

February 2016 Report to the Citizens Advisory Council
(new and updated information in italics)

DEP Highlights

Final Rulemaking – Chapter 78, Subchapter C (relating to oil and gas surface activities)

DEP presented the proposed Chapter 78, Subchapter C regulations to the EQB on August 27, 2013, who adopted the proposal for public comment. The 90-day public comment period, including nine public hearings, closed on March 14, 2014; about 24,000 comments were received. Of those comments, over 1,100 represented individual comments and the balance were submitted to DEP as form letters. IRRC submitted a 19-page comment letter to DEP on April 14, 2014, formally closing the comment period. DEP presented a summary of the comments received at the June 26, 2014, Oil and Gas Technical Advisory Board (TAB) meeting. Video of the meeting is available on the DEP YouTube Channel and the webinar is available on DEP's webinar page.

On July 10, 2014, former Governor Corbett signed into law Act 126 of 2014 (relating to omnibus Fiscal Code amendments). Act 126 contained the following provision:

Section 1741.1-E. Environmental Quality Board.

- (a) Regulations.-- From funds appropriated to the Environmental Quality Board, the board shall promulgate proposed regulations and regulations under 58 Pa.C.S. (relating to oil and gas) or other laws of this Commonwealth relating to conventional oil and gas wells separately from proposed regulations and regulations relating to unconventional gas wells. All regulations under 58 Pa. C.S. shall differentiate between conventional oil and gas wells and unconventional gas wells. Regulations promulgated under this section shall apply to regulations promulgated on or after the effective date of this section.

As a result of this statutory change, DEP determined that the Subchapter C rulemaking process could continue, but that the regulations would be completely bifurcated on final rulemaking. The regulatory provisions applicable to conventional wells will be retained in the existing Chapter 78 and a new regulatory Chapter 78a will be created that is applicable to unconventional wells. No regulatory language outside of the scope of the proposed rulemaking will be altered as a result of this change (for example, the well drilling, operation and plugging requirements contained in Chapter 78, Subchapter D will be included, as appropriate, in both the conventional and unconventional Chapters).

On September 25, 2014, DEP presented the two individual chapters of the bifurcated proposed rulemaking to the members of TAB and discussed the pertinent aspects of the proposed rulemaking. The TAB meeting was conducted via a webinar in order to provide a greater opportunity for public participation; the webinar is available on DEP's webinar page. The bifurcated rulemaking was a first step toward placing the proposed regulatory language into a form that could be further adjusted to address public comments.

DEP determined it was necessary to utilize the Advanced Notice of Final Rulemaking (ANFR) process to take additional public comment on the draft changes included in the final rulemaking. DEP presented an overview of the proposed ANFR to TAB and the Conventional Oil and Gas Advisory Committee (COGAC) on March 20 and March 26, 2015, respectively.

On Saturday, April 4, DEP published notice of the Advance Notice of Final Rulemaking for revisions to the rulemaking in the *Pennsylvania Bulletin*, opening an additional 30-day public comment period.

On April 6, DEP announced extension of the public comment period by an additional 15 days to close on May 19, and the addition of three public hearings on April 29 (Washington), April 30 (Warren), and May 4 (Williamsport).

During the ANFR comment period, the Department received a total of 4,947 comments from 4,601 commentators. Of the comments received, 4,516 were form letters (10 different form letters), 129 were provided via testimony at public hearings, and 302 were unique comments. Department staff is in the process of preparing responses to all comments received for the proposed rulemaking and ANFR.

DEP presented an overview of the draft final rulemaking to COGAC and TAB on August 27 and September 2, 2015, respectively. Following these advisory committee meetings, DEP hosted a public webinar session on Friday, September 18 with members of COGAC and TAB to further discuss several issues that were raised during the most recent advisory board meetings. An audiotape of this webinar along with the document that was the subject of the discussion is posted on the DEP website under the Public Participation page. The draft final rulemaking is scheduled to be presented to TAB and COGAC on October 27 and October 29, respectively. At the close of the meeting, TAB adopted a written Resolution that stated it would incorporate comments that are developed by COGAC as part of its submittal to the Environmental Quality Board (EQB). On October 29, COGAC adopted a separate Resolution that was critical of the Department and rulemaking process and stated, in part, that the "...process of formulating new regulations for Pennsylvania's conventional oil and gas industry should be restarted in its entirety".

The 2012 Oil and Gas Act authorizes TAB to submit a report to the Environmental Quality Board (EQB) on the Department's final Chapter 78 and 78a regulation. On December 22, 2015, TAB convened a public WebEx meeting to discuss the report that it intended to develop for submittal to the EQB. On December 22, COGAC also convened a meeting to discuss the same matter. The TAB accepted public comment and prepared a report that will be considered by EQB at its next regularly scheduled meeting on February 3, 2016. A copy of this report is available on the EQB website.

On January 6, DEP submitted the final form rulemaking to the Environmental Quality Board for consideration at its upcoming meeting on February 3.

Increasing Transparency in the Policy Process

As part of DEP's efforts to be more open and transparent in the policy development and review process, DEP has substantially revised its Policy for the Development and Publication of Technical Guidance. On Saturday, May 30, 2015, DEP published notice of availability of the Interim Final policy in the *Pennsylvania Bulletin*, opening a 45-day public comment period that closed on July 14, 2015. DEP received comments from: CAC, the Marcellus Shale Coalition, and Pennsylvania Aggregates & Concrete Association. Staff are currently preparing a comment and response document and working on finalizing the document. Issuance as Interim Final means that DEP staff should implement the changed process while public comment is accepted. Revisions to the policy: (1) enhance participation and transparency in the development of policies and technical guidance documents (TGDs) by requiring increased advisory committee involvement; (2) provide clarity to DEP staff about the procedures for development of these documents, and (3) remove outdated information and update existing information.

