous Mining Machines

The Mine Safety and Health Administration (MSHA) issued a final rule on proximity detection systems for continuous mining machines in underground coal mines on January 15, 2015. The MSHA rule excludes 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 was distributed to the BCMS 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. The package was approved by the Board of Coal Mine Safety on December 8, 2015, and sent to Office of General Counsel and Budget for review. The rulemaking was signed off by the Office of General Counsel, the Governor's Budget Office, and the Office of Attorney General. This was published on March 19, 2016, opening the 30-day public comment period. No comments were received. On May 18, 2016, a no comments letter was received from IRRC. If a final-form regulation is delivered without revisions and if the House and Senate Environmental Resources and Energy Committees do not take any action, it will be deemed approved. While implementation is proceeding, an issue has emerged concerning instances where a miner wearing a proximity pad is close to a source interfering with radio frequencies (RFI) (e.g., dust sampler, radio, energized cable), the proximity pad may be rendered inoperable. MSHA and equipment manufacturers are working on solutions including carriers that will keep the proximity pad separated from the RFI and developing software for the pads that will give the miner an audible and visual warning if RFI interference is causing a malfunction. The Board tabled action on this rule at their December 13 meeting pending resolution of MSHA implementation issues.

### Proposed Rulemaking - Performance Based Cable Safety

The Board undertook the issue of performance based cable standards to address both shielded cables and sensitive ground fault. Typical low and medium voltage systems use a 15 ampere grounding resistor with a ground fault relay that trips at no more than 50% of the resistor value. It was determined that sensitive ground fault protection, set at an appropriate level, would not only decrease the potential hazard of handling a damaged cable, thereby increasing cable safety, it would also afford protection from inadvertent contact with energized circuits while troubleshooting or performing maintenance. Since the 1980's some components, such as the shearer and face motors, of the high-voltage longwall systems have used a ground fault relay which trips at no more than 0.125 amperes. A similar protection scheme can be used on low- and medium-voltage systems and can increase the protection of miners. This has been under development for several years. Draft language was presented and discussed at the March 23, 2016, meeting of the Board. Based on the Board's review, final language was developed by Department staff and presented to the Board at their July 7 meeting. The draft was reviewed by the Board at their September 13 meeting where it was approved with some minor changes brought up by the Pennsylvania Coal Alliance. This will now continue with the regulatory review process. This will be delivered to IRRC, the House and Senate Environmental Resources and Energy Committees, and Legislative Reference Bureau once the Committees are reestablished in 2017.

Future regulatory issues that will be taken up by the Board include a better way to define what is considered to be a reportable accident and consolidating required ventilation plans into one package to simplify the entire plan approval process.

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## **Air Quality**

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### **Climate Change Advisory Committee (CCAC)**

*The March 14, 2017, CCAC meeting was cancelled. The next meeting is scheduled for May 9, 2017, at 10:00 a.m. in Room 105, RCSOB.*

### **Air Quality Technical Advisory Committee (AQTAC)**

The next AQTAC meeting is scheduled for April 20, 2017, at 9:15 a.m. in Room 105, RCSOB

### **Small Business Compliance Advisory Committee (SBCAC)**

The next SBCAC meeting is scheduled for April 26, 2017, at 10:00 a.m. in the 12<sup>th</sup> Floor Conference Room, RCSOB.

### **Pennsylvania's Methane Reduction Strategy for the Oil and Natural Gas Industry**

Methane is the primary component of natural gas and it has been identified by the EPA as the second most prevalent greenhouse gas emitted from human activities in this nation. Pennsylvania is the second largest producer of natural gas in the United States. On Jan. 19, 2016, Governor Tom Wolf announced a four-point methane emission reduction strategy for unconventional natural gas operations in Pennsylvania. This strategy included the development of a general permit for new unconventional well pad operations (GP-5A) and modifications to the existing general permit (GP-5) for compressors and natural gas processing facilities. The proposed general permits were presented to the AQTAC, CCAC and CAC on Dec. 8, 2016, Jan. 10, 2017, and Jan. 17, 2017, respectively. A Pennsylvania Bulletin notice on Feb. 4, 2017, opened a 45-day public comment period *which was subsequently extended to 120 days and will close on June 5, 2017*. The Department will then draft a comment and response document prior to finalizing the General Permits and making them available for use.

DEP will also develop a regulatory proposal to implement EPA's final Control Technique Guidelines (CTG) for the Oil and Gas Industry. This rulemaking will be submitted to EPA as a SIP revision within two years following the issuance of the final guidelines. The CTG was issued on Oct. 27, 2016.

### **Ozone Designations**

On Oct. 26, 2015, EPA reduced the ozone National Ambient Air Quality Standard (NAAQS) from 75 ppb to 70 ppb. Following promulgation of a new or revised air standard, states are given the opportunity to submit recommendations for the designation of attainment, unclassifiable and nonattainment areas. Using 2013, 2014, and 2015 ozone season data and EPA guidance, DEP proposed the following ozone nonattainment areas in the Aug. 20, 2016, Pa. Bulletin:

- A 7-county Pittsburgh-Beaver Valley Area;
- A 5-county Philadelphia Area;
- Indiana County; and
- Lebanon County.

The Department held public meetings in Harrisburg, Pittsburgh and Norristown on Aug. 24, 25, and 26, respectively. Twenty-four comments were received from five commentators. The Department submitted its final recommendations to EPA on Oct. 3, 2016. EPA will perform its own analysis to determine nonattainment areas, while taking the Commonwealth's recommendations into account. EPA will send a "120-day letter" (120 days before the final designations are due to be published by Oct. 1, 2017) to Pennsylvania by June 3, 2017, that will state whether EPA intends to modify the Commonwealth's recommendations. EPA will open a 30-day public comment period on approximately July 3, 2017. Under Section 107(d)(1)(B) of the CAA, Pennsylvania will have until Aug. 2, 2017, to submit additional information to EPA, including certified 2016 data, for EPA to consider in making final designations. EPA intends to publish the final designations by Oct. 1, 2017.

### **2010 SO<sub>2</sub> NAAQS Attainment Demonstration SIP Revisions**

On March 18, 2016, effective April 18, 2016, the EPA published a final action finding that several states, including Pennsylvania, failed to submit SIPs to satisfy nonattainment area planning requirements of the Clean Air Act (CAA) for the 2010 1-Hour Primary SO<sub>2</sub> NAAQS. The four areas in Pennsylvania are Beaver, Indiana/Armstrong, Warren, and Allegheny Counties. The Pennsylvania SIPs, which were due by April 4, 2015, must describe how the areas will meet the SO<sub>2</sub> standard by the statutory attainment date of Oct. 4, 2018. EPA's findings of "failure to submit" triggered mandatory deadlines for EPA to impose sanctions if Pennsylvania does not submit SIPs addressing those requirements and for the EPA to promulgate a Federal Implementation Plan

(FIP) to address any outstanding SIP requirements. EPA is obligated to apply offset sanctions within 18 months (Oct. 18, 2017) from the effective date of the findings and highway funding sanctions in 24 months (April 18, 2018) from the effective date of the findings if the state has not submitted the SIPs and EPA has not found them to be complete by the respective deadlines. The findings also trigger an obligation under the CAA for EPA to promulgate a FIP no later than 2 years from the finding of failure to submit, if the state has not submitted, and the EPA has not approved, the SIP. Work is in progress to deliver the attainment demonstration SIPs for the four Pennsylvania nonattainment areas prior to the sanction deadline. The Allegheny County SIP will be completed by the Allegheny County Health Department.

### **2008 Ozone NAAQS SIP Revisions**

On Jan. 13, 2017, the EPA notified 15 states, including Pennsylvania, and the District of Columbia that they had failed to submit certain SIP revisions to address Clean Air Act requirements for the 2008 Ozone NAAQS. The states affected are overdue in submitting SIP revisions for either their designated nonattainment areas or their entire state as a member of the Ozone Transport Region, or both.

Five areas in Pennsylvania were identified: Allentown-Bethlehem-Easton area; Lancaster area; Philadelphia-Wilmington-Atlantic City area; Pittsburgh-Beaver Valley area and the Reading area. Pennsylvania must submit a SIP revision certifying that our current Nonattainment New Source Review rule meets the requirements of the 2008 Ozone NAAQS. DEP must also finalize the Industrial Cleaning Solvent (ICS) regulation, implementing the last of the Federal Volatile Organic Compound Control Technique Guidelines (CTGs). The draft ICS regulation is tentatively scheduled to be considered at the March 21, 2017, EQB.

If Pennsylvania fails to submit the SIP revisions within 18 months of the final publication date in the Federal Register, offset sanctions will apply in the affected nonattainment areas. At 24 months, highway funding sanctions will apply in the affected nonattainment areas. If the state does not make the required SIP submittals and the EPA does not take final action to approve the submittals within 2 years of the effective date of these findings, EPA is required to promulgate a Federal Implementation Plan (FIP) for the affected nonattainment areas.

