

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

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**DEP Highlights**

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**PFAS Update**

On September 21, the Governor announced several actions to address growing concerns about PFAS contamination. Through an Executive Order, the Governor established a multi-agency PFAS Action Team. The team, led by DEP, will be responsible for developing a comprehensive response to identify and eliminate the sources of PFAS contamination, address strategies to deliver safe drinking water, manage environmental contamination, explore funding for remediation efforts, and increase public education. The Commonwealth will prioritize the hiring of state toxicologists. The Governor also sent a letter to EPA Acting Administrator Wheeler to again urge EPA to move forward to establish MCLs for PFOA and PFOS. DEP believes that EPA must take a leadership role and work with other states and federal agencies to address PFAS in a holistic manner. Letters were also sent to PA's congressional delegation to request their support for proposed legislation that provides funding to states to test, address, monitor and remediate PFAS contamination. More information can be found on DEP's PFAS webpage: [https://www.dep.pa.gov/Citizens/My-Water/drinking\\_water/Perfluorinated%20Chemicals%20%E2%80%93PFOA%20and%20PFOS%20%E2%80%93in%20Pennsylvania/Pages/default.aspx](https://www.dep.pa.gov/Citizens/My-Water/drinking_water/Perfluorinated%20Chemicals%20%E2%80%93PFOA%20and%20PFOS%20%E2%80%93in%20Pennsylvania/Pages/default.aspx)

**PFAS Action Team**

PFAS Action Team: The PFAS Action Team met on Oct. 18 to discuss the charge of the Executive Order. Attendees heard from DEP Cleanup and Safe Drinking Water Programs and DOH Epidemiology about the issues and impacts related to PFAS. The next meeting will take place on Nov. 30, location and time to be determined. That meeting will be open to the public and is anticipated to have expert presentations to the Action Team.

**e-Permitting for Waterways Obstruction and Encroachment General Permits (Ch.105 GPs)**

*The Chapter 105 e-Permitting application "went live" on October 10, 2018, as part of a greater effort by Governor Tom Wolf and the Department of Environmental Protection (DEP) to reduce permit backlogs, modernize permitting processes, and better use technology to improve both oversight and efficiency. The Chapter 105 e-Permitting application was designed for Chapter 105 Obstruction & Encroachment General Permit registrations. Individual permits, small project authorizations, and environmental assessments will continue to use the Joint Permit application using the current paper process. Since e-permitting was launched, the Bureau has been assisting delegated county conservation districts, consultants, and permit applicants with gaining access to the Chapter 105 e-Permitting system so that they can submit and/or review permit applications.*

*Additional information about the Chapter 105 e-Permitting system, including background information, recorded webinar and training materials, and user guides is available on the Bureau of Waterways Engineering & Wetlands webpage at <https://www.dep.pa.gov/Business/Water/Waterways/Pages/ePermitting.aspx>.*

### **Water Quality Improvement Project Grants**

*On October 16, 2018, DEP announced the selection of 61 projects to receive grants from the historic \$12.6 million penalty assessed to Sunoco for violations related to the Mariner East 2 pipeline project. The selected projects improve water quality, restore watersheds, and improve stormwater management. In February 2018, DEP collected the \$12.6 million penalty for numerous violations along the Mariner East 2 pipeline and began accepting grant applications in April. Grants were awarded for stormwater management, invasive species removal, forest restoration, farm runoff reduction, streambank restoration, and many other projects that ultimately improve water quality in Pennsylvania. Grantees include County Conservation Districts, municipalities, school districts, and non-profit organizations.*

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## **Federal Regulations**

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### **Recently Submitted DEP Comments**

***SAFE Vehicles Rule:*** *On August 24, the National Highway Traffic Safety Administration (NHTSA) and the U.S. Environmental Protection Agency (EPA) published the proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks. The proposed rule would amend certain existing Corporate Average Fuel Economy (CAFE) and GHG emissions standards for passenger cars and light trucks and establish new standards covering model years 2021-2026. The rule also threatens the ability of states like Pennsylvania to continue to adopt the more protective California standards and seeks to remove the ability of California to set its own standard. On October 26, 2018, DEP submitted comments opposing the proposed action and the seven proposed alternatives. The Department argues that NHTSA and EPA make unrealistic, self-reinforcing assumptions about many of the factors influencing vehicle cost, price, consumer preferences, environmental benefit, and others, that generate results to support a predetermined outcome. Additionally, the scope of the analysis does not fully consider, or improperly reconsiders, variables that render the new analysis insufficient for consideration of a de novo rulemaking as claimed by the agencies. Pennsylvania also does not support EPA's proposal to revoke the waiver of federal preemption previously issued by EPA in 2013 allowing California to set, and other states to adopt, CARB vehicle emissions standards. EPA's rationale for this reversal is not consistent with the criteria for a waiver denial specified in Section 209(b) of the CAA. For these reasons, Pennsylvania requested that EPA and NHTSA withdraw the joint Proposed Rule.*