In tandem with the publication of the revised guidance, DEP launched eComment, a new online public comment system for policies, TGDs, general permits, SIP revisions, and other reports. eComment is accessible via the Public Participation portion of the DEP website, or at www.ahs.dep.pa.gov/eComment/. eComment

enables users to: (1) view TGDs and other documents open for public comment; (2) link to the full text of the document on the eLibrary and to the *Pennsylvania Bulletin* notice; (3) submit comments electronically; and (3) view comments submitted by others. All comments received will be available publicly within 5 business days of receipt, and they will remain posted until documents are finalized.

As requested by CAC, DEP developed the new DEP Non-Regulatory Agenda as part of the efforts to enhance public participation and transparency. In keeping with the format of the Regulatory Agenda, the Non-Regulatory Agenda outlines policies and technical guidance documents that are planned for updates over the next year. Notice of availability of the first Non-Regulatory Agenda (Agenda) *will be published in the Pennsylvania Bulletin on Saturday, February 6th. The Agenda will be available on eLibrary at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage> (Select "Publications," "Office of Policy," "Non-Regulatory Agenda").*

Policy Office staff conducted trainings/webinars for both Central and Regional Office staff, as well as external stakeholders about the changes to the policy and eComment throughout June. Additional internal and external webinars and trainings for the Policy for the Development and Publication of Technical Guidance will be held after the policy is finalized.

Federal Regulations

Recently Submitted DEP Comments

Updated Ozone Transport Modeling Data for the 2008 Ozone National Ambient Air Quality Standard: In the Aug. 4, 2015, Federal Register (80 FR 46271) EPA issued Notice of Data Availability (NODA) for the agency's Updated Ozone Transport Modeling Data for the 2008 Ozone National Ambient Air Quality Standard (NAAQS). In its NODA, EPA requests comment on data and methods that will be used for a rulemaking proposal that the EPA is developing and expects to release later this year to address interstate ozone transport for the 2008 ozone NAAQS. The NODA includes nitrogen oxide (NOx) emission inventories for 2011 and 2017 and provides supporting data used to develop those emission inventories. The NODA also provides base year 2011 and projected 2017 ozone concentrations and projected 2017 ozone state contribution data at individual ozone monitoring sites based on air quality modeling, supporting data including 2009 - 2013 base period and 2017 projected ozone design values. The public comment period closed on Oct. 23, 2015, and DEP submitted written comments on Oct. 16, 2015. DEP offered corrections to the inventory and inventory projections for several facilities and requested EPA review its NOx emissions projections for many others.

Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills: The EPA proposes new Subpart Cf, which updates the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Emission Guidelines or Guidelines). This proposal is designed to achieve additional reductions of landfill gas (LFG) emissions and its components, including methane, by lowering the emissions threshold for the installation of controls at municipal solid waste (MSW) landfills. The proposed rulemaking incorporates new data and information EPA received in response to the Advanced Notice of Proposed Rulemaking published in the Federal Register on July 14, 2014 (79 FR 41772). The proposed Subpart Cf also addresses other issues including surface emissions monitoring, wellhead monitoring, and the "landfill gas treatment system" definition. The proposed rulemaking was published in the Federal Register on Aug. 27, 2015 (80 FR 52100). The public comment period closed on Oct. 26, 2015, and DEP submitted written comments on Oct. 21, 2015. DEP fully supported EPA's proposal, but recommended that EPA extend the proposed nine-month deadline for the development and submission of the State Plan to at least 12 months.

Oil and Natural Gas Sector: Emission Standards for New and Modified Sources: The EPA proposes to amend the new source performance standards (NSPS) for the oil and natural gas source category by setting standards for both methane and volatile organic compounds (VOC) for certain equipment, processes and activities across

this source category. Specifically, EPA is proposing both methane and VOC standards for several emission sources not currently covered by the NSPS (i.e., hydraulically fractured oil well completions, fugitive emissions from well sites and compressor stations, and pneumatic pumps). In addition, EPA is proposing methane standards for certain emission sources (i.e., hydraulically fractured gas well completions, equipment leaks at natural gas processing plants) that are currently regulated for VOC emissions. The proposed amendments would establish methane standards for this equipment across the source category and extend the current VOC standards to the remaining unregulated equipment. Lastly, amendments to the current NSPS are being proposed that improve implementation of several aspects of the current standards. The proposed rulemaking was published in the Federal Register on Sept. 28, 2015 (80 FR 56593). DEP provided testimony during EPA's public hearing in Pittsburgh on Sept. 29, 2015. *The public comment period was extended to Dec. 4, 2015, and DEP submitted written comments dated Nov. 23, 2015, on Dec. 3, 2015. DEP fully supported EPA's proposal, but recommended that EPA increase leak detection and repair surveys to quarterly (matching DEP's General Permit 5) and that they explicitly define "leak" in terms of methane and VOCs to address "dry gas" areas of the Marcellus Shale Play.*

Regulations Planned for DEP Comment

Federal Plan Requirements: Greenhouse Gas Emissions from Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations: On October 23, 2015 the EPA released this proposed rule for comment. The public comment period ends January 21, 2016. The EPA is proposing a federal plan to implement the greenhouse gas (GHG) emission guidelines (EGs) for existing fossil fuel-fired electric generating units (EGUs) under the Clean Air Act (CAA). The EGs were proposed in June 2014 and finalized on August 3, 2015 as the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (also known as the Clean Power Plan or EGs). This proposal presents two approaches to a federal plan for states and other jurisdictions that do not submit an approvable plan to the EPA: a rate-based emission trading program and a mass-based emission trading program. These proposals also constitute proposed model trading rules that states can adopt or tailor for implementation of the final EGs. The federal plan is an important measure to ensure that congressionally mandated emission standards under the authority of the CAA are implemented. The proposed federal plan is related to but separate from the final EGs. The final EGs establish the best system of emission reduction (BSER) for applicable fossil fuel-fired EGUs in the form of a carbon dioxide (CO₂) emission performance rate for steam-fired EGUs and a CO₂ emission performance rate for natural gas-fired combined cycle (NGCC) units, and provide guidance and criteria for the development of approvable state plans. The purpose of the proposed federal plan is to establish requirements directly applicable to a state's affected EGUs that meet these emission performance levels, or the equivalent statewide goal, in order to achieve reductions in CO₂ emissions in the case where a state or other jurisdiction does not submit an approvable plan. The stringency of the emission performance levels established in the final EGs will be the same whether implemented through a state plan or a federal plan. The EPA is also proposing enhancements to the CAA section 111(d) framework regulations related to the process and timing for state plan submissions and EPA actions. The EPA intends to finalize both the rate-based and mass-based model trading rules in summer 2016. DEP plans to provide comments for this proposal.

