

**September 2018 Report to the Citizens Advisory Council**  
(New and updated information in italics)

---

**DEP Highlights**

---

**Safe Drinking Water General Update and Fees Final Rulemaking**

The final-form Safe Drinking Water (SDW) General Update and Fees rulemaking was published in the Pennsylvania Bulletin on August 18, 2018. This rulemaking will provide for the increased protection of public health by all 8,521 public water systems within the Commonwealth. The rulemaking will: (1) incorporate the remaining general update provisions that were separated from the proposed Revised Total Coliform Rule (RTCR) as directed by the EQB on April 21, 2015, including revisions to treatment technique requirements for pathogens; clarifications to permitting requirements; and new requirements for alarms, shutdown capabilities, and auxiliary power; (2) amend permit fees and add new annual fees to supplement state costs and fill the funding gap (\$7.5M); and (3) add new amendments to establish the regulatory basis for issuing general permits, clarify that noncommunity water systems (NCWS) require a permit or approval from the Department prior to construction and operation, and address concerns related to gaps in the monitoring, reporting, and tracking of back-up sources of supply.

**Schools Chemical Cleanout Campaign (SC3)**

The Schools Chemical Cleanout Campaign is a DEP program focused on the safe management of chemicals in schools. The campaign aims to prevent future problems with mishandled chemicals by encouraging responsible chemical management practices. Since the annual program began in 2011, more than 57,000 pounds of excess and high-risk chemicals, together with more than 158 pounds of low-level radioactive materials, have been removed from 169 schools. The program provides one-time chemical cleanout assistance to the schools whose staff have attended the Chemical Safety and Management Training (Training) provided by DEP. Annual cleanouts start with the Training in the fall of each calendar year; schools complete their chemical inventories and apply for assistance in the spring; and DEP coordinates the cleanouts in the summer.

**Growing Greener Plus Grant Round**

The application period for the 19<sup>th</sup> year of Growing Greener Plus Grant Program closed on July 13, 2018, and DEP's Watershed Support Section is coordinating the review of those grant applications. The Growing Greener Plus grants include Growing Greener, EPA Section 319 Nonpoint Source, Surface Mining Conservation and Reclamation, and AMD Set-Aside grants. The grant awards announcement will take place later this year. The Growing Greener program provides support to projects within the Chesapeake Bay Watershed to address pollutants of critical importance to the Bay restoration effort, and will continue to fund water resource protection and restoration projects outside of the Chesapeake Bay Watershed as well. The Section 319 program will fund projects that implement Watershed Implementation Plans throughout the state. Grant projects funded under the Surface Mining Conservation and Reclamation Act support the design, construction, and/or rehabilitation of AMD treatment facilities on Alternate Bond System (ABS) legacy acid mine drainage discharge and ABS bond forfeited land reclamation projects. Grant funds also will support the abatement and/or treatment of AMD through the design or operation and maintenance of existing passive and active treatment systems.

---

## **Federal Regulations**

---

### **Recently Submitted DEP Comments**

Agency for Toxic Substances and Disease Registry's (ATSDR) Notice of Availability regarding the 2018 Availability of Draft Toxicological Profile for Perfluoroalkyls (PFAs): On August 20, DEP submitted a joint comment letter with the Department of Health stating that we have serious concerns with Perfluoroalkyl Substances (PFAS) in drinking water. We recommended that ATSDR work collaboratively with the U.S. Environmental Protection Agency (EPA) assess and determine if the current health advisory for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) is still adequate, or if the numerical value of the health advisory level (HAL) needs to be revised. ATSDR should also prioritize PFAS efforts that address multiple PFAS compounds holistically.

### **Regulations Planned for DEP Comment**

Council on Environmental Quality's (CEQ) Advanced Notice of Proposed Rulemaking, Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act: On August 20, DEP submitted comments on the proposed updates stating that DEP does not support major amendments to or a wholesale overhaul of regulations implementing the National Environmental Policy Act (NEPA). DEP's comment letter recommends that CEQ engage with DEP's Bureau of Abandoned Mine Reclamation (BAMR) regarding the effectiveness of NEPA regulations. BAMR is subject to NEPA regulations, and therefore has an interest in the efficient and effective implementation of NEPA. DEP also joined a multi-state comment letter with the attorneys general of California, Illinois, Maryland, Massachusetts, New Jersey, New York, Oregon, Vermont and Washington, concluding that CEQ has not demonstrated any need for substantial revisions to NEPA.

---

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

---

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

- [Safe Drinking Water General Update and Fees](#): Published as final in the Pennsylvania Bulletin on August 18, 2018. The rule was effective upon publication but included deferred implementation dates. It was adopted as a final rulemaking by EQB on April 17, 2018 and unanimously approved by IRRC on June 28, 2018.
- [Control of VOC Emissions from Industrial Cleaning Solvents](#): Published as final in the Pennsylvania Bulletin on August 11, 2018. The rule was effective upon publication. It was adopted as a final rulemaking by EQB on April 17, 2018 and unanimously approved by IRRC on June 28, 2018.
- [Radiological Health](#): Adopted by EQB as final on June 19, 2018 and unanimously approved by IRRC on August 16, 2018. Publication of the final rulemaking is anticipated for this Fall. The effective date of the rulemaking is 90 days after publication.
- [NRC Consistency Final-Omitted Rulemaking](#): Adopted by EQB as final on June 19, 2018 and unanimously approved by IRRC on August 16, 2018. Publication is anticipated for this Fall, upon which the rule will be effective.
- [Noncoal Mining Fees](#): Adopted by EQB as final on August 21, 2018. It is tentatively expected to be considered by IRRC in the fourth quarter of 2018.
- [Air Quality Electronic General Permitting Final-Omitted Rulemaking](#): Adopted by EQB as final on August 21, 2018. It is tentatively expected to be considered by IRRC in the fourth quarter of 2018.

- Administration of the Storage Tank and Spill Prevention Program Final Rulemaking: Adopted by EQB as final on August 21, 2018. It is tentatively expected to be considered by IRRC in the fourth quarter of 2018.
- OSM Program Consistency: Adopted by EQB as proposed on May 16, 2018. Currently undergoing review by Office of Attorney General.
- Oil and Gas Unconventional Well Permit Application Fees: Adopted by EQB as final on May 16, 2018. Published as proposed on July 14, 2018, opening a 30-day public comment period. Public comment period closed on August 13, 2018. IRRC comments are due September 12, 2018.

---

## **Public Comment Periods**

---

### **Proposals Open for Public Comment**

- *Federal Consistency Notice under the Coastal Zone Management Act: Lake Erie Shoreline (Opened 9/1/18; Closes 9/17/18)*
- *Draft Stream Evaluation Report: UNT Whetstone Run, Delaware County (Opened 7/14/18; Closes 10/15/18)*

### **Recently Closed Comment Periods**

Note: because a report was not submitted for August, some of the entries below are shown for the first time.