***Proposed Clean Power Plan Replacement:*** *On August 31, EPA published the Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units; Revisions to Emission Guideline Implementing Regulations; Revisions to New Source Review Program (the Affordable Clean Energy (ACE) Rule). EPA proposed the ACE rule as a replacement to the Clean Power Plan (CPP), which sets greenhouse gas (GHG) emission guidelines for existing electric utility generating units (EGUs). In the proposed emissions guidelines, consistent with the interpretation described in the proposed repeal of the CPP, EPA is proposing to determine that heat rate improvement (HRI) measures are the best system of emission reduction (BSER) for existing coal-fired EGUs. The proposal also contains implementing regulations for emission guidelines issued under section 111(d) of the Clean Air Act as well as revisions to the New Source Review Program. On October 31, DEP submitted detailed comments opposing the proposed replacement for the CPP for several reasons. The Department does not endorse the proposed "inside-the-fence line" approach to control CO<sub>2</sub> emissions, because it will do little to address climate change and will cost more per unit of CO<sub>2</sub> removed by needlessly restricting methods of eliminating emissions. Additionally, the Department argues that the CPP meets EPA's legal obligation to reduce GHGs and employs cost-effective emission reduction strategies. The Department also disagrees with EPA's proposal to revise the NSR program. This proposal is not supported by law and risks increased emissions of criteria pollutants that will damage human health and the environment.*

## **Regulations Planned for DEP Comment**

*Air Quality NSPS Revisions: On October 15, EPA published the proposed Emission Standards for New, Reconstructed, and Modified Sources Reconsideration. EPA is proposing reconsideration amendments to the new source performance standards (NSPS) for the oil and natural gas source category (2016 NSPS OOOOa). EPA is addressing the fugitive emissions requirements, well site pneumatic pump standards, and the requirements for certification of closed vent systems by a professional engineer. The Department intends to submit comments by the December 17 deadline.*

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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 full Regulatory Update.

- **NRC Consistency Final-Omitted Rulemaking:** Adopted by EQB on June 19, 2018 and unanimously approved by IRRC on August 16, 2018. Published as final and effective in the *Pennsylvania Bulletin* on September 15, 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 in the *Pennsylvania Bulletin* is anticipated for this Fall. The effective date of the rulemaking is 90 days after publication.
- **Noncoal Mining Program Fees:** Adopted by EQB as final on August 21, 2018. It is expected to be considered by IRRC on October 18, 2018.
- **Electronic Submission of Air Quality General Plan Approval and General Operating Permit Applications Final-Omitted Rulemaking:** Adopted by EQB as final on August 21, 2018. It is expected to be considered by IRRC on October 18, 2018.
- **Administration of the Storage Tank and Spill Prevention Program Final Rulemaking:** Adopted by EQB as final on August 21, 2018. It is expected to be considered by IRRC on October 18, 2018.
- **OSM Program Consistency:** Adopted by EQB as proposed on May 16, 2018. It is anticipated to be scheduled for publication in the *Pennsylvania Bulletin* as proposed in the Fall. A 30-day public comment period will commence upon publication.
- **Oil and Gas Unconventional Well Permit Application Fees:** Adopted by EQB as final on May 16, 2018. Published as proposed in the *Pennsylvania Bulletin* on July 14, 2018, opening a 30-day public comment period. Public comment period closed on August 13, 2018. IRRC comments were received on September 12, 2018.

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## **Public Comment Periods**

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

- *Proposed Rulemaking: Federal Office of Surface Mining Reclamation and Enforcement Program Consistency Rule (Opened 10/27/2018, Closes 11/26/2018)*
- *Proposed General Permit Modification and Renewal: Residual Waste GP for Beneficial Use of Regulated Fill (Opened 10/6/2018, Closes 12/5/2018).*
- *PFAS Public Input (Opened 10/18/2018, Closes 1/30/2019)*
- *Management of Fill Policy (Opened 11/10/2018, Closes 1/8/2019)*

## **Recently Closed Comment Periods**

- *Nutrient Credit Trading Program: Chesapeake Nutrient Management LLC on Behalf of Esbenshade Farms (Opened 9/29/18; Closed 10/29/18)*
- *Draft Coal Reclamation Fee Fiscal Year Report 2018 (Opened 9/15/18; Closed 10/15/18)*
- *Draft Stream Evaluation Report: UNT Whetstone Run, Delaware County (Opened 7/14/18; Closed 10/15/18)*

## **Recently Finalized**

- NRC Consistency Final-Omitted Rulemaking (9/15/18)

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## **Communications Monthly Press Releases**

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### **Press Releases Issued**

*September 26 – Mosquito Spraying Set for Bedford County on Thursday, September 27, 2018*

*September 26 – Mosquito Spraying Set for Armstrong County on Thursday, September 27, 2018*

*September 28 – PA Announces First Grants Funded by Volkswagen Settlement to Reduce Air Pollution*

*October 02 – Wolf Administration Touts Success of Land Recycling Program at Brownfields Conference*

*October 02 – Wolf Administration to Tour Eco-Friendly Wyoming County Farms*

*October 02 – Mosquito Spraying Set for Clinton County on Wednesday, October 3, 2018*

*October 03 – Farmers and Small Businesses Encouraged to Seek Grants to Reduce Pollution and Save Money*

*October 03 – Wolf Administration Tours Wyoming County Farms that are Helping to Protect Clean Water in Pennsylvania*

