

DEP REGULATORY UPDATE

October 20, 2017

(This update is designed to provide a quick snapshot of the current status of regulations within DEP)

Title of Regulation/ Statutory Authority	Summary of Regulation and Contact	Status
<p>Radiation Protection Program Fees <i>Radiation Protection Act and Radon Certification Act</i> 25 Pa. Code, Chapters 218 and 240</p>	<p>This rulemaking amends Chapters 218 and 240 relating to fees. DEP must review the adequacy of established fees every three years. The current fee review indicates the need for a fee increase in two program areas. The Radioactive Materials and Decommissioning Program and the Radon Program fee revenue for these program areas is insufficient to cover program costs.</p> <p>CONTACT: Joe Melnic, 717-783-9730 jmelnic@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p>Scheduled for publication as final, making the regulation effective, on October 21, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC adopted the final-form rulemaking on August 24, 2017. • Final rulemaking adopted by the EQB at its June 20, 2017 meeting. • Draft final Annex A presented to the Radiation Protection Advisory Committee (RPAC) on November 17, 2016. • IRRC Comments received September 29, 2016. • Proposed rulemaking published July 2, 2016, opening a 60-day public comment period. Public comment period closed on August 30, 2016. To view public comments, access eComment. • Proposed rulemaking adopted by the EQB on April 19, 2016.
<p>Water Quality Standards – Class A Stream Redesignations <i>Clean Streams Law</i> 25 Pa. Code, Chapter 93</p>	<p>The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC’s fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins.</p> <p>CONTACT: Steve Taglang, 717-787-5017, staglang@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p>IRRC approved the final-form rulemaking on August 24, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Final rulemaking adopted by the EQB at its June 20, 2017 meeting. • IRRC comments received on May 18, 2016. • Proposed rule published in the PA Bulletin on March 5, 2016, opening the public comment period. Public comment period closed on April 18, 2016. To view comments, visit eComment. • Proposed rulemaking adopted by the EQB at its November 17, 2015 meeting.

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Water Quality Standards - Sobers Run, et al., Stream Redesignations <i>Pennsylvania Clean Streams Law</i> 25 Pa. Code, Chapter 93	<p>This rulemaking contains waterbodies that are candidates for redesignation. Stream evaluations were conducted by DEP to determine the appropriate designated use of the candidate waterbodies. The streams in this proposed rulemaking were evaluated in response to four petitions. Section 303(c)(1) of the federal Clean Water Act requires states to periodically review and revise, as necessary, water quality standards.</p> <p>CONTACT: Steve Taglang, 717-787-5017, staglang@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p>Tentatively scheduled for IRRC consideration on November 16, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Final-form rulemaking adopted by the EQB on August 15, 2017. • IRRC Comments received on August 24, 2016. • Proposed rulemaking published on June 11, 2016, opening a 45-day public comment period. Public comment period closed on July 25, 2016. To view comments, access eComment • Proposed rulemaking adopted by the EQB on April 19, 2016.
Underground Coal Mine Safety Sensitive Ground Fault <i>Bituminous Coal Mine Safety Act</i> 25 Pa. Code, Chapter 208	<p>This rulemaking includes revisions to Chapter 208 in order to enhance the safety of electrical cables in underground mines through the use of more sensitive ground fault protection.</p> <p>CONTACT: Colvin “Craig” Carson, 724-404-3154 cocarson@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p>Tentatively scheduled for IRRC consideration on November 16, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Final-form rulemaking adopted by the BCMS on September 5, 2017. • IRRC comments received on May 17, 2017. • Proposed rulemaking published in the Pa. Bulletin on March 18, 2017, opening a 30-day public comment period. Public comment period closed on April 17, 2017. To view public comments, access eComment. • Proposed rulemaking adopted by the BCMS on September 13, 2016.
Administration of Land Recycling Program <i>Land Recycling Act</i> 25 Pa. Code, Chapter 250	<p>This rulemaking amends transcription and input errors for the toxicity values for Aldrin, beryllium, and cadmium presented in the 2016 version of the 25 Pa. Code, Chapter 250 rulemaking, which resulted in the calculation of incorrect Statewide health standard Medium Specific Concentrations.</p> <p>CONTACT: Troy Conrad, 717-783-9480, tconrad@pa.gov</p>	<p>CURRENT STATUS: Draft Final-Omitted</p> <p>Anticipated for EQB consideration in 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • This final-omitted rulemaking was discussed with and received the support of the Cleanup Standards Scientific Advisory Board (CSSAB) at its November 16, 2016, meeting.