As required by Section 7.11 of the Pennsylvania Air Pollution Control Act, *on Feb. 16, 2017*, the Department *provided written notification* to the Senate and House Environmental Resources and Energy Committees.

### **Air Quality Rulemaking Packages**

#### **Control of VOC Emissions from Industrial Cleaning Solvents**

The proposed rulemaking would establish RACT requirements for industrial cleaning solvents as recommended in EPA's 2006 CTG for Industrial Cleaning Solvents. At its Feb. 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 SBCAC was briefed on the proposed rulemaking on April 23, 2014, and 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. However, in response to comments heard at the various committee meetings, substantive changes were made to the proposed rulemaking. A revised draft Annex A was presented to AQTAC and CAC on Feb. 11 and March 15, 2016, respectively. Both committees concurred with DEP's recommendation to submit the final rulemaking to the EQB for consideration. The proposed rulemaking was presented to the SBCAC on April 27, 2016. The SBCAC also concurred unanimously with DEP's recommendation to submit the proposed rulemaking to EQB for consideration. The proposed rulemaking is tentatively scheduled for EQB consideration on March 21, 2017.

### Additional RACT Requirements for Major Sources of NOx and VOCs

The Reasonably Available Control Technology (RACT) final rulemaking was approved by the EQB on November 17, 2015. The final-form RACT regulation was unanimously approved by IRRC on March 10, 2016, and subsequently delivered, the same day, to the Attorney General's Office for approval as to "form and legality." The final-form RACT regulation was published in the Pennsylvania Bulletin on April 23, 2016 (46 Pa.B. 2036). The SIP revision was submitted to EPA for approval on May 16, 2016. Conditional approval is anticipated pending DEP submission of RACT case-by-case determinations.

### Low Reid Vapor Pressure (RVP) Gasoline Repeal

The gasoline volatility regulation codified in 25 Pa. Code Chapter 126, Subchapter C, requires that summertime gasoline with a Reid vapor pressure (RVP) limit of 7.8 pounds per square inch (psi) or less per gallon be sold at the retail level in the Pittsburgh-Beaver Valley Area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland counties) between May 1 and September 1 of each calendar year by all refiners, importers, distributors, resellers, terminal owners and operators and carriers. The restrictions apply between June 1 and Sept. 15 of each year for all wholesale purchaser-consumers and retailers of gasoline. The EQB adopted the regulation in Nov. 1997 to address a violation of the 1-hour ozone standard in the Pittsburgh-Beaver Valley Area; EPA approved the SIP revision on July 20, 1999. Given mandatory vapor recovery technology (carbon canister) requirements for all new vehicles since 2007, this regulation has had a diminishing effect on ozone precursor emissions.

In May 2014, the Pennsylvania General Assembly enacted legislation requiring DEP to develop a SIP revision for the removal of the low RVP fuel provisions from the SIP. The law also directs the EQB to promulgate regulation repealing the low RVP regulation (Act of May 14, 2014, P.L. 674, No. 50). On Dec. 10, 2015, the majority of AQTAC members concurred with DEP's recommendation to submit the proposed rulemaking to the EQB for consideration. The proposed repeal of this regulation was presented to the SBCAC and the CAC on Feb. 17 and March 15, 2016, respectively. Both committees unanimously concurred with the DEP's recommendation to submit the proposed rulemaking to the EQB for approval. On Oct. 18, 2016, the EQB voted 15-5-0 on DEP's recommendation to move the proposed rulemaking forward to be published in the Pennsylvania Bulletin for public comment. *In the Feb. 25, 2017, Pennsylvania Bulletin and in seven major newspapers across the Commonwealth the Department published notice of a public comment period which will close on May 1, 2017. On March 28, 29 and 30, 2017, the Department will hold public hearings at DEP regional offices in Pittsburgh and Norristown and at the Rachel Carson State Office Building in Harrisburg, respectively.*

### Air Program Fee Schedule for Emission, Plan Approval and Operating Permit Fees

A proposed rulemaking is under development that would amend existing requirements and fee schedules codified in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees) to ensure that fees are sufficient to cover the costs of administering the air program, as required by Section 502(b) of the Clean Air Act (CAA) and Section 6.3 of the Air Pollution Control Act (APCA). Existing fees for plan approval applications and operating permits would be increased and fees would be established for requests for determination (RFD) of whether a plan approval is required, risk assessment reviews, and asbestos notifications. *As listed in the Governor's Regulatory Agenda published in the Pennsylvania Bulletin on Feb. 4, 2017, the Air Quality Fee Schedule Amendment is scheduled for EQB consideration in the 4<sup>th</sup> Quarter of 2017.*

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## **Office of Pollution Prevention and Energy Assistance**

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### **Application to USDOE for Competitive Solar Energy Evolution and Diffusion Studies II – State Energy Strategies (SEEDSII-SES)**

On Nov. 2, Governor Tom Wolf announced that a statewide planning project led by the Pennsylvania Department of Environmental Protection (DEP) called "Finding Pennsylvania's Solar Future," was selected for

a \$550,000 grant from the U.S. Department of Energy. The project will help to equip Pennsylvania to produce more solar energy and increase solar-generated in-state electricity sales to at least 10 percent by 2030. The project began on January 1, 2017.

*The project kickoff meeting for Finding Pennsylvania's Solar Future, the 2017-2019 statewide planning project to equip Pennsylvania to produce more solar energy by 2030 was held on Thursday, March 2, from 10 am to 4 pm in the Auditorium of the Rachel Carson State Office Building in Harrisburg. Over 100 stakeholders were in attendance representing academia, solar industry, utilities, Non-Governmental Organizations, and other state agencies. Project participants were asked to commit to serving on working groups that will meet regularly throughout 2017 and 2018. With their knowledge and expertise to the process, participants were asked to consider modeling data, debate policy options, and provide critical feedback to DEP on options and methods to support the increase of solar development and deployment in the Commonwealth.*

### **2016 Alternative Fuel Incentive Grant (AFIG)**

The AFIG Program offers grant funding for clean, alternative fuel projects in Pennsylvania, and investment in Pennsylvania's energy sector. During the first AFIG 2016 submission period, a total of 30 applications were submitted via the DEP Environmental eGrants system by April 30, 2016. The award announcement for the 1<sup>st</sup> submission period occurred on September 8, 2016. DEP awarded more than \$1.6 million to 10 applicants including Pennsylvania schools and businesses for projects using alternative fuels and infrastructure. The winning projects are estimated to eliminate from use an estimated 980,000 gallons of gasoline.

The second submission period for the 2016 AFIG Grant closed on Friday, September 9th. 29 Applications were received requesting a combined total of \$4.8 million. Awards have not yet been announced.

The application submission period for Round Three of the Alternative Fuels Incentive Grant Program closed on 4 p.m. Friday, December 30, 2016. A total of 27 applications were submitted, including: 15 applications for vehicle retrofit and/or purchase projects, 11 applications for refueling infrastructure projects, and one application for innovative technology projects. *DEP staff have scored these applications and are developing recommendations for awards.* The 2017 Alternative Fuel Incentive Grant Program is currently under development.

### **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 702 heavy duty vehicles under the Act 13 program totaling more than \$13.6 million in program funds disbursed. The 702 vehicles supported to date with grant funds are estimated to be displacing over 8.8 million gasoline gallon equivalents per year. Over \$36.8 million 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 513 vehicles totaling over \$2.9 million in program funds disbursed. The 513 vehicles are estimated to be displacing over 1.2 million gasoline gallon equivalents per year. Over \$6 million in actual incremental costs have been expended on alternative fuel vehicles due to this program.

### **Alternative Fuel Vehicle Rebate Program**

The alternative fuel vehicle rebate program provides rebates to PA residents for large battery EVs and PHEVs at \$2,000 and small battery EV and PHEVs at \$1,000. *DEP has provided 80 rebates at \$2,000 since January 1, 2017 resulting in \$160,000 of support to the purchase of large battery storage alternative fuel vehicles.* The

\$2,000 rebate level will remain available until further notice. The program is currently undergoing revision and will be transitioned to an online electronic submission format by the end of the 1<sup>st</sup> quarter of 2017.