Cross-State Air Pollution Rule Update for the 2008 Ozone National Ambient Air Quality Standards: On December 3, 2015, the EPA published this proposal for comment. The public comment period ends on February 1, 2016. The primary purpose of this proposal is to address interstate air quality impacts with respect to the 2008 ozone National Ambient Air Quality Standards (NAAQS). The EPA promulgated the Cross-State Air Pollution Rule (CSAPR) on July 6, 2011, to address interstate transport of ozone pollution under the 1997 ozone NAAQS and fine particulate matter (PM_{2.5}) under the 1997 and 2006 PM_{2.5} NAAQS. The EPA is proposing to update CSAPR to address interstate emission transport with respect to the 2008 ozone NAAQS. This proposal also responds to the July 28, 2015 remand by the Court of Appeals for the District of Columbia Circuit of certain states' ozone-season nitrogen oxides (NO_x) emissions budgets established by CSAPR. This

proposal also updates the status of certain states' outstanding interstate ozone transport obligations with respect to the 1997 ozone NAAQS, for which CSAPR provided a partial remedy. This proposal finds that ozone season emissions of NO_x in 23 eastern states affect the ability of downwind states to attain and maintain the 2008 ozone NAAQS. These emissions can be transported downwind as NO_x or, after transformation in the atmosphere, as ozone. For these 23 eastern states, the EPA proposes to issue Federal Implementation Plans (FIPs) that generally update the existing CSAPR NO_x ozone-season emissions budgets for electricity generating units (EGUs) and implement these budgets via the CSAPR NO_x ozone-season allowance trading program. The EPA would finalize a FIP for any state that does not have an approved SIP addressing its contribution by the date this rule is finalized. The EPA is proposing implementation starting with the 2017 ozone season. In conjunction with other federal and state actions, these requirements would assist downwind states in the eastern United States in attaining and maintaining the 2008 ozone standard. DEP plans to provide comments for this proposal.

Unregulated Contaminant Monitoring Rule 4 (UCMR4): The EPA proposes to amend the list of contaminants, the approved analytical methods, the monitoring frequency and the monitoring period for 30 unregulated contaminants that do not have health-based standards set under the Safe Drinking Water Act. The monitoring provides data to inform future regulatory actions to protect public health. Specifically, EPA is proposing monitoring for 10 cyanotoxins, 2 metals, 9 pesticides, 3 brominated disinfection byproducts, 3 alcohols, and 3 semi-volatile organic chemicals. The proposed rulemaking was published in the Federal Register on December 9, 2015. The public comment period will close on February 9, 2016. DEP intends to submit written comments on the proposal.

Groundwater Rule (GWR): The GWR is intended to provide increased protection against microbial pathogens, specifically bacterial and viral pathogens, in public water systems (PWS) that use ground water. The GWR establishes a risk-targeted approach to identify ground water systems that are susceptible to fecal contamination and defines adequate treatment technique requirements for the inactivation and/or removal of viruses. In its Fall Regulatory Agenda, EPA announced it was conducting a "610 Review" of the GWR. This is a special review of the rule after it has been in effect for 10 years, conducted under section 610 of the Regulatory Flexibility Act, specifically looking at the impact on small entities. In the 610 review EPA considers a number of specific issues:

- The continued need for the rule.
- The nature of complaints or comments received concerning the rule.
- The complexity of the rule.
- The extent to which the rule overlaps, duplicates, or conflicts with other Federal, State, or local government rules.
- The degree to which the technology, economic conditions or other factors have changed in the area affected by the rule.

Comments are due to EPA by February 12, 2016. DEP intends to submit written comments on the proposal.

Regulatory Update (detailed summaries included in respective program sections)

Pre-Draft Proposed Rulemakings

- Administration of the Storage Tank and Spill Prevention Program (25 Pa. Code Chapter 245) - Program discussing conceptual revisions with the Storage Tank Advisory Committee.

Draft Proposed Rulemakings

- Underground Coal Mine Safety: Proximity Rule (25 Pa. Code Chapter 208) – *Approved by the Board of Coal Mine Safety on December 8, 2015. Sent to Office of General Counsel and Budget for review to be completed by January 11, 2016.*
- Disinfection Requirements Rule (25 Pa. Code Chapter 109) – *Discussed with Small Water Systems TAC Board on May 18 and 26, and June 16 and 30. The proposal was presented to the EQB for consideration on Nov 17, 2015 and was approved as a proposed rulemaking. On December 30, 2015, the Disinfection Requirements Rule (7-520) was transmitted to the Office of Attorney General commencing their 30-day review. The proposed rulemaking is tentatively planned to be published in the PA Bulletin on Feb 13, 2016.*
- Safe Drinking Water General Update (25 Pa. Code Chapter 109) – *Rulemaking package under further development. Tentatively planned for consideration by the Small Water Systems TAC Board in July, 2016.*
- Radiological Health (25 Pa. Code Chapters 215-230 and 240) – *Tentatively planned for EQB consideration in 2016.*
- Radiation Protection Program Fees (25 Pa. Code Chapter 215) – *Tentatively planned for EQB consideration in 2016*
- Unsuitable for Mining; Big Run and Willholm Run Watersheds (25 Pa. Code Chapter 86) – *Planned for EQB consideration in early 2016*