*October 10 – DEP Launches Electronic Permit for New Projects Affecting Wetlands and Waterways, Continuing Campaign to Modernize Permitting*

*October 10 – Mosquito Spraying Set for Clinton County on Thursday, October 11, 2018*

*October 12 – Wolf Administration Boosts Local Recycling and Leaf Collection Programs*

*October 16 – DEP Announces 61 Watershed Restoration and Stormwater Management Projects Funded by Landmark Penalty Against Sunoco*

*October 17 – Aiming to Showcase the Best of Pennsylvania's Environmental Stewardship Projects, the Wolf Administration Invites Applicants for 2019 Governor's Awards for Environmental Excellence*

*October 18 – Governor Wolf's PFAS Action Team Outlines Public Outreach Plans*

*October 19 – Wolf Administration Announces Funding for 15 Local Projects to Protect Sustainability of Lake Erie, Delaware River Coastal Areas*

*October 19 – DEP to Host Public Meeting and Hearing Regarding Proposed Heat Recovery Center in Northampton County*

*October 19 – DEP to Host Informational Meeting on Swoyersville Culm Bank Removal Project*

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## **Active and Abandoned Mine Operations**

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### **Final Rulemakings**

#### **Noncoal Mining Program 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. *The rule was planned for consideration by IRRC on October 18, 2018, but was withdrawn to add clarifying language to the rulemaking. The amended rulemaking will be presented to the EQB prior to resubmittal to IRRC.*

### **Proposed Rulemakings**

#### **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 rule was published in the Pennsylvania Bulletin on October 27, 2018, opening a 30-day public comment period. The public comment period will close on November 26, 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.

### **Guidance Document Revisions**

The Bureau of Mining Programs is systematically reviewing the library of Technical Guidance Documents 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 is currently considering possible improvements to the miner certification program. This will be discussed further at their next meeting on December 4, 2018.

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## **Air Quality**

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### **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. We 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 received

40 comments; however, many of the comments appear to be unrelated to the SIP revision. EPA published its intent to approve the Indiana/Armstrong SIP on July 13, 2018, with the public comment period closing on Aug. 13, 2018. EPA received seven comments. *On Oct. 5, 2018, EPA published its intent to approve the Beaver County SIP; the public comment period closed on Nov. 5. On Oct. 12, EPA published its approval of the Warren County SIP effective Nov. 13, 2018.*

### **Driving PA Forward Grants and Rebates**

The \$3 million Driving PA Forward grant program for DC Fast Charging and Hydrogen Fueling Equipment remains open. Application deadlines are 4:00 p.m. on January 25, July 15, and December 16, 2019. The \$3 million rebate program for Level 2 EV Charging Stations also remains open. That application period is continuous until funds are exhausted, and rebate vouchers will be issued on a first come, first served basis. Businesses, nonprofits, government agencies, and other organizations are eligible to apply for both programs. More information is available at [www.dep.pa.gov/DrivingPAForward](http://www.dep.pa.gov/DrivingPAForward).

### **CARB Proposed Amendment to Clean Vehicle Program**

The California Air Resources Board (CARB) has proposed amending the California Low-Emission Vehicle III Greenhouse Gas (GHG) Emission Regulation to ensure that cars and light-duty trucks for model years 2022-2025 continue to meet California GHG emission standards even if federal standards are frozen. On September 24, DEP submitted comments on the amendments as required by 25 Pa. Code § 126.451(1), (2)(i) and (2)(ii). Section 126.451 also requires DEP to advise the Environmental Quality Board (EQB) on any proposed final-form rulemakings under CARB consideration and submit a Regulatory Analysis Form (RAF) to EQB and the Chairpersons of the House and Senate Environmental Resources and Energy Committees. Bureau of Air Quality (BAQ) staff are currently developing the RAF for distribution to EQB members and Committee chairs.

### **Air Quality Rulemakings**

#### **Air Quality Fees**

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 (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 (EQB). The CAC had a few suggested changes but also concurred with moving the proposal to the EQB. 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, the Bureau 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, the Bureau 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. The EPA received two adverse comments to the Proposed Rule and will respond to the adverse comments received.

On Sept. 17, 2018, the Allegheny County Health Department (ACHD) opened a public comment period on the repeal of its gasoline volatility regulations. ACHD *held* a public hearing on October 17, and the public comment period *closed* on Oct. 22, 2018.

#### 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, generally sold for and used in residential and commercial oil heat burners and furnaces, 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.

On Sept. 17, EPA acknowledged that the SIP revision from ACHD pertaining to sulfur limits in commercial fuel oil was administratively and technically complete.

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

On Aug. 21, 2018, the Department presented the general permitting final-omitted rulemaking to the EQB. The general permitting 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. *The rulemaking was approved by IRRC on Oct. 18, 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>). The 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 the SBCAC, the AQTAC, the CAC Policy and Regulatory Oversight Committee, and the CAC on July 25, Aug. 2, Aug. 21, and Sept. 18, 2018, respectively.

#### 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 it, the Department listed its intention to propose emission limitations consistent with reasonably available control technology (RACT) recommendations of the Control Techniques Guidelines for the Oil and Natural Gas Industry 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.