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<p>Disinfection Requirements Rule <i>Pennsylvania Safe Drinking Water Act</i> 25 Pa. Code, Chapter 109</p>	<p>This rulemaking amends Chapter 109 to revise the minimum disinfectant residual level maintained in public water distribution systems and the related monitoring and reporting requirements. This rulemaking also clarifies other existing provisions to obtain primacy for the Federal Long Term 2 Enhanced Surface Water Treatment Rule, Short-term Revisions to the Lead and Copper Rule, and the Stage 2 Disinfection Byproducts Rule.</p> <p>CONTACT: Dawn Hissner, 717-772-4018, dhissner@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Anticipated for EQB consideration in 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft final Annex A presented to the Small Water Systems TAC on August 24 and July 13, 2017. • IRRC comments received on May 19, 2016. • Proposed rule published in the Pa. Bulletin on February 20, 2016, opening the public comment period. Public hearings held on March 28, April 5, and April 7 (Harrisburg, Norristown, Pittsburgh). Public comment period closed April 19, 2016. To view comments, visit eComment • Proposed rulemaking adopted by the EQB at its November 17, 2015 meeting.
<p>Handling and Use of Explosives <i>Explosives Act of 1937; Surface Mining Conservation and Reclamation Act; and Noncoal Surface Mining Conservation and Reclamation Act</i> 25 Pa. Code, Chapters 210 and 211</p>	<p>This rulemaking revises current explosives regulations to address blasting activities relating to seismic exploration. The rulemaking also updates explosives use requirements, enforcement authority and eliminates outdated requirements.</p> <p>CONTACT: Rick Lamkie, 814-472-1885, rlamkie@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Anticipated for EQB consideration in 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft final Annex A presented to the Aggregate Advisory Board on November 2, 2016. • Draft final Annex A presented to MRAB on July 21, 2016. • IRRC comments received April 27, 2016. • Proposed rule published in the Pa. Bulletin on February 27, 2016, opening the public comment period. Public comment period closed on March 28, 2016. To view comments, visit eComment. • Proposed rulemaking approved by the EQB at its September 15, 2015 meeting.