Proposed Rulemakings

- Handling and Use of Explosives (25 Pa. Code Chapters 210 and 211) – *Approved by the EQB September 15, 2015. Tolled by Attorney General's Office on November 10, 2015. Response submitted to Attorney General's Office on December 29, 2015.*
- Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations (25 Pa. Code Chapter 129) – *Adopted as proposed by the EQB at its April 21 meeting. Published in the Pennsylvania Bulletin on August 8, 2015, opening the public comment period. Three public hearings were held on September 8, 9, and 10 (Norristown, Harrisburg, Pittsburgh). No one provided testimony on the proposal. Public comment period closed October 13. IRRC comments were received November 12, 2015.*
- Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings (25 Pa. Code Chapter 129) – *Adopted as proposed by the EQB at its October 21, 2014 meeting. Published in the Pennsylvania Bulletin on August 8, 2015, opening the public comment period. Three public hearings were held on September 8, 9, and 10 (Norristown, Harrisburg, Pittsburgh). Public comment period closed October 13. IRRC comments received November 12, 2015.*
- Revised Total Coliform Rule (25 Pa. Code Chapter 109) – *Adopted as modified by EQB its April 21, 2015 meeting. Discussed with the Small Water Systems Technical Assistance Center (TAC) Board at its April 30, 2015 meeting. As a result, rulemaking was split into three parts: the first covers the Federal Revised Total Coliform Rule and will move forward as modified; the second includes provisions for disinfectant requirements; and the third encompasses a general update to Chapter 109. The latter two rulemakings are moving through the rulemaking process separately from the RTCR. The RTCR was published in the PA Bulletin October 3, 2015. Two public hearings scheduled for 1pm on November 3 (New Stanton) and November 5 (Norristown). Public comment period closed December 1, 2015. IRRC's comment period closed December 31, 2015. Draft final rulemaking being developed and tentatively scheduled for discussion at the March 16, 2016 Small Water Systems TAC Board meeting.*
- Class A Stream Redesignation (25 Pa. Code Chapter 93) – *EQB approved the proposed rulemaking on November 17, 2015.*

- Disinfection Requirements Rule (25 Pa. Code Chapter 109) – Discussed with Small Water Systems TAC Board on May 18 and 26, and June 16 and 30. *EQB approved the proposed rulemaking on November 17, 2015.*

Draft Final Rulemakings

- Environmental Protection Performance Standards at Oil and Gas Well Sites (25 Pa. Code Chapter 78) – Rulemaking has been split into two parts: Chapter 78 applies to conventional wells and Chapter 78a applies to unconventional wells. Advanced Notice of Final Rulemaking (ANFR) was developed for this rule. ANFR language discussed at the March 20, Oil and Gas Technical Advisory Board (TAB) meeting and the March 26, Conventional Oil and Gas Advisory Committee (COGAC) meeting. ANFR published in April 4, Pennsylvania Bulletin, opening 30-day public comment period. On April 18, published notice of 15-day public comment period extension and addition of three public hearings. Public comment period closed May 19; COGAC meeting held August 27 and Oil and Gas TAB meeting held on September 2 to discuss Draft Final Rule. TAB meeting and COGAC meeting were held on October 27 and October 29, respectively, to consider the Draft Final Rule. *The final-form rulemaking is planned for EQB consideration on February 3, 2016.*
- *Administration of the Land Recycling Program (25 Pa. Code Chapter 250) Published in the Pennsylvania Bulletin on May 17, 2014. Comment period closed June 17, 2014; two comments received. IRRC comments received July 17, 2014. Program is drafting the final rulemaking package. Draft Annex presented to CSSAB December 17, 2014. Currently under review.*
- Revised Total Coliform Rule (25 Pa. Code Chapter 109) – Adopted as modified by EQB its April 21 meeting. Discussed with the Small Water Systems Technical Assistance Center (TAC) Board at its April 30 meeting. As a result, rulemaking was split into three parts: the first covers the Federal Revised Total Coliform Rule and will move forward as modified; the second includes provisions for disinfectant requirements; and the third encompasses a general update to Chapter 109. The latter two rulemakings are moving through the rulemaking process separately from the RTCR. Published in the PA Bulletin October 3, 2015. Two public hearings held on November 3 (New Stanton) and November 5 (Norristown). Public comment period closed December 1, 2015. *IRRC comments received December 30, 2015.*
- Remining Requirements (25 Pa. Code Chapters 86 and 88) – Discussed with MRAB October 2014. Adopted by EQB as proposed at its May 20 meeting. Published in the *Pennsylvania Bulletin* October 3, 2015. Public comment period closed November 2, 2015. *Comments were received from one public commenter and IRRC. As a result of the comments some minor revisions were made to the language. The final was reviewed with the MRAB at their January 21 meeting.*

Final Form Rulemakings

- Security Rule for Radioactive Material (25 Pa. Code Chapter 215) – Adopted as proposed by the EQB at its October 21, 2014 meeting. Published in the Pennsylvania Bulletin on March 21. Public comment period closed April 20; no comments received. IRRC letter received May 20. Approved by the EQB September 15, 2015. *IRRC approved on December 9, 2015. The final-form rule is planned for publication on January 23, 2016.*
- Control of VOC Emissions from Fiberglass Boat Manufacturing Materials (25 Pa. Code Chapter 129) – Public comment period closed September 22, 2014. Three hearings held August 19 (Pittsburgh), August 20 (Norristown), and August 21, 2014 (Harrisburg). IRRC comments received October 22, 2014. A draft final-form Annex was presented to the Air Quality Technical Advisory Committee (AQTAC) on November 7, 2014, and to the Small Business Citizens Advisory Council (SBCAC) on January 28, 2015. CAC endorsed the regulation at its March 17, 2015 meeting. The final-form regulation was adopted by the EQB at its May

20, 2015 meeting. *IRRC approved on November 12, 2015. The final-form rule was published on December 19, 2015.*