### Stage II Vapor Recovery Revision

With the advent of onboard vehicle vapor recovery systems, Stage II vapor recovery at the gasoline pump has become redundant and, in some cases, counterproductive. *The Department is currently developing a draft proposed rulemaking.*

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## **Energy Programs Office**

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### **Finding Pennsylvania's Solar Future Plan**

*We received 137 comments from businesses, utilities, nonprofits, academia, and citizens. This helpful input was used to further refine the final plan, which will be released at our upcoming stakeholder meeting on November 14th at Messiah College. The Project Team created a draft Strategy Support Guide, which details how stakeholders can implement the 15 strategies identified in the Plan.*

### **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, 2018. 37 applications were submitted via the PA DCED's (Department of Community and Economic Development) Electronic Single Application (ESA) system. *The second application acceptance period ends December 14, 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 Pennsylvania FAST Act Alternative Fuel Corridor Infrastructure solicitation is anticipated to open later this fall. The FAST Act is a special solicitation under the AFIG Program designed to support the installation of alternative fuel infrastructure along Pennsylvania Interstate Highway Corridors. Approximately \$1 million in grants will be available to install: public-use electric, hydrogen, propane, and compressed natural gas refueling infrastructure along the highway corridors in Pennsylvania. Applications will be accepted until February 8, 2019.*

The Alternative Fuel Vehicle Rebate Program implemented 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 3<sup>rd</sup> week of November. 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, 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. *PennTAP provided the first of three workshops for the Southwest Region on November 6, 2018 in Lemont Furnace, PA.* Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).

### **EV Everywhere**

*The Drive Electric PA (DEPA) Coalition meeting was held on Wednesday, October 17, 2018 at the PECO building in Philadelphia. There were about 25 people in attendance and 20 people on the phone. DEP provided updates on the PA EV Roadmap, AFIG rebate program, and the FAST Act corridor designation process. PECO gave highlights from the recent Mid-Atlantic Transportation Electrification Forum that was held in Philadelphia on September 21. The Clean Cities staff led a discussion on a scope of work and business plan to start addressing certain elements of the PA EV Roadmap, with the goal of implementing an approved scope of work for the 2019 calendar year. The City of Philadelphia and SEPTA gave a presentation on the strategies the city is taking to support cleaner transportation in the City. The strategy was developed with safety, opportunity and access, sustainability and health as the core defining values shaping the plan. Philadelphia has a strong focus on supporting public transportation first, as well as, improving the streets for better walkability and encouraging more biking. The next DEPA Coalition meeting is tentatively planned for Pittsburgh in early 2019. No specific date or location has been selected for this meeting to date.*

### **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. DEP's current 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. *Three site assessments were completed by ETAC and 8 were completed by PennTAP at chemical, rubber and plastics, metals fabrication, food product, printing, zinc refining, flour mill and power measurement instrument manufacturers to date.*

### **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, DEP received notice from USDOE that Pennsylvania's 2018 SEP Plan was approved. On June 26, 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 *are underway.* *The*

*SEP program is undergoing two types of monitoring activities conducted by DOE. On August 8 – 9, 2018, US DOE staff conducted a programmatic monitoring site visit and subsequently, answers to a financial survey questionnaire were submitted to the DOE. The EPO is waiting for feedback from the DOE on their findings.*

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

The October 23<sup>rd</sup> CCAC meeting was cancelled. The next CCAC meeting is scheduled for Tuesday, December 4<sup>th</sup> in the RCSOB, Room 105. *EPO is currently working on edits to the DRAFT Pennsylvania Climate Change Action Plan 2018 Update, which was prepared by their consultant, ICF. EPO intends to present this Plan to the CCAC at its December meeting.*

### **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 been holding a series of meetings planned in September and October to discuss the development of a program. A draft plan for stakeholder comment will be available to both non-convening stakeholders and municipalities for input in November. A meeting specifically for municipalities will be held mid-November by the conveners.*

### **Building Energy Code Trainings**

DEP has contracted with the Pennsylvania Municipal League and Performance Systems Development (PSD) to provide building code officials, contractors, design professionals and builders with training on the 2015 International Energy Conservation Code (IECC) for residential and commercial construction projects in the upcoming months. There will be a series of workshops, webinars and specialized (circuit rider) trainings. The in-person commercial and residential 2015 IECC trainings were November 1<sup>st</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 13<sup>th</sup>, 2018 in Kulpsville and Moon Township. *The contractor PSD provided a training on the commercial 2015 IECC on September 27, 2018 to 26 attendees that consisted of municipal code officials and third-party inspectors at the Pennsylvania Building Officials Conference.*

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

DEP's contractor, National Sustainable Structures Center (NSSC) 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. 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. DEP's contractor, NSSC informed DEP that both BOC Training classes have been postponed due to low enrollment. Classes began on September 25, 2018, in Harrisburg and on September 26, 2018 in Pittsburgh. We are working closely with NSSC to assist with marketing future BOC classes for PA. Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).

