



**pennsylvania**

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

# **Final Rulemaking: Remining Requirements 25 Pa. Code Chapters 87, 88 and 90**

Environmental Quality Board Meeting  
May 17, 2016

Tom Wolf, Governor

John Quigley, Secretary

# Purpose

- Incorporate federal remaining effluent limitations
- Incorporate standard requirements

# ▶ Background

- Pennsylvania has a robust reminging program
- Basis is Best Professional Judgment (BPJ)
- Project XL
- Best Management Practices (BMP)
- Quick and annual triggers

# ▶ Chapters

- Chapter 87-Bituminous Surface Mining
- Chapter 88-Anthracite Coal Mining
- Chapter 90-Coal Refuse Disposal

# ▶ Federal Requirements (40 CFR 434)

- Definitions
- Sites where it is infeasible to calculate baseline
- Statistical Methods-Appendix B

# MRAB Collaboration

- Regulation Legislation and Technical Committee
- Multiple meetings
- MRAB recommendation for proposed-  
October 23, 2014
- MRAB members recommended finalizing this regulation as quickly as possible at their January 21, 2016 meeting

# Elements of the Rulemaking

- Definitions
- Applicability
- Application contents
- Operational requirements
- Treatment requirements
- Effluent limitations
- Statistical methods

# Comments

- One public comment
- IRRC comments
  - Regulatory Analysis Form
  - Clarifications to rulemaking
  - Other calculations

# Changes

- Corrected calculations
- Clarified the process for establishing the in-stream monitoring point
  - Regulatory Analysis Form
  - Clarifications to rulemaking

# ▶ Recommendation

DEP recommends that the board approve the final regulation for remining.



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**Bureau of Mining Programs**

**John Stefanko**

**Executive Deputy Secretary for Programs**

**[jstefanko@pa.gov](mailto:jstefanko@pa.gov)**

**Tom Callaghan**

**Director, Bureau of Mining Programs**

**[tcallaghan@pa.gov](mailto:tcallaghan@pa.gov)**

**Joe Iole**

**Bureau of Regulatory Counsel**

**[jiole@pa.gov](mailto:jiole@pa.gov)**