- *Draft Environmental Justice Public Participation Policy (Opened 7/14/18; Closed 8/28/18)*
- *Federal Consistency Notice under the Coastal Zone Management Act: Pennsylvania Fish and Boat Commission Proposal (Opened 8/4/18; Closed 8/20/18)*
- *Draft NPDES General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05) (Opened 7/28/18; Closed 8/27/18)*
- *Draft Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-3) (Opened 7/14/18; Closed 8/13/18)*
- *Draft Stream Evaluation Report: Paradise Creek, Monroe County (Opened 7/14/18; Closed 8/13/18)*
- *Draft Stream Evaluation Report: Cranberry Creek, Monroe County (Opened 7/14/18; Closed 8/13/18)*
- *Draft Stream Evaluation Report: Clyde Run, Elk County (Opened 7/14/18; Closed 8/13/18)*
- *Draft Stream Evaluation Report: UNT 28168 to Oley Creek, Luzerne County (Opened 7/14/18; Closed 8/13/18)*
- *Draft Stream Evaluation Report: Dunbar Creek, Fayette County (Opened 7/14/18; Closed 8/13/18)*
- *Proposed Rulemaking: Unconventional Well Permit Application Fees (Opened 7/14/18; Closed 8/13/18)*
- *Pennsylvania's Solar Future Plan (Opened 7/7/18; Closed 8/20/18)*
- *Clean Water and Drinking Water State Revolving Fund Programs: Federal Fiscal Year 2018 Intended Use Plans (Opened 6/30/18; Closed 7/30/18)*
- *Nutrient Credit Trading Program; TeamAg, Inc. on behalf of Lancaster Area Sewer Authority (Opened 6/23/18, Closed 7/23/18)*
- *Pennsylvania's 2018 Annual Ambient Air Monitoring Network Plan (Opened 6/16/18; Closed 7/16/18)*
- *Proposed State Implementation Plan Revision: Certification of RACT for EPA's CTG for 2008 8-hour Ozone NAAQS and Incorporation of NSPS (Opened 6/16/18; Closed 7/17/18)*
- *Semi-wadeable Large River Macroinvertebrate Assessment Method (Opened 6/16/18; Closed 7/30/18)*
- *Continuous Instream Monitoring Assessment Method (Opened 6/16/18; Closed 7/30/18)*

- Eutrophication Cause Determination Method (Opened 6/16/18; Closed 7/30/18)

### **Recently Finalized**

- *Safe Drinking Water General Update and Fees (8/18/18)*
- *Control of VOC Emissions from Industrial Cleaning Solvents (8/11/18)*

---

### **Communications Monthly Press Releases**

---

#### **Press Releases Issued**

**July 23** – *DEP Offering Grants to Farmers and Small Businesses for Pollution Prevention, Energy Efficiency and Natural Resource Protection Projects*

**July 23** – *To Tackle Widespread Problem of Stormwater Runoff Pollution, DEP Workshop Series Educates Educators*

**July 24** – *ADVISORY – Wolf Administration Joins Health and Environmental Leaders to Condemn Trump EPA Plan to Weaken Clean Car Standards*

**July 25** – *Mosquito Spraying Set for Westmoreland County for Thursday, July 26, 2018*

**July 25** – *Wolf Administration Condemns Trump EPA Plan to Weaken Car Emissions Standards*

**July 25** – *DEP Orders Well Operators to Plug 1,058 Abandoned Wells Statewide*

**July 26** – *DEP Determines Elcon Recycling Services Application to be Administratively Complete, Begins 10-Month Technical Review*

**July 27** – *DEP to Conduct Aerial Mosquito Control Operations on Monday, July 30, 2018, as Flood Waters Recede in Cumberland, Dauphin and Lebanon Counties*

**July 27** – *Department of Health and Department of Environmental Protection Report First Human Case of West Nile Virus in Pennsylvania in 2018*

**July 27** – *DEP Reaches Agreement with Environmental Groups Over Mariner East 2 Permits*

**July 30** – *Mosquito Spraying Set for Lackawanna County for Wednesday, August 1, 2018*

**July 31** – *Mosquito Spraying Set for Schuylkill County for Thursday, August 2, 2018*

**August 1** – *ADVISORY – Wolf Administration to Highlight Farm Conservation Practices in DEP Connects Farm Tour*

**August 3** – *Record Mosquito Numbers and West Nile Virus Threaten Pennsylvanians*

**August 3** – *DEP Helps Improve School Safety with Laboratory Chemicals Training and Cleanout*

**August 3** – *Mosquito Spraying Set for Westmoreland County for Monday, August 6, 2018*

*August 5 – DEP Issues a Code Orange Air Quality Action Day Forecast for the Southeastern Pennsylvania Region for August 6, 2018*

*August 6 – DEP Assesses \$148,000 Penalty Against Sunoco for Mariner East 2 Violations in Berks, Chester and Lebanon Counties*

*August 6 – Mosquito Spraying Set for Snyder County for Tuesday, August 7, 2018*

*August 7 – Wolf Administration Highlights Farm Conservation Practices and Impacts to Water Quality During DEP Connects Farm Tour*

*August 13 – Mosquito Spraying Set for Lycoming County for Tuesday, August 14, 2018*

*August 13 – DEP Grants Available to Organizations and Local Governments Working to Restore, Protect Pennsylvania’s Coastal Zones*

*August 15 – Mosquito Spraying Set for Adams, York Counties for Thursday, August 16, 2018*

*August 16 – DEP Completes Review, Accepts Permit Modification Requests for Mariner East 2 in Chester County*

*August 16 – ADVISORY – DEP to Hold Public Meeting on Cumberland County Landfill Permit Modification*

*August 16 – Mosquito Spraying Set for Lycoming County for Thursday, August 16, 2018*

*August 17 – Mosquito Spraying Set for Schuylkill County on Monday, August 20, 2018*

*August 19 – West Nile Mosquito Spraying set for Monday in Columbia County*

*August 20 – DEP to Conduct Aerial Mosquito Larval Control on Tuesday, August 21, 2018, as Flood Waters Recede in Luzerne County*

*August 22 – Mosquito Spraying Set for Bradford, Columbia, Lycoming, Susquehanna and Wyoming counties on Wednesday, August 22, and Thursday, August 23, 2018*

---

## **Active and Abandoned Mine Operations**

---

### **Final Rulemakings**

#### **Final Rulemaking – Handling and Use of Explosives**

This final-form rulemaking was approved by the EQB on February 20, 2018. It was delivered to the House and Senate Environmental Resources and Energy Committees on March 16, 2018. IRRC unanimously approved the regulation at its April 19, 2018 meeting. The Office of Attorney General approved for form and legality. It was published as a final rulemaking on June 23, 2018, and was effective upon publication.

### **Proposed Rulemakings**

#### **Noncoal Mining Fees**

The Noncoal Mining Program Fees rulemaking contemplates increases that are phased in via three two-year increments. After these phases, the fees would be adjusted using an index for employment costs. The proposed rulemaking was published in the PA Bulletin on February 3, 2018 for public comment through March 5, 2018. One public comment was received. IRRC provided comments on April 4, 2018, seeking clarification on increased fees not exceeding program costs, the exploration of alternatives to address small business impacts, the implementation of automatic fee increases with respect to the three-year review cycle, and the need for more information on the application of cost indices. The draft was discussed with the Aggregate Advisory Board on May 9, 2018. *It was considered by EQB as a final-form rulemaking on August 21, 2018, and was adopted. It is tentatively expected to be considered by IRRC in the fourth quarter of 2018.*

#### OSM Program Consistency

This proposed rulemaking would amend the coal mining regulations to achieve consistency with federal requirements. On April 6, 2017, the Mining and Reclamation Advisory Board (MRAB) recommended that the rulemaking should proceed to EQB as proposed. The EQB considered and adopted the proposed rulemaking at its May 16, 2018 meeting. The Office of Attorney General *tolled the rulemaking on July 2, 2018. The Department submitted a response to the Office of Attorney General on August 2, 2018.*

#### Water Supply Replacement

The mining program is beginning the preliminary process for rulemaking to update the regulations for water supply replacement for coal mining. The MRAB's Regulatory, Legislative and Technical Committee met on April 19, 2018 to review concepts and provide input prior to the drafting of proposed changes. This was presented to the MRAB at their July 19, 2018 meeting. *The Board recommended changes which will be further considered by the Board's Regulation, Legislation, and Technical Committee.*

#### Guidance Document Revisions

The Bureau of Mining Programs is systematically reviewing the library of Technical Guidance Documents (TGDs) to identify the documents which require changes. This process is ongoing. For detail, see the Department's Non-Regulatory Agenda.