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## **Environmental Cleanup and Brownfields**

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### **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 (IRRC) 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; the Environmental Quality Board unanimously adopted the final-form rulemaking on Aug. 21; *IRRC unanimously approved the final-form rule on October 18, 2018. The rule is currently undergoing review by the Office of Attorney General.*

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

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, 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. *The Department anticipates presenting draft regulatory language to the CSSAB in December 2018.*

### **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.*

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## **Environmental Education**

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### **DEP Environmental Education Grants Program**

*The Environmental Education Grants Program was unveiled on November 2, 2018. This round of grants will feature a General Grant round for projects that have a regional or statewide impact and can be funded up to \$25,000. The Mini-Grant program will again be offered for more localized projects providing funding up to \$3000. Funded through the Pennsylvania Environmental Education Act of 1993, this program was designed to promote Environmental Education principles that encourage the public to promote a healthy environment; foster an understanding of the natural world functioning; and promote an understanding of the necessity for environmental protection and sound resource management.*

*2019 will mark the first year of the Meaningful Watershed Educational Experience (MWEE) Stormwater Action Project. This new grant opportunity is designed for public schools within the Chesapeake Bay watershed to*

*develop and implement stormwater projects to assist MS4 communities with meeting both their water quality benchmarks and to meet the MS4 educational requirements. This project has been funded by EPA under agreement with DEP. MWEEs are multi-stage activities that include learning both outdoors and in the classroom, and aim to increase the environmental literacy of all participants. This initiative supports students to investigate topics both locally and globally that are of interest to them, learn they have control over the outcome of environmental issues, identify actions available to address these issues, and understand the value of those actions.*

### **PA Falcon Reintroduction Program**

Now that the young falcons have dispersed, only the adult pair will continue to remain at the ledge. With plenty of other birds in the area, they should have little difficulty catching prey.

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

*On October 22, 2018, Pennsylvania Department of Education Secretary Pedro A. Rivera joined with members from the National Oceanic and Atmospheric Administration (NOAA) to announce grant recipients through NOAA's Bay-Watershed Education and Training (B-WET) program. Grants were awarded to six Pennsylvania-based projects that support student outdoor classroom learning, professional development for teachers, and awareness for watershed protection. Grant recipients included the Chesapeake Bay Foundation, Gettysburg College, PA Audubon (York), St. Francis University and the Stroud Water Research Center. NOAA's B-WET program is an environmental education program that promotes locally relevant, authentic experiential STEM learning for K-12 students and teachers. Funded projects advance ocean, climate, and other environmental literacy principles.*

*To follow up the September Dive Deeper conference and as part of the professional development aspect of the task force, a series of water-based workshops will from October through March 2019. Additional information is available through the Environmental Education and Information Center.*

### **"Weathering the Storm" Stormwater Workshop**

Planning is underway for a series of stormwater workshops to be delivered in 2019. For this upcoming year, these workshops will be concentrated in the Chesapeake Bay Watershed.

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## **Oil and Gas**

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### **Proposed Oil and Gas Fee Rulemaking Adopted by Environmental Quality Board**

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 Office of Attorney General completed its review on June 26, 2018. The proposed rulemaking was published in the Pennsylvania Bulletin on July 14, 2018 and the comment period closed on August 13, 2018. DEP received comments from IRRC on September 13. DEP is currently reviewing all comments and will prepare a Comment and Response Document.

### **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 received comments from 19 individuals. On October 6, DEP published notice of the availability of the following documents in the *Pennsylvania Bulletin*: ESCGP-3 General Permit, Notice of Intent (NOI), NOI Instructions, NOI Checklist, Transition Plan and Comment and Response Document.

The Department accepted applications for ESCGP-2 until October 15, 2018. Due to the expiration of ESCGP-2, the Department must act on all NOI's submitted for coverage under ESCGP-2 by December 29, 2018. Additionally, any project that was authorized for coverage under ESCGP-2 prior to this date will have coverage administratively extended under the terms and conditions of ESCGP-2 for the remainder of the time period of the original coverage.

When warranted due to project characteristics, including Federal Energy Regulatory Commission-regulated pipelines, DEP will publish notice of receipt of the NOI for coverage in the *Pennsylvania Bulletin* and provide a public comment period. DEP will publish notice of every approval of coverage under the ESCGP-3 in the *Pennsylvania Bulletin*.

A copy of the final ESCGP-3 permit with related documents, is available by contacting the DEP Office of Oil and Gas Management. The documents are also available on DEP's website at <http://www.depgreenport.state.pa.us/elibrary/> (select "Permit and Authorization Packages," then "Oil and Gas," then "Erosion and Sediment Control General Permit ESCGP-3").

**ESCGP-3 Training Opportunities:** *To ensure that permittees and consultants are aware of the updates and changes that have occurred after the transition from ESCGP-2 to ESCGP-3, DEP held a series of webinars for internal Bureau of District Oil and Gas staff, Bureau of Waterways, Engineering and Wetlands staff, Conservation Districts and representatives of industry, including operators and consultants. In addition to the webinars, DEP offered an in-person one-day training at two locations to discuss the new ESCGP-3 with an emphasis on what is changing from the ESCGP-2 to the ESCGP-3. One training session was held in Pittsburgh on October 10 and another training session was held on October 18 in State College. There was no cost for this training, but individuals who attended the training were directed to pre-register for the sessions.*

**Commonwealth Financing Authority, Orphan or Abandoned Well Plugging Program:** On September 18, the Department of Community and Economic Development's (DCED) Commonwealth Financing Authority (CFA) announced grant recipients for the 2018 Marcellus Legacy Fund grant program established under Act 13. One of the grant programs, the Orphan and Abandoned Well Plugging (OAWP) program, targets projects including well plugging or venting, and the installation of gas migration mitigation systems. Over the past three years, DEP's Oil and Gas Program has worked to inform the public about the availability of this grant program. In 2018, CFA funded one well-plugging project in Venango County that was advanced by the Western Pennsylvanian Conservancy (Tippery Meadows Natural Area Abandoned Well Plugging). The CFA OAWP program represents a critical source of funding for well plugging projects at a time when DEP plugging funding remains limited.