### **PA Turnpike Electric Vehicle Infrastructure**

*Car Charging Group Inc. (CCGI) provided to PADEP a new construction schedule to deploy electric vehicle service equipment at the remaining rest stops on the PA Turnpike mainline. DEP and the PA Turnpike have been working with CCGI since 2011 to plan for the install electric vehicle infrastructure across the Turnpike system. To date, beginning in 2014, CCGI has installed 10 electric vehicle chargers at 5 of the 17 service plazas along the Turnpike. These electric vehicle chargers have performed over 700 vehicle charges since the 1<sup>st</sup> charger was deployed. CCGI has provided a plan to deploy the remaining 22 electric vehicle chargers starting April 3, 2017. CCGI stated that they intend to complete the project by June 30, 2017 in accordance with the conditions of their signed contract.*

### **Green Energy Revolving Loan Fund (GELF)**

As of June 30, 2016, GELF has closed a total of \$14,827,001 of loans supporting the deployment of energy efficiency and alternative energy measures in Pennsylvania. These loans have leveraged nearly \$283 million in total project activities in Pennsylvania. GELF currently has \$367,219, available for lending consisting of revolved ARRA funding. Two projects are in active underwriting, the Hale Building which would receive a GELF loan for \$1,387,279 and the Jack M. Barrack Hebrew Academy which would receive a GELF loan in the amount \$919,497. GELF's loan program has expanded since inception as the program has transferred a total of \$1,243,127 of income, interest and fees into the capital available for lending. GELF has identified three additional prospects which allow candidates to utilize the available capital for lending. DEP and GELF are working to further develop the marketing of successes of completed projects by developing outreach tools designed to attract projects which can utilize the funds revolving back in to the loan fund.

### **Combined Heat and Power (CHP)-Enabled Renewable, Distributed Energy Technology via Leveraged Use of Pennsylvania Marcellus Shale Gas**

The Climate Change Action Plan Update contains a work plan that recommends increasing deployment of CHP systems in PA and recently the PUC has proposed a policy statement intended to promote CHP investments; encourage electric distribution companies (EDCs) and natural gas distribution companies (NGDCs) to make CHP an integral part of their energy efficiency and resiliency plans.

The project is to demonstrate the use of natural gas and solar energy in a hybrid, CHP-Enabled Renewable Energy distributed energy configuration at the newly constructed Building 7R facility at the microgrid within the Philadelphia Navy Yard. This demonstration will establish a path to a more pervasive use of renewable energy technology by the application of hybrid (CHP + Solar Photovoltaic + Electric and Thermal Energy Storage combinations) systems that enable a resilient, low carbon footprint path that rationally incorporates cost-effective advances in solar cells, energy storage and distributed energy based electric grid designs. The project will provide the data and system operation experience for a transferrable design guide to enable interested municipal, industrial and rural co-op organizations to assess implementation feasibility for particular applications.

A meeting of PSU @ The Navy Yard personnel, Berks County Industrial Development Authority, Met Ed and First Energy personnel was held on December 8, 2016. Discussions were focused on First Energy/Met Ed sponsorship of a task force from the Electric Power Research Institute (EPRI) to conduct the Electric Microgrid distribution and macro-grid interconnect design task of the Reading Airport Industrial/Commercial Park development

CHP Enabled Renewable Energy Guide development: The development of a coupled, user-friendly economic and engineering site analysis and system specification method has been established for assessment of potential

CHP Hybrid Microgrid implementation sites. The analysis method is divided into two parts: a.) specification of the electrical generation and storage characteristics of the hybrid system; b.) specification of the thermal generation and storage characteristics of the hybrid system. The electrical generation (engine, PV) and storage (battery) assessment process is nearly complete.

PSU DOE Mid-Atlantic CHP TAP Ctr. personnel are to conduct the design of the on-site hybrid generation system (gas turbine + Photovoltaic + Battery Storage + Thermal Storage) and district energy (hot and cold water) thermal distribution system

### **Industrial Energy Efficiency Assistance**

The Climate Change Action Plan Update contains a work plan that calls for greatly increasing the number of energy assessments for the manufacturing sector and this proposal directly coincides with that recommendation. 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 2016 – 2017 to provide 70-75 energy efficiency assessments for small to mid-sized manufacturers. The project will also educate the next generation of engineering students at Penn State University by including them in site visits and writing assessment reports. Funding is provided by EPA's Pollution Prevention Incentives for States and the DOE's State Energy Program. *PennTAP's technical staff provided four energy assessment reports to companies in the month of February 2017 for metal fabrication and food processing companies in the northcentral and northwestern regions in PA.*

### **Energy Assessments and Retrofits for Restaurants and Corner Stores**

DEP contracted with the Energy Outreach and Assessment Center (EOAC) at the Philadelphia Navy Yard to design and demonstrate a scalable approach to facilitating building energy assessments that will lead to energy retrofits in small and medium sized facilities. This demonstration will focus initially on the Philadelphia PA region as a model for broader statewide applications and specifically on convenience stores and restaurants which are the most energy intensive type of commercial building (3 to 5 times higher than office buildings). These types of facilities have also been targeted by the Philadelphia Energy Authority, who will be a key partner in this project.

This initiative will draw from recent investments by Penn State, the U.S. Department of Energy (DOE) and the DEP in Building Operator Certification and Building Retuning Training designed to engage entry-level workers in building energy assessments. It will also include market partners that will execute retrofit implementations through innovative methods that overcome many barriers currently impeding progress in building energy efficiency. Key innovations include:

- (1) Lowering the cost of energy retrofit customer acquisition through low cost energy assessment conducted by education and training program integration and community outreach,
- (2) Supply chain integration of retrofit design, pricing, product procurement, and construction, and
- (3) Aggregation of small projects into portfolios

During the October-December quarter, of the 30 assessments conducted in the previous quarter, seven were in development for retrofit proposals with expected delivery to the business owners in early 1<sup>st</sup> Quarter 2017. In order to speed up assessments and improve viability of projects with businesses likely to implement proposed equipment retrofits, the Philadelphia Energy Authority will be vetting leads for assessments. *Additional students were trained in a one-week long "boot camp" in early January.* Funding has been identified through the partners for at least eight interns to be hired from students attending the boot camp with their goal to complete an additional 45 assessments by mid-February. Capital financing has been a barrier identified in the process, with the PEA working to have full financing packages available at the time the proposals are presented; DEP's matching grant program requires up-front capital, and the bridge financing was a missing piece. Their

overall goal is to have 15 retrofits completed by June of 2017 from the 75 assessments and subsequent proposals.

### **Building Operator Certification (BOC) Outreach and Building Re-tuning (BRT) Workshop**

DEP has contracted with PennTAP to create and deliver a well-structured statewide workshop to showcase DEP's Building Construction Technology Extension Program and to provide BRT training and BOC required maintenance points for re-certification. The workshop will highlight DEP's Scope of Work on the BRT projects that have been implemented over the past several years. Program participants will discuss BRT at their facilities and lessons learned of executing projects. BRT training will be provided to participants at the workshop interested in the hands-on training. BOC training modules will be provided to past participants of the Building Operator Certification Program to provide them an opportunity to obtain their required re-certification BOC maintenance points. PennTAP Technical Advisors and instructors from the Penn College National Sustainable Structures Center (NSSC) will present training sessions that are competency-based and offer facility personnel the improved job skills and knowledge needed to transform their workplaces to be more energy-efficient and environmentally friendly. In addition PennTAP is subcontracting with Penn College's National Sustainable Structures Center will deliver BOC training to 20 government, community colleges and K-12 school participants in 1 or 2 sessions (Statewide).

The BOC/BRT Facility Operations Workshop was held on March 14, 2017. This date was chosen to avoid potential conflicts with other events and also to occur prior to a BOC certification expiry deadline at the end of March. The event was held at the Penn Stater Conference Hotel Center. Continuing education credits (CEU) certificates will serve as the proof of participation required to qualify for BOC points. Targeted enrollment is 100. The workshop consisted of two parallel tracks that focus on a) BRT principles and the practical application in building walkthroughs, and b) a variety of BOC topics (earning certification points).

The location, subjects, dates, and logistics for the BOC training sessions have been determined and are being promoted through Penn College. A BOC level 1 course, with *14 attendees*, began in Cranberry Township, PA on January 25, 2017. Classes end on April 26, 2017. Another BOC 1 Course is slated to begin in State College, PA on April 6th, 2017. This course will end on June 28<sup>th</sup> 2017. An initiative to align the BOC program with the international ISO standard will be incorporated in these new training sessions. The activity to date has primarily been planning. NSSC staff will conduct outreach at the upcoming Pennsylvania Association of School Business Officials (PASBO) Facilities Management and Transportation Conference.

### **Energy Efficient Building Codes Outreach and Education**

The Northeast Energy Efficiency Partnership (NEEP) held the Pennsylvania Energy Code Collaborative (PECC) meeting at PA DEP on January 9, 2017. The PECC consists of multi-disciplinary representatives from the contractor industry, municipalities, code officials, architects, building products industry and other professionals working with energy code. The PECC participants discussed sustainable outreach strategies for the "PA Energy Code Compliance 101" document, a value proposition tool. The National Energy Codes Conference is will be in Pittsburgh July 17-20, 2017. Planning is underway for speakers. Performance Systems Development staff, who is responsible for the U.S. Department of Energy's (DOE) Residential Energy Code Field Study efforts, provided an update about their education and tools available to code officials and builders. NEEP staff provided a draft survey to the PECC group to review that will be shared with code officials to determine if there is an interest for an Energy Code Ambassador Program in Pennsylvania. This program is offered in some other states, and provides an expert on energy codes that helps code officials with building energy code questions.