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

The Board will discuss future regulatory work at its *September 4, 2018* meeting.

---

### Air Quality

---

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

The Department submitted the required SIP revisions for Beaver, Warren and Allegheny Counties on Oct. 2, 2017, and for Indiana/Armstrong County on October 11, 2017. DEP received completeness letters for these SIPs from EPA on Oct. 5 and Oct. 13, 2017, respectively. On March 22, 2018, the EPA published its intent to approve the Warren County SIP revision. The public comment period closed on April 23, 2018. *EPA published its intent to approve the Indiana/Armstrong SIP on July 13, 2018, with the public comment period closing on Aug. 13, 2018.*

## **First Driving PA Forward Grant (Clean Diesel)**

DEP accepted grant applications from May 19 through July 6, 2018 to replace, repower, or retrofit fleet diesel-powered trucks, buses and other vehicles and equipment under the Pennsylvania State Clean Diesel Grant program. Grants are available to public and private entities, including school districts, local governments, and non-profit organizations. *DEP received seven applications requesting \$753,217; however, one application was withdrawn. The opening of several more Driving PA Forward grant and rebate application periods will be announced later this year. For additional information about Driving PA Forward, please access the following link: <http://www.depgis.state.pa.us/DrivingPAForward/>*

## **Air Quality Rulemakings**

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

The rulemaking establishes RACT requirements for industrial cleaning solvents (ICS) as recommended in the EPA's 2006 Control Techniques Guidelines for ICS. *The final rulemaking was published in the Pennsylvania Bulletin on August 11, 2018. The ICS rulemaking SIP revision was submitted to the EPA on August 13, 2018. It is the last of 44 required CTGs to be promulgated in Pennsylvania and was part of the Certification SIP Revision that was also submitted to EPA on August 13, 2018.*

### **Air Quality Fee Rulemaking**

The Clean Air Fund constitutes approximately 60% of the Air Quality Program's budget and is comprised of two appropriations: the Major Emission Facilities (Title V) and Mobile and Area Facilities (or Non-Title V) accounts. The Non-Title V account is anticipated to hit a zero balance sometime in FY 2019-20, and the Title V account will reach a zero balance sometime in FY 2023-24.

*The draft proposed fee rulemaking was presented to the Air Quality Technical Advisory Committee (AQTAC), the CAC, and the Small Business Compliance Assistance Committee (SBCAC) on June 14, July 17, and July 25, 2018, respectively. The committees voted to concur with the Department's recommendation to present the proposed rulemaking to the Environmental Quality Board (Board). The CAC had a few suggested changes but also concurred with moving the proposal to the Board. The rulemaking will affect approximately 500 Title V facilities and 2,100 non-Title V facilities permitted by DEP. The proposed rulemaking will also impact the owners/operators of approximately 5,000 asbestos projects per year. Total additional revenue from the rulemaking is expected to be approximately \$14 million per year.*

### **Low Volatility Gasoline Requirement for the Pittsburgh–Beaver Valley Area**

On May 1, 2018, DEP electronically submitted the SIP revision amending Pennsylvania's existing regulation requiring the use of a reduced volatility gasoline with an RVP of 7.8 pounds per square inch in the seven-county Pittsburgh–Beaver Valley area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland) from May 1 through September 15 each year for ozone control. The final rulemaking adds language repealing the RVP requirement after EPA approves a noninterference demonstration (NID) required under Section 110(l) of the Clean Air Act. On May 2, 2018, DEP electronically submitted the NID SIP revision confirming that the repeal of the low RVP fuel program will not interfere with the attainment and/or maintenance of the ozone National Ambient Air Quality Standards (NAAQS).

On June 15, 2018, EPA published in the Federal Register a notice of Direct Final Rule (DFR) approving Pennsylvania's revision to the SIP repealing the Commonwealth's summertime low volatility gasoline requirements in the seven-county Pittsburgh–Beaver Valley area as well as a notice of Proposed Rule. *The proposed rulemaking comment period closed July 16, 2018. EPA received two adverse comments to the Proposed Rule and will respond accordingly. EPA published a notice of Withdrawal of Direct Final Rule on Aug. 6, 2018, and will publish a notice of Final Rule after due consideration of the adverse comments. The EPA will not institute a second comment period on this action. As a DFR, the rule would have automatically become effective on Aug. 14, 2018, had it not been for the adverse comments.*

### Revision of Sulfur Limits in No. 2 and Lighter Commercial Fuel Oil

The proposed rulemaking would reduce the maximum allowable sulfur content limit for No. 2 and lighter commercial fuel oil, sold for and used in combustion units, from the current limit of 500 parts per million (ppm) of sulfur to 15 ppm. Emissions of sulfur dioxide (SO<sub>2</sub>) contribute to the formation of regional haze, which degrades visibility in many American cities and scenic areas, and fine particulate matter (PM<sub>2.5</sub>). The draft proposed rulemaking Annex A was presented to the SBCAC, AQTAC, and CAC on Jan. 24, Feb. 8, and Feb. 20, 2018, respectively. *The Department anticipates presenting the proposed rulemaking to the EQB in 2019.*

### Final-Omitted Rulemaking: Electronic Submission of Air Quality General Plan Approval and General Operating Permit Applications

*On Aug. 21, 2018, the Department presented this final-omitted rulemaking to the Environmental Quality Board (EQB). The final-omitted rulemaking expressly adds the ability to submit applications electronically for the use of air quality general plan approvals or general operating permits. The EQB unanimously approved the rulemaking. It is tentatively expected to be considered by IRRC in the fourth quarter of 2018.*

### Additional Requirements for Fine Particulate Matter in the Nonattainment New Source Review Program

This proposed rulemaking would amend 25 Pa. Code Chapter 127, Subchapter E (relating to new source review) to incorporate Federal requirements issued by EPA on Aug. 24, 2016, for the regulation of precursor emissions to the formation of particulate matter less than and equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>). EPA's final rule requires states with nonattainment areas for PM<sub>2.5</sub> to amend their new source review (NSR) regulations to include emissions of volatile organic compounds (VOC) and ammonia as PM<sub>2.5</sub> precursors.

On April 6, 2018, EPA published a finding of failure stating that Pennsylvania failed to submit SIP revisions for the moderate areas designated under the 2012 PM<sub>2.5</sub> NAAQS. This finding starts 18- and 24-month periods during which Pennsylvania must either submit complete SIP revisions or become subject to mandatory sanctions. This finding also establishes a 24-month deadline by which EPA must either approve a SIP or finalize a federal implementation plan that addresses the necessary revisions. The expiration date for the 18-month EPA sanction clock is Nov. 7, 2019, and the 24-month sanction clock expires on May 7, 2020.