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<p>Repeal of Gasoline Volatility Requirements <i>Air Pollution Control Act</i> 25 Pa. Code, Chapters 121 and 126</p>	<p>This rulemaking repeals §§ 126.301 – 126.303 that impose requirements for summer low Reid Vapor Pressure (RVP) gasoline in the Pittsburgh-Beaver Valley Area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland Counties) from May 1 to September 15 as an emission reduction measure to address attainment and maintenance of the 1-hour ozone National Ambient Air Quality Standard (NAAQS). The rulemaking is in response to Act 50 of 2014 (P. L. 674, May 14, 2014), which directs the EQB to promulgate regulations to repeal the requirements for low RVP gasoline upon demonstration of continued compliance with the NAAQS through the use of commensurate emission reductions from other air pollution control measures. Upon promulgation, the final-form regulation will be submitted to the United States Environmental Protection Agency (EPA) for approval as a State Implementation Plan (SIP) revision.</p> <p>CONTACT: Susan Hoyle, 717-772-2329, shoyle@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Anticipated for EQB consideration in 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft final Annex A presented to the Citizen’s Advisory Council (CAC) on September 19, 2017. • Draft final Annex A presented to the Small Business Compliance Advisory Committee (SBCAC) on July 26, 2017. • Draft final Annex A presented to the Air Quality Technical Advisory Committee (AQTAC) on June 15, 2017. • IRRC comments received on May 31, 2017. • Proposed rulemaking published in the Pa. Bulletin on February 25, 2017, opening a 60-day public comment period. Public comment period closed on May 1, 2017. Three public hearings were held on March 28, 29, and 30 (Pittsburgh, Norristown, Harrisburg). To view public comments, access eComment. • Proposed rulemaking adopted by the EQB on October 18, 2016.
<p>Radiological Health <i>Radiation Protection Act and Radon Certification Act</i> 25 Pa. Code, Chapters 215 – 240</p>	<p>This rulemaking proposes to amend Chapters 215—240 to update Computed Tomography and Fluoroscopic regulations; to address new X-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section.</p> <p>CONTACT: Joe Melnic, 717-783-9730, jmelnic@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Draft final Annex A presented to RPAC on October 19, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • Proposed rulemaking published in the Pa. Bulletin on May 13, 2017, opening a 45-day public comment period. Public comment period closed on June 26, 2017. To view public comments, access eComment. • Proposed rulemaking adopted by the EQB on October 18, 2016. • DEP presented regulatory language to RPAC. RPAC recommended that DEP proceed with the rulemaking process for these regulations.

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Control of VOC Emissions from Industrial Cleaning Solvents; General Provisions; Aerospace Manufacturing and Rework; and Additional RACT Requirements for Major Sources of Nox and VOCs <i>Air Pollution Control Act</i> 25 Pa. Code, Chapter 129	<p>This rulemaking proposes to amend existing surface coating regulations to reduce the emissions of volatile organic compounds from industrial cleaning solvents not regulated elsewhere in 25 Pa. Code Article III to meet the Clean Air Act “reasonably available control measures,” including RACT requirements for ozone nonattainment areas. The emission limits and work practice standards will be consistent with the recommendations of the EPA included in the corresponding CTG for industrial cleaning solvents. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a revision to the SIP.</p> <p>CONTACT: Susan Hoyle, 717-772-2329, shoyle@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>IRRC Comments received on September 20, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> Proposed rulemaking published in the Pa. Bulletin on June 17, 2017, opening a 64-day public comment period. Public comment period closed on August 21, 2017. Three public hearings held on July 18, 19, and 20 (Norristown, Pittsburgh, and Harrisburg). To view public comments, access eComment. Proposed rulemaking adopted by the EQB on March 21, 2017.
Underground Coal Mine Safety Proximity Detection Systems <i>Bituminous Coal Mine Safety Act</i> 25 Pa. Code, Chapter 208	<p>This rulemaking adds regulatory provisions relating to proximity detection systems. Currently in Pennsylvania, safety requirements involving the use of proximity detection systems on continuous mining machines at underground bituminous coal mines are implemented pursuant to recently published Federal Mine Safety and Health Administration regulations. This rulemaking makes those Federal regulations independently enforceable by the Commonwealth. These requirements ensure that continuous mining machines at underground bituminous coal mines are safely operated and maintained in order to reduce the risk of accidents and injuries.</p> <p>CONTACT: Colvin “Craig” Carson, 724-404-3154, cocarson@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>In December of 2016, BCMS tabled moving forward with this rule until federal implementation concerns are resolved.</p> <p>Background:</p> <ul style="list-style-type: none"> IRRC letter received May 18, 2016. Proposed rule published in the PA Bulletin on March 19, 2016, opening the public comment period. Public comment period closed on April 18, 2016. To view comments, visit eComment. BCMS approved proposed rulemaking on December 8, 2015. MSHA final rule effective March 2015. Board of Coal Mine Safety approved moving forward with the development of draft regulatory language to incorporate federal rule into Pennsylvania regulations on June 23, 2015.
Triennial Review of Water Quality Standards & Updates to Toxics Management Strategy – Statement of Policy <i>40 CFR Section 131.20</i> 25 Pa. Code, Chapters 93 and 16	<p>This rulemaking proposes to revise the Commonwealth’s water quality criteria and standards in Chapter 93 and update to Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act.</p> <p>CONTACT: Tom Barron, 717-787-9637, tbarron@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>Proposed rulemaking scheduled for publication in the Pa. Bulletin on October 21, 2017, opening a 69-day public comment period. Public comment period closes on December 29, 2017. Three public hearings scheduled to be held on December 6, 8, and 14 (Wilkes Barre, Harrisburg, and Pittsburgh). To view and submit public comments, access eComment.</p> <p>Background:</p> <ul style="list-style-type: none"> EQB adopted proposed rule on April 18, 2017. DEP presented regulatory language to the Water Resources Advisory Committee (WRAC) on March 24, 2016.