**Environmental Good Samaritan Plugging Project, Corydon Twp., McKean County:** *The Pennsylvania Grade Crude Oil Coalition (PGCC) completed plugging operations in association with an Environmental Good Samaritan Act project for well plugging which was submitted to DEP on April 26<sup>th</sup>. The plugging operations were for one well located in the Allegheny National Forest (ANF). The project was recommended to PGCC by DEP's Division of Well Plugging and Subsurface Activities to accomplish well plugging activities prior to an access road being decommissioned by the United States Forest Service. PGCC members provided the equipment, labor, and materials to plug the well and received liability protection through provisions of the Good Samaritan Law. This project involved coordination between PGCC members, Forest Service personnel, and DEP staff to proactively plug a legacy well which otherwise may not have been able to be addressed by the*

*DEP for a significant period of time. Addressing the well prior to decommissioning of the access road also saved additional costs. Projects that engage industry partners and afford liability protection are critical for addressing the ongoing legacy well challenges throughout Pennsylvania.*

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

Please see Attachment 2.

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## **Radiation Protection**

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### **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; IRRC approved it on August 16, 2018; *and it was published on October 27.* The effective date of the rulemaking is January 24, 2019, 90 days after publication.

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## **Waste Management**

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### **Substantive Revisions to DEP's Management of Fill Policy**

Pennsylvania's waste regulations, which were adopted in 1988, state that uncontaminated soil, rock, stone, gravel, unused brick or block, and concrete can be used to level or bring an area to grade without obtaining a permit for the beneficial use of waste. DEP frequently refers to these materials as "clean fill."

To support the regulations, DEP created the Management of Fill Policy to clarify when and how fill can be used in Pennsylvania without the need for a waste permit. The current effective version of the Policy is dated August 7, 2010. Major components of this Policy rely on the Act 2 statewide health standards, which were revised in 2011 and again in 2016, necessitating a revision to the Policy. Staff in the Bureau of Waste Management have been working for more than a year to hear the concerns of stakeholders, with the goal of publishing a substantive revision for public comment in 2018.

A presentation of the proposed changes, along with a draft revised policy, was given at DEP's Solid Waste Advisory Committee (SWAC) on September 20, 2018. The draft revisions proposed by DEP include: incorporating the Chapter 250 standards by reference so that the concentration limits in the policy are continually aligned with Chapter 250; improving the mechanism for determining whether the presence of a contaminant is due to background conditions; clarifying the requirements for developing a sampling plan for in-place material; and clarifying definitions and terms not defined by the policy.

SWAC supported DEP in moving the proposed policy amendments to publication for public comment. *DEP published the proposed policy amendments in on November 10<sup>th</sup> and aims to finalize the policy in the second quarter of 2019.*

### **Modification and Renewal of the Regulated Fill General Permit**

*Revisions to the residual waste General Permit for Beneficial Use of Regulated Fill (WMGR096) were published in the Pennsylvania Bulletin for a 60-day public comment period on October 6, 2018; comments are being accepted through the Department's eComment tool through December 5, 2018.*

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

The next regular SWAC meeting is scheduled for Wednesday, December 12, 2018.

### **Recycling Fund Advisory Committee (RFAC)**

The next RFAC meeting will be held in conjunction with the regular SWAC meeting on Wednesday, December 12, 2018. *In addition, RFAC will be meeting as part of the Act 101 Workgroup for a special meeting on Monday, November 5, 2018, as described below. 12, 2018.*

### **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. *A special meeting of the Workgroup will be held on Monday, November 5, 2018; the purpose of the meeting is to discuss remaining potential changes to Act 101, the Municipal Waste Planning, Recycling and Waste Reduction Act, in preparation for making final recommendations to the Department. The Workgroup will meet during the December 12, 2018, regularly scheduled SWAC and RFAC meetings to review and finalize the recommendations.*

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## **Water Programs**

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### **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 mosquitoes and this year the presence of WNV-positive mosquitoes is greater than any year on record. As of *October 5, 2018*, DEP staff have identified 6,504 WNV-positive mosquito pools. The Pa Department of Health had reported 72 *probable or confirmed* human cases of WNV.