- Standards for Surface Facilities (25 Pa. Code Chapter 208) – Public comment period closed on September 2, 2014. IRRC comments received October 2, 2014; the final rulemaking package is under review. Approved by the Board of Coal Mine Safety at its June 23 meeting. *IRRC approved on November 12, 2015. The final-form rule was published on December 19, 2015.*
- Additional RACT Requirements for Major Sources of NO_x and VOCs (25 Pa. Code Chapters 121 and 129) – Public comment period closed June 30, 2014. IRRC comments received July 30, 2014. A draft final-form Annex was presented to the Air Quality Technical Advisory Committee (AQTAC) for consideration at a special meeting held November 7, 2014, and to the Small Business Citizens Advisory Council (SBCAC) on January 28. An update on the revised draft final-form RACT II rulemaking was provided to AQTAC at its April 16 meeting. On September 15, 2015, the CAC voted unanimously to forward the final rulemaking to the Board with several recommendations. *EQB approved the final-form rulemaking on November 17, 2015. The final-form rulemaking is scheduled for IRRC consideration on February 18, 2016.*

Petitions

Proposals Open for Public Comment

- *Climate Change Action Plan (Opened 1/30/16; Closes 3/20/16)*

Recently Closed Comment Periods (September/October 2015)

- *Reissuance of NPDES General Permit for Stormwater Associated with Mining Activities (BMPGP-104) (Opened 12/19/2015, Closed 1/19/2016)*
- *Federal Consistency Under the Coastal Zone Management Act: Proposed Maintenance Dredging at Trainer Refinery (Opened 12/19/2015, Closed 1/5/2016)*
- *DRAFT Mining Guidance; Permit Transfers (DEP ID: 563-2112-218) (Opened 12/5/2015, Closed 1/4/2016)*
- *DRAFT Governor's Pipeline Infrastructure Task Force Report (Opened 11/14/2015, Closed 12/29/2015)*
- *Proposed Rulemaking: Revised Total Coliform Rule (Opened 10/3/2015, Closed 12/1/2015)*

Monthly Press Releases (All New, not Italicized)

October 2015 Press Releases

Press Releases Issued

January 4 - ADVISORY - DEP to hold webinar on oil and gas drilling regulations

January 5 - DEP Assesses Two Civil Penalties Against Kinder Morgan for Storage Tank Violations in Philadelphia
Pennsylvania Residents Urged to Test Homes for Radon

January 6 - DEP Issues a Code Orange Air Quality Action Day Forecast for January 7, 2016 for the Susquehanna Valley
DEP Sends Final Oil and Gas Rules to Environmental Quality Board

January 7 - DEP Issues a Code Orange Air Quality Action Day Forecast for January 8, 2016 for Eight Counties in Eastern PA

DEP to Host Public Meeting on Proposed Landfill Expansion in Northampton County

January 8 - DEP to Hold Public Hearing on Tenaska Air Quality Plan Approval for Westmoreland Generating Station

January 12 - DEP's 2015 Accomplishments Focused on Innovation to Help Restore the Capacity of the Agency that Protects Pennsylvania's Air, Land, Water, and Public Health

January 15 - DEP Issues a Code Orange Air Quality Action Day Forecast for January 15, 2016 for Five Counties in Eastern PA

January 19 - Secretary Quigley to Host Webinar on New Plans to Reduce Methane Waste

January 20 - ADVISORY - DEP to Host Webinar on Reboot of State Clean Water Standards and Restore Health of Chesapeake Bay Watershed

Active and Abandoned Mine Operations

Federal Proposed Stream Protection Rulemaking

On July 27, OSM published a substantial revision to the coal mining regulations relating to the protection of streams. The scope of the rule is extensive. Many new additional requirements are proposed, including, for example, site-specific continuous precipitation data for every mine site. The comment period for the proposed rulemaking was originally scheduled to end September 25, but has been extended to October 26. The Department completed its evaluation of the rule and submitted comments on October 23.

Act 54 Report Review

The Bureau of Mining Programs is working with the California District Mining Office to systematically review the Act 54 report. This process will involve review of the report and the comments relating to the report. The goal is to compile and evaluate all of the recommendations and identify action items. Discussions have identified a few categories of actions items. These include issues that have been addressed, but so recently that they could not be reflected in the Act 54 report, short-term actions, such as form revisions, and longer-term actions including database enhancements. The Department has received the CAC comments and will work with the Council to address their concerns.

Noncoal and Coal Mining Fees

The 3-year reports for noncoal mining fees in Chapter 77 and coal mining fees in Chapter 86 are due in October and November of this year. The draft report for coal mining fees was reviewed with the Mining and Reclamation Advisory Board (MRAB) on April 23 and the draft report for the noncoal mining fees was reviewed with the Aggregate Advisory Board (AAB) on May 13. The fee reports were presented to the EQB at its May 20 meeting. *The Department met with the AAB Regulation, Technical and Legislation committee on September 22 and October 23 to review information that had been requested by the PA Aggregate and Concrete Association. Another committee meeting will be scheduled.*

Final Rulemaking

Proposed Rulemaking – Areas Unsuitable for Surface Mining, Big Run and Willholm Run Watersheds, Clearfield County

Graham Township was the petitioner for the unsuitable for mining designation. As a result of the formal petition, a comprehensive technical evaluation of the area was done which yielded the result the area within the Big Run and Willholm drainage be designated as unsuitable for mining operations. The regulation proposes to amend 25 PA Code, Chapter 86, Section 86.130 to add paragraph (b) (19) to achieve the designation within the noted watersheds which includes the Mercer, Lower Kittanning, and Clarion #1, #2, and #3 coals. DEP does not anticipate any controversy or opposition with this proposal. This proposal was reviewed by the MRAB in April. It is expected to move forward to be presented to the EQB at a meeting *early in 2016*.