*The Department presented the draft proposed annex to SBCAC, AQTAC and the CAC Policy and Regulatory Oversight Committee on July 25, Aug. 2 and Aug. 21, 2018, respectively. The Department anticipates bringing it before the full CAC on Sept. 18, 2018.*

### Control of Existing Sources of Emissions from the Oil and Natural Gas Industry

*On Aug. 13, 2018, the Department published its Regulatory Agenda update. In the Agenda, DEP listed its intention to propose emission limitations consistent with the reasonably available control technology (RACT) recommendations of the Control Techniques Guidelines for the Oil and Natural Gas Industry that were finalized by EPA on Oct. 27, 2016. The proposed rulemaking would establish RACT requirements for VOCs from existing oil and natural gas production facilities, compressor stations, processing plants, and transmission stations.*

**Finding Pennsylvania's Solar Future**

The PA Solar Future Draft Plan was released on July 7<sup>th</sup> and a public comment period was provided until August 20<sup>th</sup>. *Approximately 140 comments were received. The PA Solar Future Team will now consider the comments and prepare a comment and response document by October. The Final PA Solar Future Plan, with responses to comments incorporated, will be unveiled in November. The PA Solar Future team is now working on a supporting document, a Strategy Support and Market Transformation Plan, that will help inform and drive discussions for upcoming stakeholder meetings in November and March. The Strategy Support Plan will be a living draft of actions and activities for stakeholders to utilize and update, to document progress in implementing the plan. A webinar to review the strategy support document and one to review the comment and response document are planned for September and October respectively.*

**2018 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. The first acceptance period of the 2018 AFIG Program ended on July 13<sup>th</sup>, 2018. 37 applications were submitted via the PA DCED's (Department of Community and Economic Development) Electronic Single Application (ESA) system. *Applications have been reviewed by AFIG staff and recommendations for awards are currently being developed.* The second application acceptance period ends December 14<sup>th</sup>, 2018. Approximately \$5 million in grant funding is available for school districts, municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies, or partnerships incorporated or registered in the Commonwealth to support.

*The Alternative Fuel Vehicle Rebate Program will be implementing new guidelines on August 31, 2018. The program, administered by the Department, through the Alternative Fuels Incentive Grant Program (AFIG), provides rebates to Commonwealth residents to assist individuals with the incremental costs of purchasing an alternative fuel vehicle. The revised program will offer a \$2,000 rebate for BEV and PHEVs with a battery capacity greater than or equal to 85kWh, a \$2,000 rebate for Hydrogen Fuel Cell Vehicles, a \$1750 rebate is available for BEV and PHEVs with a battery capacity less than 85 kWh and equal to or greater than 30kWh, a \$1000 rebate is available for BEV and PHEVs with a battery capacity greater than or equal to 10kWh and less than 30kWh, and a \$750 rebate for BEV and PHEV's with a battery capacity less than 10kWh. All rebates will be available for both purchased and leased vehicles. The program will also increase the eligible vehicle final purchase price cap from \$50,000 to \$60,000 for Hydrogen Fuel Cell Vehicles and BEVs and PHEVs with a battery capacity equal to or greater than 60 kWh. The revised rebate program offered will be reassessed on June 30, 2019.*

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

EPO and various stakeholders are participating in a project with Penn State University 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. *The CHP-Enabled Renewable Energy Guide, to help interested municipal, industrial and rural co-op organizations assess implementation feasibility, has been developed. The CHP microgrid construction work has been completed. System commissioning is scheduled for the 2<sup>nd</sup> week of September. This project will be used to demonstrate Renewable Distributed Energy technology and provide a test bed for cost / benefit analysis for this type of system under various configurations.*

## **Building Construction Technology Extension Center**

*DEP executed a new contract with the Pennsylvania Technical Assistance Program (PennTAP) at the Pennsylvania State University to provide Building Re-Tuning (BRT) training to K-12 school districts and local government facility managers in the Southwest Region, beginning July 1<sup>st</sup>, 2018. PennTAP will conduct three BRT workshops by June 2019. BRT Training specifically targets facility managers and staff working in K-12, governmental, and community college facilities to train them on better management techniques and technology for their existing buildings to optimize energy conservation and efficiency. Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).*

## **EV Everywhere**

*The next Drive Electric PA Coalition meeting is scheduled for October 17, 2018 from 10AM-2PM at the PECO Office Building in Philadelphia.*

## **Industrial Energy Efficiency Technical Assistance**

The 2015 Climate Action Plan (CAP) and the 2018 CAP update contain work plans that call for significantly increasing the number of energy assessments for the manufacturing sector. The current PA DEP SEP (State Energy Plan) proposal directly coincides with the CAP recommendations. For state fiscal year 2018-19, DEP contracted with the Pennsylvania Technical Assistance Program at the Pennsylvania State University (PennTAP) and the Emerging Technology Applications Center (ETAC) to provide energy efficiency technical assistance targeting the Industrial sector of energy consumers. *PennTAP and ETAC have completed two energy efficiency assessments for manufacturers representing the zinc refinery and actuator and gearbox industries.*

## **2018 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 in February. 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. On June 12<sup>th</sup>, DEP received notice from USDOE that Pennsylvania's 2018 SEP Plan was approved. *On June 26<sup>th</sup>, DEP received notice that it was eligible to receive additional funding and to reapply. The revised SEP application was submitted to DOE on August 14<sup>th</sup>. DEP will receive \$1,858,460 for the first year of the 3-year grant, beginning July 1, 2018 and ending June 30, 2019.* SEP 2018 energy activities include technical assistance to small and medium-size businesses, training for local governments and schools, comprehensive energy planning, energy assurance efforts, and a regional pooled municipal energy efficiency purchasing program. Contracting is underway for many of these programs.

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

*The August 28<sup>th</sup> CCAC meeting was cancelled. The next CCAC meeting is scheduled for Tuesday, October 23<sup>rd</sup> in the RCSOB, Room 105. During the meeting, ICF will present the 2018 PA Climate Change Action Plan Update and Economic Modeling Results.*

## **Commercial Property Assessed Clean Energy Program (C-PACE)**

On June 13, 2018, Governor Tom Wolf signed Senate Bill 234, establishing C-PACE, a financing mechanism enabling low-cost, long-term funding for energy efficiency, renewable energy, and water conservation upgrades to commercial, agricultural, and industrial properties. This legislation will enhance property values and employment opportunities while lowering the costs of doing business. Currently, 33 states plus the District of Columbia have authorized PACE financing for clean energy and energy efficiency projects. In PA, local government and not-for-profit energy stakeholders are in the beginning stages of discussing the development of a program that could help launch efforts for municipalities in the Commonwealth. Additionally, EPO staff are taking part in the U.S. Department of Energy (DOE) C-PACE Workgroup, which has multiple partners involved in existing C-PACE programs throughout the country. *The Philadelphia Energy Authority and other stakeholders have a series of meetings planned for September and October to discuss the development of a program.*

## **Building Energy Code Trainings**

*DEP has contracted with the Pennsylvania Municipal League and Performance Systems Development to provide building code officials, contractors, design professionals and builders with training on the 2015 International Energy Conservation Code for residential and commercial construction projects in the upcoming months. A series of workshops, webinars and specialized (circuit rider) trainings are currently being planned. Specific dates and venues will be provided once the training programs have been established.*