*DEP's Vector Management staff will begin adult tick surveillance efforts in support of DOH's efforts to implement the recommendations made by the Task Force on Lyme Disease and Related Tick-Borne Diseases. DEP's Vector Management staff will concentrate on collecting deer ticks throughout the Commonwealth and lab staff will test those ticks for various diseases. Information will be shared with DOH.*

*Monitoring of immature black fly populations in numerous streams and rivers during late August through October indicates large black fly populations will be likely in the coming spring. The Black Fly Suppression Program has just been informed from the manufacturer that Bti prices will be going up 2% in 2019. Bti is a naturally occurring bacteria used to treat blackfly larvae. Without additional funding the program will once again be forced to reduce treatment activities in the coming year. This has been an ongoing issue for the program since its funding was cut in half from approximately \$7 million to \$3.4 million with the 2009 budget.*

### **Ohio River Valley Water Sanitation Commission (ORSANCO) Quarterly Meeting**

*The quarterly commission meeting of ORSANCO was held in Lansing, WV, on October 2 through October 4, 2018. The Technical Committee and other standing committees reported on bacteria levels in the Ohio River, a budget for mercury sources, PFAS issues and ambient water quality sampling, the organics detection system for public water supply early warning in the Ohio, and biological monitoring. The Pollution Control Standards (PCS) committee had previously put a plan to eliminate most of the pollution standards program out for two rounds of public comment and hearings. However, the recommendation of the PCS committee was to table a vote on the draft package that has received public comment and to continue work on addressing stakeholder and member states' concerns. Pennsylvania would need to complete a rulemaking as part of its Triennial Review of Water Quality Standards regarding how to decouple Chapter 93 water quality standards from ORSANCO pollution control standards, at a minimum, if the pollution control standards are*

eliminated. Pennsylvania continues to work with other states to develop alternate approaches that can address concerns of all commission states.

When it debuts, the e-Permit application will be fully-functional and available for use to submit Ch. 105 GP applications for a “beta” test phase. DEP is creating an opportunity for users to provide feedback. DEP will create a resource email account for users to email their reactions and suggestions; and DEP will hold at least one users’ feedback web-based conference call. The paper application will remain an option until DEP is confident the online application is usable and reasonably accessible to the regulated community. DEP intends to perfect a tool that creates transparency, consistency, efficiency, and speeds up the process.

### **Coastal Zone Grants**

On October 19, 2018, DEP’s Coastal Resources Management Program announced funding for 15 local projects in the Lake Erie and Delaware River Coastal Zones. This year’s grants support a variety of initiatives, including debris cleanup, public educational programs, creek restoration and trail construction projects, a living shoreline to stabilize erosion, research on algal bloom impacts, and development of local municipal capacity to adapt to flooding related to climate change.

### **Water Quality Improvement Project Grants**

On October 16, 2018, DEP announced the selection of 61 projects to receive grants from the historic \$12.6 million penalty assessed to Sunoco for violations related to the Mariner East 2 pipeline project. The selected projects improve water quality, restore watersheds, and improve stormwater management. In February 2018, DEP collected the \$12.6 million penalty for numerous violations along the Mariner East 2 pipeline and began accepting grant applications in April. Grants were awarded for stormwater management, invasive species removal, forest restoration, farm runoff reduction, streambank restoration, and many other projects that ultimately improve water quality in Pennsylvania. Grantees include County Conservation Districts, municipalities, school districts, and non-profit organizations.

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## **Environmental Justice**

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### **Stakeholder Engagement**

OEJ Director Allison Acevedo was a panelist in an EJ panel discussion on Tuesday, October 2 at the PA Brownfields Conference in Bethlehem, PA and delivered a presentation on EJ to PA Chamber of Business and Industry on September 26.

OEJ will deliver presentations on the EJ Policy from DEP’s Agricultural Advisory Board and the Aggregate Advisory Board.

### **Environmental Justice Advisory Board**

The last Environmental Justice Advisory Board (EJAB) call was held on Tuesday, October 9, 2018 at 1:00 p.m. Director Acevedo is continuing to meet with all EJAB members over the next several months to get their input on EJAB work and EJAB’s engagement with DEP.

### **Community Engagement**

**OEJ Newsletter** - OEJ is working with Communications staff on the development of a full quarterly newsletter that will be distributed this Fall 2018. The newsletter will contain DEP and OEJ updates, information about government resources to support EJ areas, relevant research, and other important announcements.

*OEJ Director Allison Acevedo participated on a panel about environmental justice in Philadelphia hosted by Representative Bullock on Thursday, October 25.*

**Strategy and Planning**

***EJ Areas Viewer*** – *OEJ is seeking to revise EJ Areas Viewer based on internal and external feedback. In addition to internal executive level meetings about the EJ Viewer, OEJ delivered presentations on the EJ Areas Viewer to Chester Environmental Partnership (CEP), Capital Region Water (CRW) Community Ambassadors and Pittsburgh Black Environmental Collective to solicit feedback on the tool.*

***Environmental Education*** – *OEJ is implementing a strategy to identify key community partners, assess their education and training needs and develop a plan for training community organizations around environmental issues they identify are relevant for their communities. OEJ will send a survey about environmental education to community organizations in its Fall newsletter. OEJ proposes to begin environmental education workshops in collaboration with the Environmental Education Program in spring 2019.*