### **EV Everywhere**

*DEP held a series of electric vehicle stakeholder meetings in December 2016 at the Pennsylvania Turnpike Commission Headquarters in Middletown. The topics included: EV Education & Outreach, EV Procurement, and EV Charging Infrastructure. DEP is intending to have follow-up meetings with this newly created PA EV*

*Coalition, and also encourage more stakeholders and constituents to get involved in shaping a statewide agenda and plan to support electric vehicles adoption in Pennsylvania. No meetings have been scheduled for follow-up to date. The PA EV Coalition includes state government officials, Clean Cities Coalitions, EV businesses, consultants, transportation organizations, electric utilities, environmental groups, major auto companies, and cities. The next meeting is scheduled for Thursday, April 13.*

### **Alternative Fuels Technical Assistance (AFTA)**

*The AFTA Program was developed by OPPEA to provide professional consulting assistance to PA municipalities, school districts, authorities, and non-profits who are in need of assistance in evaluating the economic and energy impacts of adopting alternative fuel strategies for their fleet vehicles. In late 2016, a qualified contractor, the Eastern Pennsylvania Alliance for Clean Transportation, was brought on board, and, subsequently in January 2017, the availability of the AFTA Program was published and marketing began. Eligible entities may now apply for technical assistance through OPPEA. Once accepted into the program, OPPEA will assign the project to the contractor to begin the analysis. The contractor will work with the eligible organization to evaluate alternative fueling alternatives, vehicle options, and operational strategies, and then provide with a final report with recommendations based on economic and operational considerations specific to the entities involved. As of mid-February, OPPEA has received three AFTA applications. One project has been accepted into the program and the contractor has been assigned to begin the analysis; one application is in final stages of approval and will be assigned to the contractor shortly; and the third application is under review, but likely too small of a project to warrant assigning it to the contractor. AFTA is funded through use of a limited portion of funds (\$48,000), from the Alternative Fuels Incentive Fund.*

### **National Energy Efficiency Registry**

*OPPEA has been partnering with six states along with The Climate Registry and the National Association of State Energy Officials (NASEO) to develop a strategy to help create a NEER. Tennessee is the prime recipient of a competitive grant from the Department of Energy for this project. NEER will allow states to track initiatives within their own programs as well as demonstrate progress towards energy goals and potential compliance with existing and future state and federal environmental regulations. NEER will also allow the public and private sectors to transparently track attributes associated with energy efficiency initiatives. This will help states reduce emissions cost-effectively and will support using energy efficiency investments to improve economic competitiveness and environmental quality. A stakeholder/working group meeting was held February 7 in conjunction with the NASEO Policy Outlook Conference in Washington DC. NEER governance and the final draft of the principles and operating rules prior to public comment period were discussed. NASEO presented a plan and timeline for the NEER state roadmapping effort.*

### **2017 State Energy Program (SEP)**

*DOE's Office of Energy Efficiency and Renewable Energy's (EERE's) State Energy Program (SEP) issued SEP Formula Grant Guidance to states and territories on January 19, 2017. States are expected to submit applications to increase market transformation of energy efficiency and renewable energy technologies through policies, strategies, and public-private partnerships that facilitate their adoption and implementation. DOE's emphasis this year is on enhancing the robustness of States' energy plans and developing energy efficiency and renewable energy plans, and programs to support State achievement of State air quality goals. The draft allocation for Pennsylvania is \$1,530,360. This amount, however, is subject to revision, because Congress is deliberating a Continuing Resolution for Fiscal Year 2017. When the final full year 2017 budget is passed, the allocations may be revised. Pennsylvania's application is due April 11, 2017.*

### **Street Lighting Technical Assistance Project**

*The LED Street Lights Technical Assistance project was initiated in mid-2015. DEP staff performed assessments for approximately 200 municipalities since the inception of the project. Early 2017 has seen a resurgence in municipal requests for assistance from OPPEA staff due to new, increased rates for street lights that took effect at the beginning of the year in several utility territories. This project also included a series of*

*workshop, conference presentation, and webinars to teach municipal officials how to read and understand their street light bills and tariffs, then make informed decisions about moving forward with LED street light orders. During the life of the project, a total of nine workshop and webinar presentations were performed by OPPEA staff with about 500 municipal officials in attendance. One remaining workshop is scheduled in April at the PA State Assn. of Township Supervisors annual conference. Depending on the particular utility involved, municipalities can reduce their street light bill by up to 50% and reduce street light energy consumption by up to 70% upon conversion to LED. It is estimated that approximately 40,000 leased LED street lights have been installed in 2016, representing about 10-15% of leased street lights in PA.*

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## **Environmental Cleanup and Brownfields**

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### **Cleanup Standards Scientific Advisory Board (CSSAB)**

The next CSSAB meeting is scheduled for March 15, 2017, at 9 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg.

### **Storage Tank Advisory Committee (STAC)**

The next STAC meeting is scheduled for March 7, 2017, at 10 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg. *The proposed agenda will include a review of changes made to the draft proposed amendments to Chapter 245 (Administration of the Storage Tank and Spill Prevention Program) since the December 6, 2016, meeting of the STAC. A committee recommendation to present Chapter 245 to the Environmental Quality Board as proposed rulemaking will also be requested.*

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## **Environmental Education**

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### **Environmental Education Grants Program (EEGP)**

For the 2017 grant round, organizations applied for mini-grants of up to \$3,000 or general grants up to \$50,000. General grants will be awarded to organizations implementing large scale regional or statewide environmental education projects. Mini-grant applicants may apply for local environmental education projects. All applicants were encouraged to undertake projects that address DEP's priority topics of climate change, water education and environmental justice.

Applications were submitted electronically through a new online system. The grant raters will be using a new online program to score the applications. *Grant raters completed the application scoring on March 3, 2017.*

The 2017 grant round opened October 3, 2016 and closed December 16, 2016. DEP received 204 grant applications totaling \$2,978,531, including 142 mini-grant applications and 62 general grant applications. The grant awards will be announced on or around April 22, 2017, in conjunction with Earth Day.

### **PA Falcon Reintroduction Program**

The 2017 breeding season began in late January when the adults renewed their pair-bond. *This year, two different adult Peregrine Falcons, one female and one male, were observed in the area. Since they haven't been observed since January, the original pair will be breeding again this year. Expect egg laying to begin in early March. With a 33 to 35 day incubation period, young should arrive by early April. The 2017 Peregrine Falcon Workshop has been scheduled for April 13, 2017 from 9am until 3pm. This workshop will be cooperatively delivered by DEP staff, the Pa. Game Commission, and Zoo America.*

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

For the 2017 nesting season, the PA Falcon Cam will feature new, high definition cameras with infrared technology where falcon cam viewers can select individual camera views for day or night time watching.

### **Pennsylvania Envirothon**

*Planning for the 2017 High School Envirothon is underway. This year, the state high school Envirothon competition will take place May 23 and 24, 2017 on the campus of the University of Pittsburgh-Johnstown (UPJ). Each team, consisting of 5 high school students compete in field testing using their knowledge in 5 subject areas including soils and land use, aquatic ecology, forestry, wildlife, and an annually selected environmental issue.*

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## **Oil and Gas**

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### **TAB Meeting**

*The February 16 TAB meeting has been rescheduled for April 13. As a result of this rescheduling, the May 18 has been cancelled. DEP published a cancellation notice in the February 25 edition of the PA Bulletin.*

### **Release of DEP Lawrence County Induced Seismicity Report**

*On February 17, DEP conducted a media Webinar and released official findings relating to a series of low-magnitude earthquakes detected early in the morning of April 25, 2016 in North Beaver, Union, and Mahoning Townships; Lawrence County. The earthquakes, which were near 2 on the Richter Scale, are classified as microseismic events. Such events are likely to go unnoticed by humans and typically are only recorded by sensitive seismic monitors. Hilcorp Energy Company (Hilcorp), an operator with assets in this part of the state, was in the process of stimulating Utica Shale wells using a technique known as “zipper fracturing,” or hydraulic fracturing operations that are carried out concurrently at two horizontal wellbores that are parallel and adjacent to each other. DEP conducted a thorough investigation and published the results of its findings on the day of the webinar. DEP investigators found a “marked temporal/spatial relationship” to hydraulic fracturing activities at Hilcorp’s well pad and concluded that these seismic events were likely related to the natural gas hydraulic fracturing by the operator. As a result of this work, DEP developed recommendations to mitigate risks associated with induced seismicity which have been adopted by the operator and will appear as permit conditions in future drilling permits issued in this part of the state. Over the longer term, the Office of Oil and Gas Management plans to develop a focused rulemaking to address induced seismicity for Utica Shale development as an “area of alternative methods”. This type of rulemaking permits the agency to develop area-specific rules in parts of the state where conditions warrant.*