## **Building Operator Certification (BOC) Level 1 Training**

*DEP's contractor, National Sustainable Structures Center at Penn College of Technology, will provide instructional training for facilities' management and operations personnel to help improve their buildings and campuses by improving efficiency, comfort, and sustainability. Starting on September 25, 2018, BOC training will be offered in Harrisburg. The next BOC training class begins on September 26<sup>th</sup>, 2018 in Pittsburgh. These programs are specifically targeted to reach facility managers/staff in K-12, governmental, and community college facilities to train them how to better manage their existing buildings for optimal energy efficiency. Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).*

---

## **Environmental Cleanup and Brownfields**

---

### **Amendments to 25 Pa. Code, Chapter 245 (relating to Administration of the Storage Tank and Spill Prevention Program)**

In February 2018, proposed amendments to Chapter 245 were published that focus on strengthening the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment, and addresses issues that Department personnel have observed in conducting inspections, oversight and enforcement of Chapter 245. There were 84 comments received from the public and the Independent Regulatory Review Commission on the proposed amendments. Department staff reviewed the comments and made changes to the proposed rulemaking as warranted. *The Storage Tank Advisory Committee (STAC) reviewed and endorsed the draft final revisions on May 17, 2018, and on August 21, the Environmental Quality Board unanimously adopted the final-form rulemaking. It is tentatively expected to be considered by IRRC in the fourth quarter of 2018.*

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

*The STAC meeting scheduled for September 4, 2018, has been cancelled. The next STAC meeting is scheduled for December 5 at 10 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg.*

### **Proposed Rulemaking, 25 Pa. Code, Chapter 250 (relating to Administration of Land Recycling Program)**

The Department is developing a proposed rulemaking to update Statewide health standard medium-specific concentrations (MSCs) listed in Appendix A of Chapter 250. Additional changes to the regulations may be needed to clarify regulatory language, update outdated information, and to make other corrections. Conceptual changes to the MSC tables and regulatory language *were* presented to the Cleanup Standards Scientific Advisory Board (CSSAB) at its August 1, 2018 meeting.

### **Land Recycling Program Technical Guidance Manual (TGM) Public Comment Period**

Notice of proposed revisions to the Land Recycling Program TGM was published in the Pennsylvania Bulletin on Dec. 16, 2017, with a 90-day public comment period that ended on March 16, 2018. Substantial revisions include a reorganization of information to improve clarity and flow of the document, clarification of complicated concepts, updating outdated information, removing redundant text, and the addition of vapor intrusion and groundwater monitoring guidance. A total of 98 comments were received from nine

commentators during the comment period. Comments and responses on the proposed revisions *were* presented at the August 1, 2018 CSSAB meeting. The Department plans to provide a draft-final version of the TGM to the CSSAB in December 2018.

---

## **Environmental Education**

---

### **PA Falcon Reintroduction Program**

*With dispersal occurring in July, the young falcons that were hatched on Earth Day 2018 have left the area. Ideally, these falcons will show up at a nest site that is monitored. This provides biologists with an opportunity to identify the bands thereby identifying that specific falcon. These young falcons may head south; others may head towards New York and New Jersey. Current nesting adults in Pennsylvania came from nests within the Commonwealth but also from New Jersey, New York, Connecticut, Massachusetts, Vermont, Wisconsin, and Ontario.*

### **Staffing**

*The Environmental Education and Information Center welcomes a new addition to the staff. Lisa Meadows joins this office, transferring from DCNR, Bureau of State Parks, where she was assigned to Raccoon Creek and Yellow Creek State Parks as an Environmental Education Specialist. Two interns worked with the DEP Environmental Education program. Both recently completed their assignment with Erica Gebbia returning to Bloomsburg University and Logan Kincaid returning to Millersville University.*

### **“Weathering the Storm” Stormwater Workshop**

*Another “Weathering the Storm” Stormwater Workshops was delivered on August 2 at the Beaver County Conservation District. This workshop was a collaboration between DEP, DCNR, Penn State-Extension, and the Beaver County Conservation District. On August 8, the DEP Environmental Education staff delivered the stormwater component as part of a Teacher Workshop held at the Stroud Water Research Center, Avondale, PA.*

### **Update from the PA Watershed Education Task Force**

The task force is currently conducting research about past NOAA-funded Meaningful Watershed Educational Experiences in PA, creating the statewide EE Providers Inventory, creating a statewide needs assessment survey, promoting high-quality watershed education at conferences, and providing beginner and advanced professional development workshops for educators. Also, save the date: information on NOAA funded teacher stipends will be announced for educators to attend the watershed education Dive Deeper Summit, scheduled for September 20, 2018 at the Central Hotel and Conference Center, Harrisburg, PA. The Dive Deeper Summit is sponsored by Penn State Extension. More information can be found at: <https://extension.psu.edu/dive-deeper-summit>. Also, the NOAA Chesapeake Bay Office will arrange a media event to announce the organizations that will be receiving grants to address issues facing the Chesapeake Bay Watershed within the Commonwealth. The date and site are yet to be confirmed.

### **Programs Delivered in July**

Aside from the stormwater workshops, DEP’s Environmental Education staff delivered additional programs during July. On July 11 and 18, the DEP Environmental Education staff assisted the staff of the Spring Haven Summer Camp in Lebanon County. The first program introduced campers to the method used to complete a stream study, studying the stream biologically and physically. The second day of this program was introducing participants to renewable energy through the construction and racing of solar cars.

### **Oil and Gas Unconventional Well Fee Proposed Rulemaking**

On May 16, 2018, the Office of Oil and Gas Management presented the proposed Unconventional Well Permit Application Fee rulemaking to the Environmental Quality Board (EQB). The proposed rulemaking increases the current well permit application fees from \$5,000 for a nonvertical unconventional well and \$4,200 for a vertical unconventional well, to \$12,500 for all unconventional well permit applications. The permit fees for conventional wells remain unchanged. The EQB adopted the proposed rulemaking with two opposing votes. The proposed rulemaking was published in the Pennsylvania Bulletin on July 14, 2018 with a 30-day public comment period. *The comment period closed on August 13, 2018. DEP is currently reviewing all comments received and will prepare a Comment/Response Document with the final rulemaking.*

### **Oil and Gas Technical Advisory Board Meeting (TAB)**

*On Wednesday, August 8, TAB conducted a regular board meeting in Room 105 in the Rachel Carson State Office Building, Harrisburg. Meeting agenda topics included: updates on Area of Review Technical Guidance Document (TGD), Pressure Barrier TGD, Coal-Gas Coordination TGD, update on status of “Drilling Behind Mining” Subcommittee, status of first TAB-CDAC Plugging Workgroup meeting, update on status of ESCGP-3, Natural Gas Storage Workgroup update, proposed oil and gas permit application fee update, draft environmental justice public participation policy, and well development impoundment update. No members of the public presented comment to TAB. The next regular meeting of TAB is scheduled on Wednesday, November 7, 2018.*

### **Draft Erosion and Sediment Control General Permit for Earth Disturbances Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-3)**

*On July 14, 2018, the Department published the “Draft Erosion and Sediment Control General Permit for Earth Disturbances Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities (ESCGP-3)” in the Pennsylvania Bulletin with a 30-day public comment period. This Authorization of Coverage pertains to oil and gas activities that involve 5 acres or more of earth disturbance over the life of the project. The comment period closed on August 13, 2018. DEP is currently reviewing all comments received and will publish a Comment/Response Document along with the final Authorization of Coverage in the Pennsylvania Bulletin this fall.*

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

Please see Attachment 2.