## 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>November</b>	
14	<i>Delaware River Basin Commission (DRBC), Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.</i>
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
20	<i>Phase 3 Chesapeake Bay WIP Steering Committee, 1:00 p.m., Room 105, RCSOB, Harrisburg, PA</i>
20	<i>WIP Agriculture Workgroup, 10:00 a.m., Room 405, PA Department of Agriculture, 2301 North Cameron St., Harrisburg, PA</i>
29	<i>WIP Funding Workgroup, 1:00 p.m., Room 105, RCSOB, Harrisburg, PA</i>
29	Water Resources Advisory Committee (WRAC) Meeting, 9:30 a.m., Room 105, RCSOB, Harrisburg, PA
<b>December</b>	
4	Board of Coal Mine Safety, 10:00 a.m., Conference Room 1A and 1B, DEP Cambria Office, Ebensburg, PA
4	Climate Change Advisory Committee (CCAC), 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
5	Storage Tank Advisory Committee (STAC), 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
6	Cleanup Standards Advisory Board (CSSAB), 9:00 a.m., Room 105, RCSOB, Harrisburg, PA
6	<i>DRBC Regulated Flow Advisory Committee, 10:00 a.m., Goddard Conference Room, 25 Cosey Road, West Trenton, NJ.</i>
6	<i>Susquehanna River Basin Commission (SRBC), 9:00 a.m., 4423 North Front St., Harrisburg, PA.</i>
12	<i>Delaware River Basin Commission (DRBC), Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.</i>
12	Solid Waste Advisory Committee (SWAC), 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
12	State Board for Certification of Water and Wastewater Systems Operators, 10:00 a.m., 10 <sup>th</sup> Floor Conference Room, RCSOB, Harrisburg, PA
12	<i>WIP Forestry Workgroup, 10:00 a.m., SRBC, 4423 North Front St., Harrisburg, PA</i>
13	Air Quality Technical Advisory Committee (AQTAC), 9:15 a.m., Room 105, RCSOB, Harrisburg, PA
17	<i>Phase 3 Chesapeake Bay WIP Steering Committee, 1:00 p.m., Room 105, RCSOB, Harrisburg, PA</i>
18	Environmental Quality Board (EQB), 9:00 a.m., Room 105, RCSOB, Harrisburg, PA

20	Agricultural Advisory Board (AAB), 9:00 a.m., Southcentral Regional Office (room TBD), Harrisburg, PA
<b>January</b>	
9	<i>Coastal Zone Advisory Committee, 9:30 a.m., 10<sup>th</sup> Floor Conference Room, RCSOB, Harrisburg, PA</i>

## Attachment 2

### Oil and Gas Workload Report (As of October 12, 2018)

YTD WELL PERMIT APPLICATIONS - 1/1/2018 to 10/12/2018						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	224	18	236	233	232	3
UNCONVENTIONAL	1,306	178	1,495	1,479	1,399	16
<b>Sub Total</b>	<b>1,530</b>	<b>196</b>	<b>1,731</b>	<b>1,712</b>	<b>1,631</b>	<b>19</b>
AUTHORIZATIONS	528	102	639	499	N/A	140
<b>Total</b>	<b>2,058</b>	<b>298</b>	<b>2,370</b>	<b>2,211</b>	<b>2,124</b>	<b>159</b>

WEEKLY WELL PERMIT APPLICATIONS - 10/6/2018 to 10/12/2018						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	6	6	3	3	3	0
UNCONVENTIONAL	25	25	24	24	24	0
<b>Sub Total</b>	<b>31</b>	<b>31</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>0</b>
AUTHORIZATIONS	1	1	11	9	N/A	2
<b>Total</b>	<b>32</b>	<b>32</b>	<b>38</b>	<b>36</b>	<b>36</b>	<b>2</b>

HISTORICAL WELL PERMIT APPLICATIONS AS OF 10/12/2018						
	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,793	197,774	196,524	190,353	1,250	101,715
UNCONVENTIONAL	26,241	26,043	25,504	20,309	539	11,906
<b>Sub Total</b>	<b>224,034</b>	<b>223,817</b>	<b>222,028</b>	<b>210,662</b>	<b>1,789</b>	<b>113,621</b>
AUTHORIZATIONS	43,610	43,508	42,750	41,791	758	18,780
<b>Total</b>	<b>267,644</b>	<b>267,325</b>	<b>264,778</b>	<b>252,453</b>	<b>2,547</b>	<b>132,401</b>

YTD INSPECTIONS - 1/1/2018 to 10/12/2018				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	9,987	7,830	2,244	175
UNCONVENTIONAL	15,049	7,277	820	108
CLIENT/SITE	3,589	1	1,251	241
<b>Total</b>	<b>28,625</b>	<b>15,108</b>	<b>4,315</b>	<b>524</b>

WEEKLY INSPECTIONS - 10/6/2018 to 10/12/2018				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	287	277	27	2
UNCONVENTIONAL	328	317	16	4
CLIENT/SITE	80	1	35	2
<b>Total</b>	<b>695</b>	<b>595</b>	<b>78</b>	<b>8</b>

WELLS DRILLED					
	Two Years Prior 1/1/2016 to 10/12/2016	One Year Prior 1/1/2017 to 10/12/2017	Year To Date 1/1/2018 to 10/12/2018	Week of 10/6/2018 to 10/12/2018	As of 10/12/2018
CONVENTIONAL	79	82	102	3	192,713
UNCONVENTIONAL	356	633	611	14	11,530
<b>Total</b>	<b>435</b>	<b>715</b>	<b>713</b>	<b>17</b>	<b>204,243</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).