### **Coal-Gas Industry-Agency Committee Meeting**

*On February 14, DEP oil and gas program, mining program, and Mine Safety and Health Administration (MSHA) technical staff met with coal and gas industry representatives at DEP’s California District Office (Washington County) as part of the Coal-Gas Committee assembled to discuss ongoing matters related to the coordination between the two industries.*

### **Public Oil and Gas Electronic Submission Viewer**

*The Office of Oil and Gas Management released an application to enable the public to view electronic submissions made by operators through the eSubmission application. This application is accessible via a link on the “Oil and Gas Reports” web page, under the heading “Interactive Applications”. Users can search for submissions based on various criteria, including but not limited to: submission type, submitter (operator), county, municipality, and date range. Currently, all eSubmission types are available for viewing through this external application, with the exception of pre-drill data.*

### **Trade Secret/CPI Chemical Code List**

*The Office of Oil and Gas Management released a list of chemical codes that relate to trade secret/confidential proprietary information (CPI) that are registered with DEP. This report does not contain any trade secret/CPI information rather it lists a unique code that is assigned to the chemical which is on file at DEP. The list includes the name of the organization that registered the chemical/code, their eFACTS client ID number, and the code that they assigned to each respective chemical. The list is available on the “Oil and Gas Reports” web page, under the heading “Non-Interactive Reports”. This report will be updated as additional submissions are received.*

### **Oil and Gas Workload Report**

Please see Attachment 2.

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## **Radiation Protection**

### **Radiation Protection Advisory Committee (RPAC)**

The next RPAC meeting is scheduled for April 6, 2017, at 9:00 a.m. in the 14th Floor Conference Room, RCSOB.

### **Radiation Protection Rulemaking Packages**

#### **Radiation Protection Program Fees**

This proposed rulemaking will amend 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 fees for Radioactive Materials and Decommissioning Program and the 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 was approved by the EQB on April 19, 2016, and published in the Pennsylvania Bulletin on July 2, with a 60-day public comment period that closed Aug. 30, 2016. The draft final annex was reviewed and endorsed by the RPAC on Nov. 17, 2016, and EQB consideration of the final-form rulemaking is anticipated this summer.

#### **Radiological Health**

This proposed rulemaking is diverse in scope and will amend 25 Pa. Code Chapters 215-240 to establish and maintain adequate radiation protection standards and oversight due to significant technological advances in the use of radiation sources. The revisions will delete Agreement State transitional language and outdated requirements as well as add definitions for clarity of new and existing regulatory provisions. The amendments also contain comprehensive amendments for radon testing, mitigation, and laboratory analysis that largely reflect current practice. This rulemaking has been reviewed at length with RPAC at its meetings in 2014 and 2015. DEP received the Committee’s endorsement of the package in July 2015. The proposed rulemaking was presented to and unanimously approved by the EQB on Oct. 18, 2016. It is currently under review by the Office of Attorney General (OAG), which sent a ‘tolling memo’ in December with several questions. The Program *has prepared a response and is awaiting OAG approval*. Pennsylvania Bulletin publication is anticipated in *April 2017* with a 45-day public comment period.

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## **Waste Management**

### **Solid Waste Advisory Committee (SWAC)**

The next SWAC meeting will be held on Thursday, March 16, at 10 a.m. in Room 105 of RCSOB. *The purpose of the meeting is to elect officers and orient newly appointed members to the Committee with an overview of Commonwealth travel policies and procedures, by reviewing the Committee bylaws, and discussing the Committee’s priorities. The Department will also provide a general update on the Bureau of Waste Management and an overview of recent Marcellus Shale Waste Management items (i.e., updated residual waste codes and impoundment permitting under Chapter 78a).*

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## **Water Programs**

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### **New Chapter 102 and 105 Delegation Agreements**

The Department of Environmental Protection has revised the delegation agreements with county conservation districts for both the Water Obstruction and Encroachments Permitting Program (WEOP Program, Chapter 105) and the Erosion and Sediment Pollution Control (E&S) and National Pollutant Discharge Elimination System (NPDES) Permitting Program for the discharge of stormwater from construction activities (Chapter 102). The key changes to the delegation agreements include the following:

- Permit Decision Guarantee/Permit Review Process (PDG/PRP) SOPs have been developed for each permit type and the timeframes in those SOPs are reflected in the delegation agreements and required output measures (ROMs).
- Post Construction Stormwater Management (PCSM) delegation has been developed in a stand-alone agreement, along with associated ROMs.
- The PCSM delegation provides for both completeness and engineering review of the PCSM plans; what was previously known as the “technical review” will be terminated. Districts who do not assume the PCSM delegation will still remain required to execute completeness reviews of PCSM plans and to make note of PCSM practices during site inspections.
- Agriculture E&S is specifically identified in the base and PCSM delegation agreements and ROMs.

Key Changes to the Chapter 105 Agreement:

- General Permit transfers and Submerged Lands License Agreement transfers will be added to the responsibilities of the delegated conservation districts.
- Customized agreements will no longer be issued. Every conservation district will be provided the same agreement with the same delegated responsibilities.
- Permit Decision Guarantee/Permit Review Process (PDG/PRP) SOPs have been developed for each permit type and the timeframes in those SOPs are reflected in the delegation agreements and ROMs.

The revised delegation agreements were approved by the State Conservation Commission at its September 19, 2015 meeting, and were sent to all conservation districts for review and signature. The districts could opt to maintain their current levels and programs of delegation agreement, add a new level or agreement, or drop a level or agreement. A letter of Intent was requested from each conservation district by February 26, 2016 indicating their choice. The revised delegation agreements were executed and issued to the Districts in December 2016.

### **Aquatic Resource Functional Assessment Technical Guidance Documents**

The Bureau of Waterways Engineering and Wetlands is in the process of finalizing three technical guidance documents previously published for public comment. The technical guidance documents set to be finalized are the Pennsylvania Wetland Condition Level 2 Rapid Assessment (Doc Id: 310-2137-002), Pennsylvania Riverine Condition Level 2 Rapid Assessment (Doc Id: 310-2137-003), and Pennsylvania Lacustrine Condition Level 2 Rapid Assessment (Doc Id: 310-2137-004). These technical guidance documents provide standard guidelines for evaluating the condition of palustrine wetlands, riverine and lacustrine aquatic resources for the purposes of meeting regulatory requirements contained in 25 Pa. Code Chapter 105. The technical guidance outlines how to conduct assessments, the factors to consider when doing so and establishes a scoring system based upon condition categories. Program staff presented an overview of the three proposed Aquatic Resource Condition Level 2 Rapid Assessment final technical guidance documents to the Water Resources Advisory Committee at their September 21, 2016 meeting. The WRAC members approved these technical guidance documents with a unanimous vote. The final technical guidance documents *were* published in the PA Bulletin on February 4, 2017. Bureau staff is also currently developing a roll out plan for these technical guidance documents.

## **Comprehensive Environmental Assessment of Proposed Project Impacts for Chapter 105 Water Obstruction and Encroachment Permits**

On January 20, 2017, the Bureau of Waterways Engineering and Wetlands published in the Pennsylvania Bulletin for public comment interim final technical guidance (310-2137-006) on providing a comprehensive environmental assessment when applying for a Chapter 105 Water Obstruction and Encroachment Permit. The purpose of this guidance is to clarify the process for submitting information in a permit application(s) for review by the Department of Environmental Protection (DEP) related to a proposed project's environmental impacts in accordance with the rules and regulations of 25 Pa. Code Chapter 105 for all projects, including large scale projects that are located in more than one Pennsylvania County and are covered by more than one single permit application. Program staff intends to present an overview of this technical guidance document to the Water Resources Advisory Committee at their March 2017 meeting.

### **Sewage Sludge Land Application Permitting**

The Bureau of Clean Water (BCW) is currently re-writing the three sewage sludge land application general permits numbers PAG-07, 08 and 09. These permits initially expired in April 2014. These general permits have been administratively extended since that time and will continue to be extended until new permits are issued on a statewide basis by the BCW staff. The draft revised permits will be published for public information and comment.