Other Coal Mining Program Rulemakings

Preliminary discussion is underway for rulemaking packages relating to surface coal mining water supply replacement, remining and water quality, and general coal mining program improvements. Staff met with the MRAB's Regulation, Legislative and Technical Committee on November 25, 2014, to discuss the coal mining program improvements rulemaking. The MRAB committee expressed the concern that it may be premature to proceed, specifically relating to the definition of surface mining activities, since there is litigation related to this underway in the federal system. The proposed remining rulemaking was reviewed by the MRAB at their meeting on October 23, 2014. The MRAB recommended that DEP proceed with the rulemaking process for the remining regulations. The EQB adopted the proposed remining rulemaking at its meeting on May 20. This proposed rulemaking was published with a 30-day comment period on October 3, 2015. The water supply replacement rulemaking will be deferred until the remining and program improvement packages are completed due to priorities identified by MRAB. The proposed rulemaking for the explosives program was reviewed with the MRAB and the Aggregate Advisory Board. Each recommended that the Department proceed with the rulemaking process. *The EQB approved the package on September 15, 2015, but the Attorney General's Office tolled the regulation on November 10, 2015. Program staff and Regulatory Counsel developed a response which was submitted to the Attorney General's Office on December 29, 2015.*

Proposed Rulemaking

NPDES Permitting for Mine Sites

The Mining Program continues to work with EPA to implement NPDES permitting and compliance improvements. The focus has shifted from developing tools (e.g. TGD, SOP, Permit Document and Inspection Report) to deploying the tools. EPA is working with the Mining Program to identify the parameters of further interaction between the agencies. A two-year work plan has been drafted. A checklist that would eventually provide an alternative to submission of draft permits is under discussion; some progress has been made in identifying the content of the checklist, but a final draft has not yet been prepared. Monthly calls with EPA to discuss program issues have been reinstated. A number of workgroups are being established to address on-going issues. One of the workgroups will be evaluating the best way to integrate remining in TMDL watersheds. EPA has recently identified an example of a draft permit and fact sheet that provided them with the information they needed in a very clear and concise manner.

Guidance Document Revisions

The Bureau of Mining Programs is systematically reviewing the library of Technical Guidance Documents (TGDs) to identify all of the documents which require changes. The following TGDs are under active development:

Use of Reclamation Fill at Active Noncoal Sites (563-2000-301): This TGD describes the process of and conditions in which DEP may permit the use of certain fill materials (deemed “Reclamation Fill”) obtained from an off-site source in the reclamation plan of an active noncoal mine site. It was originally published as final at the end of 2013. The PA Aggregates and Concrete Association (PACA) pointed out some discrepancies after this final publication. The Mining Program actively engaged PACA to address their concerns, resulting in a major revision to the guidance. This revision was published in the *Pennsylvania Bulletin* on December 27, 2014, and DEP accepted comments on the revision until January 26. This guidance will replace the existing qualifications for reclamation fill to be consistent with the environmental clean-up standards of Chapter 250. The Comment-Response document has been finalized and minor revisions have been made to the guidance as a result of comments. The final guidance and Comment-Response has been routed for final publication, but will be reviewed with the Aggregate Advisory Board at their November 10 meeting before being published. *The guidance was finalized in December.*

Blaster’s License Suspension and Revocation Procedure (562-2402-501): This TGD describes the procedures for the suspension, modification or revocation of blaster’s licenses and/or penalty assessment actions; it was substantially revised to be more transparent and provide new procedures for these actions. The substantive revisions were published in the *Pennsylvania Bulletin* on May 5, 2014 and DEP accepted comments until July 7, 2014. Comments are being reviewed, a comment response document is being developed, and changes will be made to the TGD where necessary. In addition, the Engineering Manual for mining has been revised with input from PACA and the Pennsylvania Coal Alliance. It is anticipated that the Engineering manual will be published for comment in *March*.

Board of Coal Mine Safety (BCMS)

Final Rulemaking: Standards for Surface Facilities – This proposed rulemaking will allow for the implementation of existing federal regulations that broadly relate to the surface work areas of underground bituminous coal mines and govern surface installations, thermal dryers, safeguards for mechanical equipment, electrical equipment, trailing cables, grounding, surface high-voltage distribution, low- and medium-voltage alternating currents, ground control, fire protection, maps, personnel hoisting, wire ropes, trolley wires and trolley feeder wires, and slope and shaft sinking. As a result, the existing federal regulations will become independently enforceable by the Commonwealth. Adopting these proposed regulations will ensure that surface operations at underground bituminous coal mine sites are safely conducted and maintained. Although underground bituminous coal mine operators are already required to comply with these regulations, implementing this proposed rulemaking will provide DEP with the independent authority to enforce the federal requirements. This will result in improved efficiency and enhanced autonomy for the Commonwealth. The rulemaking was adopted by the BCMS at its June 10, 2014, meeting. It was published for comment in the August 2 *Pennsylvania Bulletin*. No public comments were received. Two comments were received from IRRC on October 2, 2014, asking for language clarification. DEP legal staff addressed these points and the final regulation package is completed. The Board approved the final rulemaking for standards for surface facilities at their June 23, 2015, meeting. The draft rule has been delivered to the House and Senate Environmental Resources and Energy Committees and IRRC. *It was approved by IRRC at its November 12, 2015, meeting immediately transmitted to the Attorney General’s Office. It was published as final on December 19, 2015.*

Draft Rulemaking: Proximity Detection Systems for Continuous Mining Machines – The Mine Safety and Health Administration (MSHA) had issued a final rule on proximity detection systems for continuous mining machines in underground coal mines earlier this year. The MSHA rule excludes except full-face continuous mining machines. Miners working in the vicinity of continuous mining machines are at risk of pinning, crushing, and striking hazards. This rule provides for greater protection for miners regarding these hazards. The rule had been distributed to the BCMS for review prior to their June meeting. At the June meeting the Board directed DEP to draft initial regulatory language to incorporate the MSHA rule on proximity detection systems for continuous mining machines in underground coal mines into PA mine safety regulations. *The packaged was*

approved by the Board of Coal Mine Safety on December 8, 2015 and sent to Office of General Counsel and Budget for review to be completed by January 11, 2016.