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<p>Safe Drinking Water General Update <i>Pennsylvania Safe Drinking Water Act</i> 25 Pa. Code, Chapter 109</p>	<p>This rulemaking proposes to strengthen turbidity standards for surface water filtration plants, update and clarify permitting requirements for new sources, and clarify source water protection requirements and other sections of Chapter 109. This rulemaking also proposes to establish new annual fees and increase permit fees to supplement state costs for administering the Safe Drinking Water Program.</p> <p>CONTACT: Ed Chescatti, 717-772-2184, echescatti@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>IRRC comments due on October 25, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> Proposed rulemaking published in the Pa. Bulletin on August 26, 2017, opening a 30-day public comment period. Public comment period closed on September 25, 2017. To view public comments, access eComment. Proposed rule adopted by the EQB on May 17, 2017. Draft proposed Annex A discussed with Small Water Systems Technical Assistance Center (TAC) on November 14, 2016 and January 5, 2017. Informational webinar was held on December 8, 2016.
<p>Noncoal Mining Program Fee Amendments <i>Noncoal Surface Mining and Conservation and Reclamation Act, Clean Streams Law</i> 25 Pa. Code, Chapter 77</p>	<p>This rulemaking proposes to increase fees in order to provide the funding for the Noncoal Mining Program, which implements the Noncoal Surface Mining and Conservation and Reclamation Act (NSMCRA). The rulemaking proposes to provide more revenue in order to implement the NSMCRA, which requires operators to apply for and maintain active permits and licenses to mine noncoal minerals in Pennsylvania. In administering the noncoal mining program, DEP reviews and issues permits and conducts inspections to assure compliance with the permits and performance standards.</p> <p>CONTACT: Bill Allen, 717-783-9580, wallen@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>EQB adopted proposed rulemaking on October 17, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> Regulatory language discussed with Aggregate Advisory Board in 2016. Status of fees discussed with Aggregate Advisory Board.
<p>Administration of the Storage Tank and Spill Prevention Program <i>Storage Tank and Spill Prevention Act</i> 25 Pa. Code, Chapter 245</p>	<p>This rulemaking proposes to amend Chapter 245 to strengthen the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment. Currently, UST owners and operators are required to have spill prevention, overfill prevention, and release detection equipment in place, but are not required to periodically verify the functionality of some of that equipment. The proposed changes are expected to result in improvements in the routine operation, maintenance and monitoring of underground storage tanks which will help to further reduce the number of releases from underground storage tanks and, in turn, protect public health and the environment.</p> <p>CONTACT: Kris Shiffer, 717-772-5809, kshiffer@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>EQB adopted proposed rulemaking on October 17, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> Draft proposed Annex A discussed with the Storage Tank Advisory Committee (STAC) again on March 7, 2017. Draft proposed Annex A discussed with the Storage Tank Advisory Committee (STAC) on December 6, 2016