### **eDMR Registration**

*On October 22, 2015, the EPA published the NPDES Electronic Reporting Rule ("eReporting Rule") in the Federal Register. The eReporting Rule amended EPA's NPDES regulations at 40 CFR § 122.41(l)(4)(i) to require the submission of Discharge Monitoring Reports (DMRs) electronically by December 21, 2016. DEP's regulations require that permittees report monitoring results using a format or process established by DEP (25 Pa. Code § 92a.61(g)). Under EPA's revised regulations, use of the eDMR system is mandatory. On September 9, 2016, DEP, mailed a letter to permittees not currently using eDMR requesting that they submit the necessary registration paperwork to use DEP's eDMR system. The deadline to submit the form and Agreement was December 21, 2016 (Failure to register for use of the eDMR system constitutes a violation of 25 Pa. Code § 92a.61(g)). Since September 9<sup>th</sup>, we've received over 2,300 eDMR hard copy registrations and 350 of those have been processed and these permittees are now using eDMR. 1,955 eDMR registrations are awaiting processing by DEP staff, some of which (362) require additional information from the permittees. In the near future, DEP will be mailing Notice of Violation letters to permittees who have not mailed in completed registration paperwork. Due to this extensive volume of registrations requiring manual input into the data system, along with the limited staff available to process these registrations, DEP is likely to have a difficult time meeting EPA's target of having > 90% participation in the eDMR system by June 2017.*

### **Triennial Review of Water Quality Standards**

Section 303(c)(1) of the Clean Water Act and Federal regulations at 40 CFR Section 131.20 require that states periodically, but at least once every 3 years, review and revise as necessary, their water quality standards. Pennsylvania's Water Quality Standards are set forth in 25 Pa Code Chapter 93 (Water Quality Standards) and Chapter 16 (Water Quality Toxics Management Strategy – Statement of Policy).

DEP is currently drafting proposed rulemaking and related documentation to support recommended revisions to Pennsylvania's Water Quality Standards (Chapter 93), for consideration by the Environmental Quality Board (EQB). In addition, DEP is recommending related amendments to the Water Quality Toxics Management Strategy – Statement of Policy (Chapter 16). Water quality standards include designated uses, numeric and narrative criteria and antidegradation requirements for surface waters. The regulatory changes in this proposed rulemaking are the result of on-going reviews and evaluations of the water quality standards conducted by DEP. This proposed rulemaking fulfills the federally required triennial review of water quality standards as mandated by the federal Clean Water Act.

The triennial review of water quality standards proposed rulemaking (TR17) was presented to the Water Resources Advisory Committee at the March 24, 2016 meeting. The final rulemaking is anticipated in 2017, which will be submitted to the U.S. Environmental Protection Agency for formal review and approval in accordance with the Federal Clean Water Act.

**Stream Redesignations – Sobers Run, et al. Proposed Rulemaking**

As part of its continuing water quality management program and ongoing review of water quality standards, DEP is currently drafting proposed rulemaking and related documentation to support recommended revisions to stream redesignations in Pennsylvania’s Water Quality Standards (Chapter 93), for consideration by the Environmental Quality Board (EQB). The recommended amendments are to revise 25 Pa. Code Chapter 93, §§93.9c, 93.9f, and 93.9i.

Section 303(c)(1) of the federal Clean Water Act requires states to periodically review and revise, as necessary, water quality standards. This proposed rulemaking contains waterbodies that are candidates for redesignation. Stream evaluations were conducted by DEP to determine the appropriate designated use of the candidate waterbodies. The streams in this proposed rulemaking were all evaluated in response to petitions as follows:

Stream	County	Petitioner
Swiftwater Creek	Monroe	Brodhead Creek Watershed Association
Sobers Run	Northampton	Bushkill Township
Mill Creek	Berks, Chester	Delaware Riverkeeper Network
Silver Creek	Susquehanna	Silver Lake Association

Additionally, the Department is recommending corrections to some stream names as they appear in §93.9c. The United States Geologic Survey (USGS) maintains the National Hydrography Dataset (NHD) Flowline. These corrections are being proposed to maintain consistency between the Pennsylvania Code and the NHD Flowline. The proposed rulemaking was presented to the EQB at their April 19, 2016 meeting.

**Final Rulemaking**

**Revised Total Coliform Rule (RTCR)**

The final RTCR was published in the PA Bulletin on September 24, 2016. The purpose of the RTCR Chapter 109 rulemaking is to incorporate necessary federal requirements needed to obtain primacy and to provide for the increased protection of public health by ensuring the integrity of drinking water distribution systems and monitoring for the presence of microbial contamination. The RTCR primacy application *was* submitted to EPA on Feb 10, 2017.

**Proposed Rulemaking**

**Disinfection Requirements Rule**

The purpose of the proposed Disinfection Requirements Rule Chapter 109 rulemaking package is to strengthen requirements relating to microbial protection and disinfection by ensuring the adequacy of treatment designed to inactivate microbial pathogens and by ensuring the integrity of drinking water distribution systems. The amendments include:

- New monitoring and reporting requirements to ensure compliance with existing treatment techniques regarding log inactivation and CT requirements. Without this data, there is no way to determine compliance with the existing requirement.
- Increasing the minimum disinfectant residual requirements in the distribution system to 0.2 mg/L free or total chlorine. The Department’s existing disinfectant residual requirements for the distribution system have not been substantially updated since 1992 and require the maintenance of a

detectable residual that is defined as 0.02 mg/L. This is not protective of public health because a residual of 0.02 mg/L does not represent a true detectable residual and the level is inadequate to protect against microbial growth within the distribution system.

- The amendments also include minor clarifications to the Stage 2 Disinfectants/Disinfection Byproducts Rule (Stage 2 DBPR), Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Lead and Copper Rule Short-Term Revisions (LCRSTR) in order to obtain or maintain primacy.

The proposed rulemaking was approved by EQB on Nov 17, 2015 and was published in the PA Bulletin on February 20, 2016. Three hearings were held on March 28 (Harrisburg), April 5 (Norristown), and April 7 (Pittsburgh). The public comment period closed on April 19, 2016. IRRCs comment period closed on May 19, 2016. The draft final rulemaking should be presented to the TAC Board in mid-2017.

### **Safe Drinking Water General Update and Fees**

There are three main purposes for this rulemaking. The first is to incorporate the remaining general update provisions that were separated from the proposed RTCR as directed by the EQB on April 21, 2015. These general updates are intended to:

- Clarify the source water assessment, source water protection area, and source water protection program elements and requirements.
- Revise the treatment technique requirements for pathogenic bacteria, viruses and protozoan cysts by adding specific turbidity performance requirements for membrane filtration.
- Revise the disinfection profiling and benchmarking requirements to clarify that public water systems that did not previously conduct these activities must now conduct them.
- Revise the permit requirements to clarify the components that must be included in a permit application for a new source, including a source water assessment, pre-drilling plan, evaluation of water quantity and quality, and hydrogeologic report.
- Revise the design and construction standards to require public water systems (PWS) using surface water or groundwater under the direct influence of surface water (GUDI) sources to be equipped with alarm and shutdown capabilities. These provisions would be required for plants that are not staffed continuously while the plant is in operation.
- Update the system management requirements for community water systems (CWSs) to strengthen system service and resiliency by requiring auxiliary power or an alternate provision such as finished water storage or interconnections.
- Revise the corrective action timeframes in response to a significant deficiency for PWSs using groundwater and surface water sources to be consistent.
- Delete the provision that allows a PWS to avoid the requirement for a corrective action by collecting five additional source water samples after an E. coli-positive triggered source water sample.

The second purpose is to include additional general update provisions that will:

- Establish the regulatory basis for the issuance of general permits for high volume, low risk modifications or activities to streamline the permitting process.
- Clarify that non-community water systems (NCWS) require a permit or approval from the Department of Environmental Protection (DEP) prior to construction and operation.
- Address concerns related to gaps in the monitoring, reporting and tracking of back-up water sources and entry points. As per state and federal regulations, all sources and entry points must be included

in routine compliance monitoring to ensure water quality meets safe drinking water standards. Sources and entry points that do not provide water continuously are required to be monitored when used. However, monitoring requirements for back-up sources are not currently tracked, which means there are no verifiable controls in place to ensure that all sources and entry points meet safe drinking water standards.

The third purpose is to add new annual fees and amend (update) permit fees. Pennsylvania is ranked 4<sup>th</sup> in the nation in terms of the number of PWSs, with nearly 9,000 water systems across the Commonwealth. The DEP is responsible for regulating all PWSs and ensuring that safe and potable drinking water is continuously supplied to the 10.7 million customers they serve. In order to carry out these responsibilities, the DEP must ensure adequate funding for the Safe Drinking Water Program.

The proposed rulemaking is necessary in order to fulfill the DEP's fiscal responsibility to cover most, if not all, of its state program costs. Program costs are directly tied to the resources needed to meet federal and state mandates for minimum program elements and for the administration of an effective State Drinking Water Program. Failure to meet minimum program elements may result in increased risk to public health as well as the loss of primacy for the Safe Drinking Water Program.

The proposed rulemaking was presented to the Small Water Systems Technical Assistance Center (TAC) Advisory Board in November. A webinar was held in December to reach additional stakeholders. All proposed rulemaking documents and webinar materials can be found on the Department's General Update and Fees webpage at the following link: <http://tinyurl.com/109update>. The final comments were received by TAC at their January 5, 2017 meeting. The proposed rulemaking is tentatively scheduled for presentation to the EQB in early 2017.