Pre-Draft Proposed Rulemaking: Performance Based Cable Safety – The Board undertook the issue of performance based cable standards to address both shielded cables and sensitive ground fault. Shielded trailing cables help to will isolate miners handling the cable from the hazardous voltages transmitted by the cable. Typical low- and medium-voltage systems use a 15 ampere grounding resistor with a ground fault relay that trips at 6 amperes. Since the 1980's high-voltage longwall systems have used systems with a 15 ampere grounding resistor and a ground fault relay which trips at no more than 0.125 amperes. This same system can be used on low- and medium-voltage systems and can increase the protection of miners. This has been under consideration for several years. Currently DEP staff is working with the Board to draft regulatory language.

Air Quality

Climate Change Advisory Committee (CCAC)

The last CCAC meeting was held via WebEx on Nov. 3, 2015, at 10:00. The next CCAC meeting is scheduled for March 8, 2016, at 10:00 a.m. in the 10th Floor Conference Room, RCSOB.

Air Quality Technical Advisory Committee (AQTAC)

The last AQTAC meeting was held via WebEx on Dec. 10, 2015, at 9:15 a.m. The next AQTAC meeting is scheduled for Feb. 11, 2016, at 9:15 a.m. in Room 105, RCSOB.
a.m. in Room 105, RCSOB.

Small Business Compliance Advisory Committee (SBCAC)

The last meeting was held on January 27, 2016, at 10:00 a.m. The next SBCAC meeting is scheduled for April 27, 2016, at 10:00 a.m. in the 12th Floor Conference Room, RCSOB.

Air Quality Rulemaking Packages

Control of VOC Emissions from Fiberglass Boat Manufacturing Materials –The proposed rulemaking for fiberglass boat manufacturing materials would establish RACT as recommended in the applicable EPA Control Technique Guidelines (CTG) document. The EQB approved the proposed rulemaking for public comment at its May 21, 2014 meeting. The proposed rulemaking was published in the Pennsylvania Bulletin on July 19, 2014 (44 Pa.B. 4502). The public comment period closed Sept. 22, 2014. The IRRC comment period closed Oct. 22, 2014. On Nov. 7, 2014, the AQTAC voted to support DEP's recommendation to forward the draft final-form Annex to the EQB for consideration. The draft final-form Annex was discussed with members of the CAC Policy and Regulatory Oversight Committee on Dec. 15, 2014. On Jan. 28, the Small Business Compliance Advisory Committee voted to support DEP's recommendation to forward the draft final-form Annex to the EQB for consideration. A follow-up conference call with CAC's Policy and Regulatory Oversight Committee was held on Feb. 20. The CAC endorsed the regulation during the March 17 meeting. The EQB unanimously adopted the final-form rulemaking at its May 20 meeting. IRRC approved the final rulemaking on Nov. 12, 2015 and was published in the Pa Bulletin on Dec. 19, 2015. A SIP revision submittal to EPA is being prepared.

Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Coating Processes and Pleasure Craft Surface Coatings – At the AQTAC meeting on Feb. 20, 2014, the committee unanimously concurred with DEP's recommendation to submit the proposed Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Coating Processes and Pleasure Craft Surface Coatings rulemaking to the EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA Control Technique Guideline (CTG) documents. On March 18, 2014, the CAC concurred

with DEP's recommendation to forward the proposed rulemaking to the EQB. The Small Business Compliance Advisory Committee (SBCAC) was briefed on the proposed rulemaking on April 23, 2014. The SBCAC voted unanimously to concur with DEP's recommendation to forward the proposed rulemaking to the EQB for consideration with a recommendation that DEP consider flexibility for small businesses during the development of the proposed rulemaking. The EQB approved the proposed rulemaking for public review and comment at its Oct. 21, 2014 meeting. The proposed rulemaking was published in Pennsylvania Bulletin on Aug. 8, 2015, starting a 60-day public comment period (45 Pa. B. 4366). EQB hearings were held Sept. 8, 9, and 10, 2015, in Norristown, Harrisburg, and Pittsburgh, respectively. No testimony was presented at the hearings. The public comment period closed on Oct. 13, 2015. Comments were received on the proposed rulemaking from James Verderese, Environmental Manager for GE Transportation. *IRRC also submitted comments on November 12, 2015. It will be presented in its final form to AQTAC on Feb. 11, 2016.*

Control of VOC Emissions from Industrial Cleaning Solvents – At its Feb. 20, 2014 meeting, the AQTAC concurred with DEP's recommendation to submit the proposed Control of VOC Emissions from Industrial Cleaning Solvents rulemaking to the EQB for consideration. The proposed rulemaking would establish RACT requirements for industrial cleaning solvents as recommended in the EPA CTG documents. The SBCAC was briefed on the proposed rulemaking on April 23, 2014. The SBCAC voted unanimously to concur with DEP's recommendation to forward the proposed rulemaking to the EQB for consideration with a recommendation that DEP consider flexibility for small businesses during the development of the proposed rulemaking. The CAC Policy and Regulatory Oversight Committee discussed this rulemaking during a conference call on May 6, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, on June 17, 2014, the CAC concurred with DEP's recommendation to forward the proposed rulemaking to the EQB. *However, substantive changes were made to the rule (case-by-case, exemptions), so the changes will be reviewed by AQTAC on Feb. 11, 2016.* It is anticipated that the EQB will consider the proposed rulemaking during the *second* quarter of 2016.