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Federal Office of Surface Mining (OSM) Program Consistency Updates <i>Surface Mining Conservation and Reclamation Act</i> 25 Pa. Code, Chapters 86, 89, and 90	This rulemaking proposes to amend Chapter 86 in order to comply with Federal regulatory requirements; to revise (Chapter 89) effluent limits for passive treatment systems to comply with Federal regulations, and to update (Chapter 90) coal refuse site selection regulations to comply with the revised Coal Refuse Disposal Control Act. CONTACT: Bill Allen, 717-783-9580, wallen@pa.gov	CURRENT STATUS: Draft Proposed Anticipated for EQB consideration fourth quarter of 2017. Background: <ul style="list-style-type: none"> DEP discussed proposed regulatory amendments with the Mining and Reclamation Advisory Board's Regulatory, Legislative and Technical Committee (MRAB) on March 30, 2017 and with the full Board on April 6, 2017.
Water Quality Management and NPDES Program Fee Amendments <i>Pennsylvania Clean Streams Law</i> 25 Pa. Code, Chapters 91 and 92a	This rulemaking proposes to amend fees related to water quality management permitting (Chapter 91) and proposes to amend the fee schedule for NPDES permit applications (Chapter 92a). Chapter 91 establishes, among other things, a water quality management (WQM) permitting program for the construction of sewage and industrial waste treatment facilities and for land application of sewage and industrial wastes. DEP began its Chapter 92a annual invoicing and fee collection program in December 2010. Chapter 92a updated the fee schedule for NPDES permit applications for persons to discharge pollutants from point sources into surface waters. In addition, Chapter 92a introduced an annual fee for certain facilities authorized to discharge pollutants by individual NPDES permits. A fee analysis that DEP presented to the EQB in 2014 highlighted that, despite the fee increase in 2010, revenue continues to fall short of expenses, impeding the work of Programs to carry out necessary tasks for protecting water resources in the Commonwealth. CONTACT: Sean Furjanic, 717-787-2137, sefurjanic@pa.gov	CURRENT STATUS: Draft Proposed Anticipated for EQB consideration first quarter of 2018. Background: <ul style="list-style-type: none"> DEP discussed proposed regulatory amendments with the Water Resources Advisory Committee (WRAC) on March 24, 2016 and September 22, 2016.
Control of VOCs from Gasoline Dispensing Facilities (Stage II) <i>Air Pollution Control Act</i> 25 Pa. Code § 129.82	This rulemaking proposes to repeal the requirements for installing new Stage II vapor recovery systems. The rulemaking will establish procedures for the decommissioning of existing Stage II systems and will require Stage II systems that are not decommissioned to still comply with existing regulatory maintenance requirements. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision. CONTACT: Susan Hoyle, 717-772-2329, shoyle@pa.gov	CURRENT STATUS: Pre-Draft Proposed Program developing proposed regulatory amendments.

Environmental Quality Board (EQB)
 Board of Coal Mine Safety (BCMS)
 Independent Regulatory Review Commission (IRRC)

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Air Quality Fee Schedule Amendments <i>Air Pollution Control Act</i> 25 Pa. Code, Chapters 127 and 139	<p>This rulemaking proposes to revise existing requirements and fee schedules codified in Chapter 127, Subchapter I to ensure that fees collected are sufficient to cover the costs of administering the air program as required under Section 6.3(a) of the Air Pollution Control (35 P. S. § 4006.3(a)). Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a revision to the SIP or the Title V Program Approval, as appropriate.</p> <p>CONTACT: Susan Hoyle, 717-772-2329, shoyle@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Program developing proposed regulatory amendments.</p>
Amendments to Mobile Equipment Repair and Refinishing <i>Air Pollution Control Act</i> 25 Pa. Code, Chapters 121 and 129	<p>This rulemaking proposes to amend existing surface coating regulations to harmonize the emission limits and work practice requirements of the Clean Air Act “reasonably available control technology” requirements for automobiles and light-duty trucks and the 2011 updated Ozone Transport Commission model rule requirements for motor vehicle and mobile equipment non-assembly line coating operations. Amendments will also be proposed for the adhesives, sealants, primers and solvents regulations. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision.</p> <p>CONTACT: Susan Hoyle, 717-772-2329, shoyle@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Program developing proposed regulatory amendments.</p>
Administration of Sewage Facilities Planning and Permitting Programs and Standards for Onlot Sewage Treatment Facilities <i>Pennsylvania Sewage Facilities Act, Clean Streams Law</i> 25 Pa. Code, Chapters 71, 72, and 73	<p>This rulemaking proposes to create 25 Pa. Code Chapters 71a, 72a and 73a, replacing the current Chapters 71, 72 and 73. The proposed amendments would provide necessary updates and clarity to the regulations to address environmental and public health and safety issues.</p> <p>CONTACT: Lee McDonnell, 717-787-5017, lmcdonnell@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Program developing proposed regulatory amendments.</p>