### **Chesapeake Bay Program**

In January 2016, Governor Wolf announced a change in direction to address Pennsylvania's lack of progress in the implementation of its Chesapeake Bay Phase 2 Watershed Implementation Plan to achieve the nutrient and sediment reduction goals established by the US Environmental Protection Agency within a Total Maximum Daily Load (TMDL). This Chesapeake Bay Restoration Strategy has six recommendations. They are, in priority order:

1. Addressing pollutant reduction deficiencies by meeting the EPA goals of inspecting 10 percent of farms in the Chesapeake Bay watershed annually, with increased inspection and compliance efforts in the agriculture sector using existing Department of Environmental Protection (DEP) and conservation district staff and with continued DEP outreach and program development for urban stormwater systems.
2. Focusing on local water quality improvement and protection by locating and quantifying previously undocumented Best Management Practices (BMPs), and putting new high-impact, low-cost BMP projects on the ground in watersheds that are currently impaired by agriculture or stormwater by shifting an additional 15 percent of available statewide water quality funding to Bay work.
3. Improving reporting, record keeping and data systems to provide better and more accessible documentation of progress made toward Pennsylvania's restoration effort, including consideration of establishing mandatory reporting requirements for the agriculture sector in place of so-far unsuccessful voluntary reporting measures.
4. Identifying strategic, legislative, programmatic or regulatory changes that will give Pennsylvania the additional tools and resources necessary to meet the 2025 Total Maximum Daily Load (TMDL) reduction goals.
5. Establishing a new Chesapeake Bay Office within DEP to assure the proper development, implementation and coordination of the Commonwealth's efforts for restoration of the Chesapeake Bay, and administering DEP's Chesapeake Bay Program grants. (The Chesapeake Bay Program Office (CBPO) has been established.)

Obtaining additional resources for water quality improvement by seeking new sources of funding, which will make Bay compliance as a primary goal, potentially making several hundred million dollars to devote to local water quality issues and ultimately Bay compliance.

### **Chesapeake Bay Ag Inspection Program**

As part of the January 2016 Chesapeake Bay Restoration Strategy, DEP and County Conservation District staff are conducting inspections of farm operations to ensure compliance with existing Pennsylvania regulatory requirements. This element of the restoration strategy is addressing pollutant reduction deficiencies by *addressing* the EPA goal of inspecting 10 percent of farms in the Bay watershed annually. This increased inspection and compliance effort *directed towards* the agriculture sector *is being accomplished* using existing DEP and Conservation District staff. DEP staff completed training sessions for the Chesapeake Bay Initial Ag Inspection program summer of 2016. The goal is for the SCRO to complete 300 inspections, Northcentral Regional Office 200 inspections, Northeast Regional Office 100 inspections and the Southeast Regional Office 30 inspections by the end of June, 2017. As of the end of December, the regional offices have completed 160 inspections, no major issues have been reported. Participating districts began conducting inspections in accordance with their DEP-approved inspections strategies in October. As of the end of December, these districts completed 326 inspections. The goal for each conservation district is 50 inspections for each full time Bay Technician funded with EPA federal grant dollars. *The conservation districts have referred 5 operations to DEP for follow up enforcement action because these farmers failed to produce the required Manure Management Plan or Ag Erosion and Sedimentation Control Plan, or both during the initial inspection and inspection follow up process.*

### **Quantifying Undocumented Best Management Practices**

#### **Penn State Conservation Practice Survey**

Another key component of the Restoration Strategy includes efforts to improve the Commonwealth's data management capabilities and to quantify undocumented best management practices installed by producers on a voluntary basis. One step to accomplishing this is a survey recently completed by Penn State University. Penn State developed and sent out a survey to roughly 22,000 Pennsylvania Chesapeake Bay watershed farmers requesting that they voluntarily report non-cost share BMPs in January. Of this, 6,751 completed questionnaires were returned (30%, a notably good response); Penn State Extension staff completed verification of 10% of the surveys received across the watershed of voluntary practices installed. The final results of this survey were announced on December 16, 2016. Results are as follows:

- 475,800 acres of nutrient/manure management;
- 97,562 acres of enhanced nutrient management;
- 2,164 animal-waste storage units;
- 2,106 barnyard runoff-control systems;
- 55,073 acres of agricultural erosion and sedimentation control plans;
- 228,264 acres of conservation plans;
- more than 1.3 million linear feet of stream-bank fencing;
- 1,757 acres of grass riparian buffers; and
- 5,808 acres of forested riparian buffers.

Department staff have reported these results to the EPA Chesapeake Bay Program Office for inclusion in the Chesapeake Bay Watershed Model. Department Staff is currently working to ensure credit is given for all these practices. *Using Scenario Builder and CAST, it is estimated that once credited to the Watershed Model, these practices will result in a reduction of 1,047,704 pounds of nitrogen per year, 79,620 pounds of phosphorus per year and 10,395,906 pounds of sediment per year delivered to the Chesapeake Bay.*

### **Remote Sensing Project**

This recently completed pilot project by the Natural Resource Conservation Service (NRCS) explored the use of aerial photography and digital land cover data as a means of documenting and verifying the installation of over 28 different best management practices. The Chesapeake Bay Program Agricultural Workgroup approved a standard methodology for the verification of undocumented BMPs using Remote Sensing technologies on January 26, 2017 using the results of this pilot project. As long as states show that these standards are met, the data collected using these technologies will now be accepted into the Watershed Model for the purposes of documenting progress. Once NRCS collects the additional field verification data necessary to meet this standard, all the data collected through this pilot project will be accepted by the Bay Program for incorporation into the model. It is expected this will be completed in March 2017.

### **Chesapeake Bay Agriculture Best Management Practice Special Projects**

Request for proposals for agriculture BMP installation projects by conservation districts using EPA Chesapeake Bay grant funds was released January 24, 2017. Deadline for submittal of applications is February 28, 2017. These funds are targeted to watersheds where agriculture inspections are starting or in priority impaired watersheds identified by the Department or the county conservation district. There is no limit on the amount of funding for any one conservation district, provided they can show they have projects lined up and ready to go. Total funding available is approximately \$2.5 to \$3.0 million from the EPA Chesapeake Bay Implementation Grant (CBIG).

### **Chesapeake Bay Stormwater BMP Grant Program**

*DEP has announced the availability of approximately \$2.4 million in grant funding for urban stormwater BMPs in the Chesapeake Bay watershed for communities with municipal separate storm sewer systems (MS4s). The BMPs must be constructed within an urbanized area in one of ten counties: Blair, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Luzerne, Lycoming and York. The deadline for submission of grant applications is March 3, 2017, and projects must be completed by March 31, 2019. This is the second round of grant funding for MS4s; the first round of applications were received in 2015 and involved the selection of 19 urban stormwater BMPs, totaling \$2.28 million. Funding source for this program is the EPA Chesapeake Bay Implementation Grant (CBIG).*

### **Funding Initiatives**

On October 4, 2016, at the Chesapeake Bay Executive Council Meeting Governor Wolf announced a new state and federal funding strategy to accelerate implementation of Pennsylvania's Restoration Strategy. The funding strategy was developed in partnership between the state departments of Environmental Protection, Conservation and Natural Resources and Agriculture and the United States Department of Agriculture (USDA) and Environmental Protection Agency (EPA). Between all partners, an additional \$28.8 million in funding was provided to support targeted activities in the Chesapeake Bay watershed in Pennsylvania. The state agency investment was \$11.8 million. EPA provided an additional \$4.2 million and USDA provided \$12.7 million.

### **Chesapeake Bay Program Midpoint Assessment**

The Chesapeake Bay Program is now in the midst of the Midpoint Assessment of the TMDL. This midpoint assessment must be completed by December 2018. Key milestones in the completion of that assessment are:

- January 19, 2017 – EPA released interim final expectations for completion of revised Phase 3 Watershed Implementation Plans to be developed by the states. Appendices will be added to this expectations document as decisions are made over the coming months regarding Conowingo Dam, Climate Change and the actual planning targets for each state.
- June 1, 2017 – EPA releases draft Phase 3 planning targets. These are revised nutrient and sediment reduction goals for each state by major basin.
- August 18, 2018 – States must submit draft Phase 3 Watershed Implementation Plans to EPA for review and approval. These plans must be developed in concert with stakeholders and include a public outreach and comment process.

Key issues of interest to Pennsylvania now under review as part of this assessment include:

- Conowingo Dam – This dam is no longer serving as a trap of nutrients and sediment. This reduction in trapping capacity is having an impact on the water quality of the Chesapeake Bay.
- Climate Change – Increases in flow and temperature by 2025 due to climate change are being analyzed as to their potential impact on future water quality and living resources habitat. Several options as to how to deal with this change in climate are being reviewed.
- Sector Allocations and Sector Growth – The wastewater systems, or point source sector, have all reached their targeted allocations. Agriculture and Urban stormwater have not. Additional work needs to be done here to reach the allocation goals and to account for population growth and change in land use. The question now becomes how much should each sector do, how should they get it done, and where in the watershed is the most impact on water quality achieved.
- Local Planning Goals – EPA included criteria for local planning goals in the interim final expectations document. These criteria were developed by the Chesapeake Bay Program Partnership Local Planning Target Task Force. The intent behind these local planning goals is to more effectively target resources and achieve success.