---

## **Radiation Protection**

---

### **Radiation Protection Rulemakings**

#### **Final Rulemaking - Radiological Health**

This rulemaking 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 amendments also contain comprehensive amendments for radon testing, mitigation, and laboratory analysis that largely reflect current practice. The EQB adopted the final-form rulemaking on June 19, 2018, and IRRC approved it on August 16, 2018. Following a 30-day review period by the Office of Attorney General, DEP anticipates publishing the final-form rulemaking this Fall. The effective date of the rulemaking is 90 days after publication.

#### **Final-Omitted Rulemaking – NRC Consistency**

DEP has developed a final-omitted rulemaking to amend 25 Pa. Code Chapters 215, 217, 230 and 232 to correct references to specific sections of Title 10 Chapter I of the Code of Federal Regulations that were inadvertently incorporated by reference in Pennsylvania's regulations. These corrections were identified by the NRC in a recent program review and are necessary for the Commonwealth to remain compatible and properly administer the federal requirements of NRC's Agreement State program. The final-omitted rulemaking was adopted by the EQB on June 19 and approved by IRRC on August 16, 2018. Publication is anticipated for September, upon which the rule will be effective.

---

## **Waste Management**

---

### **Schools Chemical Cleanout Campaign (SC3)**

**SC3** is a DEP program focused on the safe management of chemicals in schools. The campaign aims to prevent future problems with mishandled chemicals by encouraging responsible chemical management practices. Since the annual program began in 2011, more than 57,000 pounds of excess and high-risk chemicals, together with more than 158 pounds of low-level radioactive materials, have been removed from 169 schools.

*The program provides one-time chemical cleanout assistance to the schools whose staff have attended the Chemical Safety and Management Training (Training) provided by DEP. The purpose of the Training is to instruct participating schools on the proper cleanout of excess, legacy, unused, and improperly stored chemicals, including best practices in the management of chemicals. Annual cleanouts start with the Training in the fall of each calendar year; schools complete their chemical inventories and apply for assistance in the spring; and DEP coordinates the cleanouts in the summer.*

*The 2018 SC3 round began with Training at 5 Intermediate Units (IUs): Northwest Tri-County (IU 5), Seneca Highlands (IU 9), Tuscarora (IU 11), Luzerne (IU 18), and Montgomery County (IU 23) in October and November 2017. Eighty school staff members representing 61 schools attended the Training; 11 of these schools applied for and were approved to receive assistance. Cleanouts were completed from July 26 through August 9, 2018, as summarized below:*

| <b>2018 RCRA Schools Chemical Cleanout Campaign Schedule</b> |  |               |               |
|--|--|---------------|---------------|
| <b>Date</b>  | <b>School</b>  | <b>County</b> | <b>Region</b> |
| Thursday, 7/26   | Lakeland Jr/Sr High School                           | Lackawanna    | Eastern       |
| Thursday, 7/26   | Northwest Area School District                       | Luzerne       | Eastern       |
| Thursday, 7/26   | Crestwood School High School                         | Luzerne       | Eastern       |
| Thursday, 7/26   | Hazleton Area High School                            | Luzerne       | Eastern       |
| Tuesday, 7/31  | Southern Huntingdon County High School/Middle School | Huntingdon    | Western       |
| Tuesday, 7/31  | Mount Union Area Junior/Senior High School           | Huntingdon    | Western       |
| Wednesday, 8/1   | Coudersport Area Junior/Senior High School           | Potter        | Western       |
| Wednesday, 8/1   | Mercer Area Middle School                            | Mercer        | Western       |
| Tuesday, 8/7   | Council Rock School District                         | Bucks         | Eastern       |
| Thursday, 8/9  | Bala Cynwyd Middle School                            | Montgomery    | Eastern       |
| Thursday, 8/9  | Harrilton High School                                | Montgomery    | Eastern       |

SC3 is provided at no cost to schools, and the IUs also grant continuing education credits to Training attendees. School staff may return for Training even after their school has received cleanout assistance.

This work is being conducted in accordance with Pennsylvania's RCRA Hazardous Waste Program under Sustainable Materials Management and Waste Minimization. It is part of an overall effort to emphasize sound chemical use and management practices under EPA's Healthy School Environments initiative.

Preparation of Training for the 2019 SC3 round is underway.

**Solid Waste Advisory Committee (SWAC)**

The next regular SWAC meeting will be held on Thursday, September 20, 2018.

**Recycling Fund Advisory Committee (RFAC)**

The next RFAC meeting is scheduled for Thursday, September 20, 2018, and is the annual meeting at which the Committee will review and act on the Recycling Fund FY 18-19 budget.

**Act 101 Workgroup**

RFAC members are serving on the Act 101 Workgroup and have been engaged in discussions on potential revisions to Act 101 since June 2017. Workgroup meetings were held on January 30 and June 7, 2018, that focused on the duties of County Recycling Coordinators under the Section 903 grants and a broader discussion of the funding mechanisms and grant programs in Act 101. On June 7, RFAC recommended that DEP include expanded duties in its next round of 903 grants. *The Workgroup will meet during the December 12, 2018 regularly scheduled SWAC and RFAC meetings.*

---

## **Water Programs**

---

### **Chesapeake Bay Update**

*The Chesapeake Bay Program is working on multiple tasks as part of the development and finalization of the Phase 3 Watershed Implementation Plan (WIP) Steering Committee and workgroups. These tasks are summarized below.*

- 1. Final Planning Targets – The Bay Program Partnership Principals’ Staff Committee approved final planning targets on July 9 based on the culmination of the multi-year Midpoint Assessment process refining the local planning goals for counties based on the final planning targets approved by the Partnership’s Principals’ Staff Committee. The next step is to break these targets into local county planning goals.*
- 2. Local Planning Goals (Countywide Action Plans) -- The planning process is being piloted in four counties: Lancaster, York, Franklin, and Adams. The lessons learned from these pilots will be used to refine the process for inclusion in the Phase 3 WIP, along with a timeline for completing the remaining 39 to 40 countywide plans in the Bay Watershed over the next two to three years.*
- 3. Watershed-wide Initiatives (Scoping Scenarios) – Preliminary results as to potential reductions that can be achieved from statewide technical and financial assistance and outreach initiatives from the Agricultural and Forestry Sector were presented to the Phase 3 WIP Steering Committee on July 10. These were coupled with the enforcement and compliance initiatives presented earlier.*
- 4. BMP Verification Plan – Revisions to the existing verification plan are needed to ensure the plan is effective and ensure the correct practices are tracked and verified over time. To make these revisions, a one-day workshop is planned for August 30 to solicit input from different entities who can help with this effort, including the Natural Resource Conservation Service, academia, county conservation districts, and representative municipalities.*
- 5. Conowingo Dam – A separate Phase 3 Watershed Implementation Plan (WIP) to address the additional 6 million pounds of nitrogen and 250,000 pounds of phosphorus attributed to the fact that Conowingo Dam is no longer trapping sediment is being developed. This WIP is a cross-jurisdictional plan being developed by a Steering Committee under the Bay Program Principals Staff Committee. A Request for Proposals (RFP) for a 3<sup>rd</sup> party contractor to assist the Steering Committee with the development and implementation of this WIP is under development.*