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Nutrient Credit Trading and Offsetting Program <i>Clean Streams Law</i> 25 Pa. Code, Chapter 96.8 and Chapter 98	This rulemaking proposes to update Chapter 96.8 related to the implementation of a nutrient credit trading program to address EPA concerns, and streamline the current process for the certification, registration and verification of credits. CONTACT: Sean Furjanic, 717-787-2137, sefurjanic@pa.gov	CURRENT STATUS: Pre-Draft Proposed Program developing proposed regulatory amendments.
Environmental Protection Performance Standards for Conventional Oil and Gas Operators <i>2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014</i> 25 Pa. Code Chapter 78	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. CONTACT: Kurt Klapkowski, 717-772-2199 kklapkowski@pa.gov	CURRENT STATUS: Pre-Draft Proposed Program developing proposed regulatory amendments
Well Drilling, Operation, and Plugging <i>Oil and Gas Act, Clean Streams Law</i> 25 Pa. Code Chapter 78, Subchapter D	This rulemaking proposes to revise Chapter 78 (Oil and Gas Wells) Subchapter D, regulating the drilling, casing, cementing, completion, operation, production, plugging and other subsurface activities associated with Oil and Gas exploration and development, including revisions to well plugging procedures, venting, alternative methods, and to address the plugging of unconventional wellbore laterals and coal bed methane wells. CONTACT: Kurt Klapkowski, 717-772-2199 kklapkowski@pa.gov	CURRENT STATUS: Pre-Draft Proposed Program developing proposed regulatory amendments

COMPLETED REGULATIONS (2017)

Title of Regulation / Statutory Authority	Summary of Regulation & Contact	Status
<p>Environmental Laboratory Accreditation <i>Environmental Laboratory Accreditation Act</i> 25 Pa. Code, Chapter 252</p>	<p>This rulemaking establishes appropriate standards for laboratories performing DEP compliance testing of environmental samples. The rulemaking outlines the minimum requirements to which laboratories must adhere when producing environmental data. The regulation also includes changes to the qualifications for laboratory supervisors, clarifications to recordkeeping requirements, and changes to the application fees and out-of-state travel expense reimbursement rate. The Environmental Laboratory Accreditation Act requires that the accreditation fees cover the cost of the operation of the laboratory accreditation program.</p> <p>CONTACT: Aaren Alger, 717-346-8212, aaalger@pa.gov</p>	<p>Published as final and effective in the <i>Pennsylvania Bulletin</i> on July 29, 2017.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC unanimously approved on June 15, 2017 • Environmental Quality Board (EQB) adopted final rule on April 18, 2017. • Draft final Annex A discussed with Laboratory Accreditation Advisory Committee (LAAC) on December 7, 2016. LAAC concurred with DEP's recommendation to move the regulation forward in the regulatory review process. • IRRC Comments received October 19, 2016. • Proposed rulemaking published August 20, 2016, opening a 30-day public comment period. Public comment period closed on September 19, 2016. • Proposed rulemaking adopted by the EQB on May 17, 2016.