Department staff is in the process of forming a steering committee comprised of the state and local stakeholders with the ability to make decisions and implement the Phase 3 WIP. Workgroups around the individual sectors and Local Planning Goals are also proposed. Incorporated into the development of the Phase 3 WIP may also be a re-evaluation of Pennsylvania's commitments under the 2014 Watershed Agreement. This Agreement sets goals and outcomes for the following main categories: Sustainable Fisheries; Vital Habitats; Water Quality; Toxic Contaminants; Healthy Watersheds; Stewardship; Land Conservation, Public Access; Environmental Literacy and Climate Resiliency. Some outcomes are combined into a single management strategy, resulting in a total of 29 strategies with associated two year workplans and action items. Pennsylvania is actively participating in 25 of the 29 strategies. (The four strategies that Pennsylvania is not participating in involve areas such as blue crabs, where Pennsylvania has minimal expertise and daily involvement).

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## **Water Resources Planning**

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### **Coastal Zone Advisory Committee**

*A meeting of the Pennsylvania Coastal Zone Advisory Committee was held on Wednesday January 18, 2017. The Committee heard a presentation on the PennDOT Extreme Weather Vulnerability Study; Coastal program staff provided updates to the committee on grants activities, marine spatial planning and the climate adaptation planning and community resiliency project; and committee members provided updates from their agencies or entity.*

### **Pennsylvania Receives Award as Partner of the Mid-Atlantic Regional Planning Body**

*On January 12, 2017, the Peter Benchley Ocean Award was given to the Mid-Atlantic Regional Planning Body (MA-RPB). This honor, known as "the Academy Award of the Oceans" was awarded to the MA-RPB based on its landmark ocean plan. This Mid-Atlantic Ocean Action Plan promotes the collaborative use of integrated ocean data and best practices for informed and efficient management of the nation's shared marine resources.*

*DEP was designated by the Governor's Office to assist the MA-RPB in its planning efforts. In turn, DEP staff assisted in creating a model program that engaged a wide range of coastal and ocean stakeholders to better understand, map and make use of our public seas for all citizens.*

*The Peter Benchley Ocean Awards are the world's preeminent ocean awards and are unique in acknowledging outstanding achievement across many sectors of society leading to the protection of our ocean, coasts and the communities that depend on them. Understanding marine ecosystems and how they function and applying that shared knowledge to permitting and planning processes allows for better common uses while reducing conflicts between different users in fisheries, marine farming, shipping and ports, offshore clean energy, national defense and marine parks, wildlife and habitat. For more information, see: <http://peterbenchleyoceanawards.org/press>. The plan is at: (<http://www.boem.gov/Ocean-Action-Plan/>).*

## **Attachment 1**

### **2017 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 Tab on the DEP website. Click on “Public Participation;” “Calendar of Events.”

<b>March</b>	
7	Board of Coal Mine Safety, 10:00 a.m., Conference Room 1A and 1B, DEP Cambria Office, Ebensburg, PA
7	Storage Tank Advisory Committee, 10:00 a.m., Room 105, RCSOB
9	Small Water Systems Technical Assistance Center (TAC) Advisory Board, 9:00 a.m., Room 105, RCSOB
15	Cleanup Standards Scientific Advisory Committee, 9:00 a.m., Room 105, RCSOB
16	Solid Waste Advisory Committee, 10:00 a.m., Room 105, RCSOB
23	Sewage Advisory Committee, 10:30 a.m., Room 105 RCSOB
29	Water Resources Advisory Council, 9:30 a.m. Room 105 RCSOB
<b>April</b>	
6	Radiation Protection Advisory Committee Meeting, 9:00 a.m., 14 <sup>th</sup> Floor Conference Room, RCSOB
6	Mining and Reclamation Advisory Board (MRAB) Quarterly Meeting; 10:00 a.m., Room 105, RCSOB
12	Technical Advisory Committee on Diesel Powered Equipment, 10:00 a.m., Greene Room, DEP New Stanton Office, New Stanton, PA
12	State Board for Certification of Water and Wastewater Operators Meeting, 10 a.m., 10 <sup>th</sup> Floor Conference Room, RCSOB
13	Oil and Gas TAB (Technical Advisory Board) Meeting, 10:00 a.m., Room 105, RCSOB
20	Air Quality Technical Advisory Committee, 9:15 a.m., Room 105, RCSOB
20	Mining and Reclamation Advisory Board, 10:00 a.m., 4 <sup>th</sup> Floor Conference Room, RCSOB
26	Small Business Compliance Advisory Committee Meeting, 10 a.m., 12 <sup>th</sup> Floor Conference Room, RCSOB
<b>May</b>	
4	Small Water Systems Technical Assistance Center (TAC) Advisory Board, 9:00 a.m.,

	Room 105, RCSOB
9	Climate Change Advisory Committee, 10:00 a.m., Room 105, RCSOB
10	Aggregate Advisory Board, 10:00 a.m., Susquehanna Room, SCRO, 909 Elmerton Avenue, Harrisburg, PA
<b>June</b>	
6	Storage Tank Advisory Committee, 10:00 a.m., Room 105, RCSOB
15	Air Quality Technical Advisory Committee, 9:15 a.m., Room 105, RCSOB
28	Cleanup Standards Scientific Advisory Committee, 9:00 a.m., Room 105, RCSOB
29	Solid Waste Advisory Committee, 10:00 a.m., Room 105, RCSOB

**Attachment 2**

**Oil and Gas Workload Report**

YTD WELL PERMIT APPLICATIONS - 1/1/2017 to 2/24/2017						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	48	30	34	34	34	0
UNCONVENTIONAL	289	287	194	191	191	3
<b>Sub Total</b>	<b>337</b>	<b>317</b>	<b>228</b>	<b>225</b>	<b>225</b>	<b>3</b>
AUTHORIZATIONS	80	46	73	63	N/A	10
<b>Total</b>	<b>417</b>	<b>363</b>	<b>301</b>	<b>288</b>	<b>278</b>	<b>13</b>

WEEKLY WELL PERMIT APPLICATIONS – 2/18/2017 to 2/24/2017						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	5	5	0	0	0	0
UNCONVENTIONAL	36	36	30	30	30	0
<b>Sub Total</b>	<b>41</b>	<b>41</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>0</b>
AUTHORIZATIONS	17	17	26	23	N/A	3
<b>Total</b>	<b>58</b>	<b>58</b>	<b>56</b>	<b>53</b>	<b>45</b>	<b>3</b>

**HISTORICAL WELL PERMIT APPLICATIONS AS OF 2/24/2017**

	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,428	197,356	196,135	190,009	1,221	103,353
UNCONVENTIONAL	23,175	22,641	22,180	18,060	461	10,207
<b>Sub Total</b>	<b>220,603</b>	<b>219,997</b>	<b>218,315</b>	<b>208,069</b>	<b>1,682</b>	<b>113,560</b>
AUTHORIZATIONS	42,471	42,095	41,725	N/A	370	18,697
<b>Total</b>	<b>263,074</b>	<b>262,092</b>	<b>260,040</b>	<b>249,117</b>	<b>2,052</b>	<b>132,257</b>

**YTD INSPECTIONS - 1/1/2017 to 2/24/2017**

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	1,648	1,486	297	38
UNCONVENTIONAL	2,563	2,086	87	13
CLIENT/SITE	647	0	59	15
<b>Total</b>	<b>4,858</b>	<b>3,572</b>	<b>443</b>	<b>66</b>

**WEEKLY INSPECTIONS - 2/18/2017 to 2/24/2017**

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	113	107	72	4
UNCONVENTIONAL	252	243	1	0
CLIENT/SITE	80	0	0	2
<b>Total</b>	<b>445</b>	<b>350</b>	<b>73</b>	<b>6</b>

**WELLS DRILLED**

	Two Years Prior 1/1/2015 to 2/24/2015	One Year Prior 1/1/2016 to 2/24/2016	Year To Date 1/1/2017 to 2/24/2017	Week of 2/18/2017 to 2/24/2017	As of 2/24/2017
CONVENTIONAL	50	12	5	1	193,644
UNCONVENTIONAL	126	50	116	36	10,228
<b>Total</b>	<b>176</b>	<b>62</b>	<b>121</b>	<b>37</b>	<b>203,872</b>

This report was prepared by Abbey Cadden, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email [acadden@pa.gov](mailto:acadden@pa.gov) or call (717) 783-8727.