

Proposed Technical Guidance Major Revision

563-2112-610 Determining Eligibility of Pre-existing Pollutational Discharges under Subchapter F of 25 Pa. Code Chapter 87, Subchapter G of 25 Pa. Code Chapter 88

563-2112-611 Permitting Pre-existing Pollutational Discharges under Subchapter F of 25 Pa. Code Chapter 87, Subchapter G of 25 Pa. Code Chapter 88

563-2504-612 Monitoring, Compliance & Bond Release for Subchapter F or G Permits

These documents, issued in October and November of 1997, dealt with the implementation of Subchapter F & G permits (“remining” permits) authorized under Chapter 87 (Subchapter F) and 88 (Subchapter G).

563-2112-610 identified and explained the conditions which must be met to qualify for a Subchapter F or G permit. **563-2112-611** established the methods and procedures for performing best professional judgment to determine treatment requirements for pre-existing pollutational discharges and guidance on writing permit conditions to establish appropriate effluent limits. Establishing the baseline pollution load from pre-existing pollutational discharges and evaluating the pollution abatement plan were also covered.

563-2504-612 outlined the procedures for monitoring the pre-existing pollutational discharges and determining if these discharges are compliant, and it outlines procedures for processing requests for bond release of mining permits issued under Subchapter F or G.

The existing TGDs have not been updated since 1997 and Department experience along with updated regulations over the last 20 years has led to a need to update the guidance documents.

Revised remining regulations that were published as final in 2016. The new regulations adopted the federally-approved method of calculating the baseline pollutational load (i.e. effluent limitations) for the pre-existing discharges. The federal regulations also allow an operator to submit a pollution abatement plan with no effluent limitations if the baseline pollutational load cannot be calculated.

The Department will also removal reference to REMINE software. The software is no longer compatible with modern operating systems and is not being used by operators when submitting remining permits. The Department has developed a spreadsheet tool for the calculations.

The current intent is to consolidate the three guidance documents into one document. A provide a clear and concise step by step approach explanation regarding methods are now contained within the regulation and can be excised from the documents. Other changes will include addition explanation to assist in calculating the baseline pollutational load for unusual remining circumstances.

Estimated Timeline

- April 2018 - Informal draft to be presented to boards
- June 2018 - Publication of draft, acceptance of public comment
- Third quarter 2018 - Publication of final version

Associated documents that can be found in eLibrary:

- Existing TGD: 563-2112-610 Determining Eligibility of Pre-existing Pollutational Discharges under Subchapter F of 25 Pa. Code Chapter 87, Subchapter G of 25 Pa. Code Chapter 88
- Existing TGD: 563-2112-611 Permitting Pre-existing Pollutational Discharges under Subchapter F of 25 Pa. Code Chapter 87, Subchapter G of 25 Pa. Code Chapter 88
- Existing TGD: 563-2504-612 Monitoring, Compliance & Bond Release for Subchapter F or G Permits

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