### **Safe Drinking Water General Update and Fee Final Rulemaking**

*The final-form Safe Drinking Water (SDW) General Update and Fees rulemaking was published in the Pa Bulletin on August 18, 2018. The rulemaking will: (1) incorporate the remaining general update provisions that were separated from the proposed Revised Total Coliform Rule (RTCR) as directed by the EQB on April 21, 2015, including revisions to treatment technique requirements for pathogens; clarifications to permitting requirements; and new requirements for alarms, shutdown capabilities, and auxiliary power; (2) amend permit fees and add new annual fees to supplement state costs and fill the funding gap (\$7.5M); and (3) add new amendments to establish the regulatory basis for issuing general permits, clarify that noncommunity water systems (NCWS) require a permit or approval from the Department prior to construction and operation, and address concerns related to gaps in the monitoring, reporting, and tracking of back-up sources of supply. The rulemaking will provide for the increased protection of public health by all 8,521 public water systems within the Commonwealth.*

### **Draft Stream Evaluation Reports**

On July 14, 2018, DEP published for public comment draft stream evaluation reports for the following streams:

- Dunbar Creek, Fayette County, Tributary to Youghiogheny River
- Unnamed Tributary (UNT) 28168 to Oley Creek, Luzerne County, Tributary to Oley Creek
- Clyde Run, Elk County, Tributary to Clarion River
- Cranberry Creek, Monroe County, Tributary to Paradise Creek
- Paradise Creek, Monroe County, Tributary to Brodhead Creek
- UNT Whetstone Run, Delaware County, Tributary to Whetstone Run

The comment period for these draft reports closed on August 13, 2018. However, the comment period for the UNT Whetstone Run report was extended to October 15, 2018.

### **Draft NPDES General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05)**

DEP announced in the July 28, 2018 Pennsylvania Bulletin the availability of the draft PAG-05 for public comment. DEP accepted comment on the draft PAG-05 through August 28, 2018. (No comments were submitted). The draft PAG-05 General Permit is intended to provide NPDES permit coverage to existing or proposed petroleum product contaminated groundwater remediation systems for the remediation of groundwater contaminated with gasoline or other petroleum products. The following significant changes were proposed in the draft PAG-05 General Permit in comparison to the PAG-05 General Permit that is currently in effect, which expires on December 28, 2018: the proposed annual Notice of Intent installment payment would increase from \$100 per year to \$500 per year; an annual report template has been developed for annual submission; new eligibility criteria are proposed; and procedures are proposed for terminating PAG-05 General Permit coverage using a standardized Notice of Termination form.

### **Vector Management Program**

DEP's Vector Management staff have been very busy this year dealing with the black fly suppression program and West Nile Virus (WNV) control. Weather conditions this year have been ideal for mosquitos and this year the presence of WNV-positive mosquitos is greater than any year on record. As of August 17, 2018, DEP staff have identified 2,969 WNV-positive mosquito pools. The Pa Department of Health had reported six human cases of WNV as of the same date. DEP's Vector Management staff have been assisting DOH as they implement the recommendations made by the Task Force on Lyme Disease and Related Tick-Borne Diseases.

### **Coastal Zone Grant Round Opens**

DEP's Compacts and Commissions Office opened the grant round for Federal Fiscal Year 2019 Coastal Zone grants on August 13, 2018, and will accept applications through October 15, 2018. The grant guidelines and application instructions are available on DEP's webpage and applications must be submitted online through the eGrants system. Applicants must meet certain eligibility requirements (for example, the applicant must be an authority, an incorporated nonprofit organization, a political subdivision or an educational institution). Projects must be located within the Delaware Estuary Coastal Zone or the Lake Erie Coastal Zone boundaries as noted in the Coastal Program Grant Application Instruction Guide. Proposals must also support the Coastal Resources Management Program's mission to protect and enhance coastal resources in this Commonwealth.

### **Grant Program for Water Quality Improvement Projects along the Mariner East 2 Pipeline Corridor**

On June 20, 2018, the application period for the Water Quality Improvement Projects along the Mariner East 2 Pipeline Corridor Grant Program closed. A total of 131 applications were received for a total requested dollar amount of \$58,170,956. The number of applications identified by county breaks down by region as follows: Southeast Region - 31, Southcentral Region - 60, and Southwest Region - 40. The grant program has \$11,674,673 to award.

### **Growing Greener Plus Grant Round**

*The application period for the 19<sup>th</sup> year of Growing Greener Plus Grant Program closed on July 13, 2018, and DEP's Watershed Support Section is coordinating the review of those grant applications. The Growing Greener Plus grants include Growing Greener, EPA Section 319 Nonpoint Source, Surface Mining Conservation and Reclamation, and AMD Set-Aside grants. The grant awards announcement will take place later this year.*

*The Growing Greener program provides support to projects within the Chesapeake Bay Watershed to address pollutants of critical importance to the Bay restoration effort. Growing Greener also will continue to fund water resource protection and restoration projects outside of the Chesapeake Bay Watershed, in the Ohio, Allegheny, Monongahela, Genesee and Delaware basins.*

*The Section 319 program will fund projects that implement Watershed Implementation Plans throughout the state. Grant projects funded under the Surface Mining Conservation and Reclamation Act support the design, construction, and/or rehabilitation of AMD treatment facilities on Alternate Bond System (ABS) legacy acid mine drainage discharge and ABS bond forfeited land reclamation projects. Grant funds also will support the abatement and/or treatment of AMD through the design or operation and maintenance of existing passive and active treatment systems.*

---

## **Environmental Justice**

---

### **Environmental Justice Advisory Board**

*An Environmental Justice Advisory Board (EJAB) meeting was held on Tuesday, August 28 in Williamsport, PA. The meeting included presentations on DEP's Brownfields to Playfields initiative and Geisinger's Medicine Take Back Program, as well as a discussion on DEP's processes and work involving the Oil and Gas Program. Director Acevedo also reviewed updates to the OEJ, and Regional Coordinators shared information relevant to their respective regions. Ahead of the meeting, OEJ Director Allison Acevedo has been conducting individual meetings with EJAB members and will continue to meet with all members. An EJAB conference call is scheduled for Tuesday, October 9, 2018 at 1:00 p.m.*

### **Community Engagement**

#### **OEJ Newsletter**

*OEJ created and distributed a brief introductory newsletter to over 330 community partners announcing the development of a full quarterly newsletter that will be distributed beginning September 2018. The full newsletter will contain DEP and OEJ updates, information about DEP and other government resources to support EJ areas, relevant research and other important announcements.*

#### **Donora Roundtable**

*The Office of Environmental Justice hosted a roundtable in Donora, PA and followed up with attendees by sharing information on recycling programs and funding opportunities, the Commonwealth's air quality monitoring network, EcoDistricts, as well as instructions on how to comment on the draft EJ Policy and participate in the August 28 EJAB meeting, and a request for input on how to proactively engage with EJ communities.*

Penn Street Market Outreach

*OEJ and DEP staff in the southcentral regional office (SCRO) set-up a table at the Penn Street Farmer's Market in Reading on Thursday, August 30. DEP staff from OEJ, Communications, Waste Management and Waterways and Wetlands shared resources and answered questions from the public.*

## Attachment 1

### 2018 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>September</b> |   |
|------------------|---|
| 19               | Water Resources Advisory Committee (WRAC) Meeting, 9:30 a.m., Room 105, RCSOB, Harrisburg, PA   |
| 20               | Solid Waste Advisory Committee (SWAC) and Recycling Fund Advisory Committee (RFAC) Joint Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA       |
| 28               | Low-Level Radioactive Waste Advisory Committee Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA   |
| <b>October</b>   |   |
| 10               | Technical Advisory Committee on Diesel-Powered Equipment, 10:00 a.m., Westmoreland Room, DEP New Stanton Office, New Stanton, PA                    |
| 11               | Air Quality Technical Advisory Committee (AQTAC), 9:15 am, Room 105, RCSOB, Harrisburg, PA  |
| 17               | State Board for Certification of Water and Wastewater Systems Operators Meeting, 10:00 a.m., 10 <sup>th</sup> floor conference room, Harrisburg, PA |
| 18               | Small Water Systems Technical Assistance Center (TAC) Board Meeting, 9:00 a.m., SCRO, Harrisburg, PA  |
| 24               | Chesapeake Bay WIP Steering Committee, 1:00 p.m. – 4:00 p.m., Room 105 RCSOB, Harrisburg, PA  |
| 24               | Small Business Compliance Advisory Committee (SBCAC) Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA   |
| 24               | Solid Waste Advisory Committee and Recycling Fund Advisory Committee, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA                                   |
| 25               | Mining and Reclamation Advisory Board, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA  |
| 31               | State Board for Certification of Sewage Enforcement Officers (SEOs), 10:00 a.m., 11B Conference Room, RCSOB, Harrisburg, PA                         |
| <b>November</b>  |   |
| 7                | Oil and Gas Technical Advisory Board, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA   |
| 14               | Water Resources Advisory Committee (WRAC) Meeting, 9:30 a.m., Room 105, RCSOB, Harrisburg, PA   |
| 15               | Radiation Protection Advisory Committee, 9:00 a.m., Room 105, RCSOB, Harrisburg, PA   |

## Attachment 2

### Oil and Gas Workload Report (As of August 17, 2018)

| YTD WELL PERMIT APPLICATIONS - 1/1/2018 to 8/17/2018 |              |              |              |                |                 |                    |
|--|--------------|--------------|--------------|----------------|-----------------|--------------------|
|  | RECEIVED     | UNDER REVIEW | PROCESSED    | PERMITS ISSUED | WELLS PERMITTED | OTHER DISPOSITIONS |
| CONVENTIONAL   | 187          | 21           | 187          | 184            | 182             | 3                  |
| UNCONVENTIONAL                                       | 981          | 123          | 1,234        | 1,225          | 1,175           | 9                  |
| <b>Sub Total</b>                                     | <b>1,168</b> | <b>144</b>   | <b>1,421</b> | <b>1,409</b>   | <b>1,357</b>    | <b>12</b>          |
| AUTHORIZATIONS                                       | 407          | 92           | 503          | 396            | N/A             | 107                |
| <b>Total</b>   | <b>1,575</b> | <b>236</b>   | <b>1,924</b> | <b>1,805</b>   | <b>1,749</b>    | <b>119</b>         |

| WEEKLY WELL PERMIT APPLICATIONS - 8/11/2018 to 8/17/2018 |           |              |           |                |                 |                    |
|--|-----------|--------------|-----------|----------------|-----------------|--------------------|
|  | RECEIVED  | UNDER REVIEW | PROCESSED | PERMITS ISSUED | WELLS PERMITTED | OTHER DISPOSITIONS |
| CONVENTIONAL   | 4         | 4            | 24        | 24             | 24              | 0                  |
| UNCONVENTIONAL   | 32        | 32           | 21        | 21             | 21              | 0                  |
| <b>Sub Total</b>   | <b>36</b> | <b>36</b>    | <b>45</b> | <b>45</b>      | <b>45</b>       | <b>0</b>           |
| AUTHORIZATIONS   | 11        | 10           | 16        | 13             | N/A             | 3                  |
| <b>Total</b>   | <b>47</b> | <b>46</b>    | <b>61</b> | <b>58</b>      | <b>58</b>       | <b>3</b>           |

| HISTORICAL WELL PERMIT APPLICATIONS AS OF 8/17/2018 |                |                |                |                 |                    |                |
|---|----------------|----------------|----------------|-----------------|--------------------|----------------|
|   | RECEIVED       | PROCESSED      | PERMITS ISSUED | WELLS PERMITTED | OTHER DISPOSITIONS | ACTIVE PERMITS |
| CONVENTIONAL  | 197,755        | 197,724        | 196,474        | 190,308         | 1,250              | 101,731        |
| UNCONVENTIONAL                                      | 25,917         | 25,783         | 25,251         | 20,163          | 532                | 11,873         |
| <b>Sub Total</b>                                    | <b>223,672</b> | <b>223,507</b> | <b>221,725</b> | <b>210,471</b>  | <b>1,782</b>       | <b>113,604</b> |
| AUTHORIZATIONS                                      | 43,489         | 43,371         | 42,647         | 41,722          | 724                | 18,757         |
| <b>Total</b>  | <b>267,161</b> | <b>266,878</b> | <b>264,372</b> | <b>252,193</b>  | <b>2,506</b>       | <b>132,361</b> |

| YTD INSPECTIONS - 1/1/2018 to 8/17/2018 |               |                      |              |              |
|---|---------------|----------------------|--------------|--------------|
|   | INSPECTIONS   | FACILITIES INSPECTED | VIOLATIONS   | ENFORCEMENTS |
| CONVENTIONAL                            | 7,491         | 5,957                | 1,885        | 156          |
| UNCONVENTIONAL                          | 12,094        | 6,262                | 722          | 85           |
| CLIENT/SITE                             | 2,778         | 1                    | 1,004        | 201          |
| <b>Total</b>                            | <b>22,363</b> | <b>12,220</b>        | <b>3,611</b> | <b>442</b>   |

| WEEKLY INSPECTIONS - 8/11/2018 to 8/17/2018 |             |                      |            |              |
|---|-------------|----------------------|------------|--------------|
|   | INSPECTIONS | FACILITIES INSPECTED | VIOLATIONS | ENFORCEMENTS |
| CONVENTIONAL                                | 177         | 166                  | 22         | 5            |
| UNCONVENTIONAL                              | 201         | 199                  | 5          | 1            |
| CLIENT/SITE                                 | 67          | 1                    | 19         | 10           |
| <b>Total</b>                                | <b>445</b>  | <b>366</b>           | <b>46</b>  | <b>16</b>    |

| WELLS DRILLED  |  |   |                                       |                                   |                 |
|----------------|--|---|---------------------------------------|-----------------------------------|-----------------|
|                | Two Years Prior<br>1/1/2016 to 8/17/2016 | One Year Prior<br>1/1/2017 to 8/17/2017 | Year To Date<br>1/1/2018 to 8/17/2018 | Week of<br>8/11/2018 to 8/17/2018 | As of 8/17/2018 |
| CONVENTIONAL   | 47                                       | 60                                      | 62                                    | 5                                 | 192,682         |
| UNCONVENTIONAL | 258                                      | 507                                     | 524                                   | 20                                | 11,443          |
| <b>Total</b>   | <b>305</b>                               | <b>567</b>                              | <b>586</b>                            | <b>25</b>                         | <b>204,125</b>  |

This report was prepared by Neil Bakshi, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email [nebakshi@pa.gov](mailto:nebakshi@pa.gov) or call (717) 772-3612.