Additional RACT Requirements for Major Sources of NOx and VOCs – The proposed Reasonably Available Control Technology (RACT) rulemaking was approved by the EQB on Nov. 19, 2013, and published for public comment in the Pennsylvania Bulletin (44 Pa.B. 2392) on April 19, 2014. Three public hearings were held May 27, 28 and 29, 2014. The public comment period closed on June 30, 2014. IRRC comments were received July 30, 2014. The total number of commentators is 134, including IRRC. By a vote of 11 to 5, the AQTAC voted to move to the EQB for consideration the RACT requirements at its Nov. 7, 2014 meeting. The draft final-form Annex was discussed with the CAC Policy and Regulatory Oversight Committee on Dec. 15, 2014, and the SBCAC on Jan. 28. A follow-up conference call with the CAC's Policy and Regulatory Oversight Committee was held on Feb. 20; the Committee voted unanimously to recommend EQB consideration of the RACT regulation by the full CAC on March 17. CAC tabled action on this proposal at the March 17 meeting. The draft final-form Annex was again discussed with AQTAC at its April 16 meeting. On Sept. 15, 2015, the CAC voted unanimously to forward the final rulemaking to the Board for action with several recommendations. The EQB *approved* the final-form regulation on Nov. 17, 2015, *and will be considered by IRRC on Feb. 18, 2016.*

Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations – At its April 3, 2014 meeting, the AQTAC concurred with DEP's recommendation to submit the draft proposed rulemaking to EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA's CTG. The CAC's Policy and Regulatory Oversight Committee discussed this rulemaking with staff during a conference call on May 6, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, the CAC concurred with DEP's recommendation to forward the proposed rulemaking to the EQB on June 17, 2014. The EQB approved unanimously the proposed rulemaking for public comment and review at its April 21 meeting. The proposed rulemaking was published in Pennsylvania Bulletin on Aug. 8, 2015, starting a 60-day public comment period (45 Pa. B. 4351). EQB hearings were held Sept. 8, 9, and 10, 2015, in Norristown, Harrisburg, and Pittsburgh, respectively. No testimony was presented at the hearings. The public comment period closed on Oct. 13, 2015. The EQB did not receive any public

comments on the proposal, *but IRRC submitted comments on Nov. 12, 2015. It will be presented in its final form to AQTAC on Feb. 11, 2016*

Low Reid Vapor Pressure (RVP) Gasoline Repeal - *The gasoline volatility regulation, also referred to as the low RVP fuel regulation, was adopted by the EQB in November 1997 to address a violation of the 1-hour ozone standard in the Pittsburgh area. The Pennsylvania General Assembly approved Act of May 14, 2014, P.L. 674, No. 50, which amended the Pennsylvania Air Pollution Control Act to require the Department to repeal the gasoline volatility regulation and to remove the regulation from the State Implementation Plan (SIP). Given mandatory vapor recovery technology (carbon canister) on all new vehicles since 2007, this regulation has had a diminishing effect. The proposed repeal of this regulation was presented to and approved by AQTAC on Dec. 10, 2015. It was presented to the SBCAC on Jan. 27, 2016.*

Air Program Fee Schedule for Emission, Plan Approval and Operating Permit Fees - *The proposed rulemaking would amend existing requirements and fee schedules codified in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees) to ensure that fees are sufficient to cover the costs of administering the air program, as required by Section 502(b) of the Clean Air Act (CAA) and Section 6.3 of the Air Pollution Control Act (APCA). Existing fees for plan approval applications and operating permits would be increased and fees would be established for requests for determination (RFD) of whether a plan approval is required, risk assessment reviews, and asbestos notifications. The proposed rulemaking would also set a dollar-per-ton fee to be paid by the owner or operator of a Title V facility for up to 4,000 tons of newly federally regulated carbon dioxide (CO₂) emissions. Concepts for this rulemaking were presented to AQTAC on Aug. 6, 2015, and draft regulations are planned for presentation to AQTAC on Feb. 11, 2016.*

Energy Initiatives

Alternative Fuel Fleet Vehicles

Since 2012, the Act 13 Natural Gas Energy Development Program has awarded \$20 million to 62 companies and organizations. *To date, DEP has reimbursed grantees for the purchase or conversion of 377 heavy duty vehicles under the Act 13 program totaling more than \$7.49 million in program funds disbursed. The 377 vehicles supported to date with grant funds are estimated to be displacing over 5.3 million gasoline gallon equivalents per year. Over \$20.2 million in actual incremental costs have been expended on alternative fuel vehicles due to this program.*

Since 2013, the Alternative Fuel Incentive Grant Program has provided \$7 million to 66 awardees to support the purchase or conversion for light and medium duty natural gas vehicles as well as propane and electric fleet vehicles of any size. *So far, DEP has reimbursed grantees for the purchase or conversion of 244 vehicles totaling just over \$1.36 million in program funds disbursed. The 244 vehicles are estimated to be displacing approximately 561,393 gasoline gallon equivalents per year. Over \$2.78 million in actual incremental costs have been expended on alternative fuel vehicles due to this program.*

Alternative Fuel Vehicle Rebate Program

*On December 12, the alternative fuel vehicle rebate program announced continuing support and a new commitment of rebates for EVs and PHEVs at \$2,000. This new commitment of 250 rebates at \$2,000 resulted in another \$500,000 pledged to support alternative fueled vehicles purchased and registered by Pennsylvania residents. The \$2,000 rebate level will remain available until *June 30, 2016*, or until 250 rebates are issued, whichever occurs first. *As of January 7, 2016, 212 rebates remain at \$2,000.**

PA Turnpike Electric Vehicle Charging

DEP has been working with the PA Turnpike on the deployment of direct current (DC) fast charging stations on the PA Turnpike. As of December 31st, Car Charging Group, Inc. (CCGI), the technology provider for the Turnpike project, reported that the DC fast charging station construction *is completed at the Oakmont Plaza and New Stanton, Plazas. This brings the Turnpike up to a total of 5 service plazas with full charging*

capabilities. North & South Somerset have been prepped and are ready for equipment to be installed. North & South Midway all have approved permits and construction time lines are prepared. In addition, CCGI has prepared the bids for the central plazas: Sideling Hill, Blue Mountain, Cumberland Valley, Highspire and Lawn but has not yet distributed the bids. CCGI has also reported that cars charging at the installed plazas have increased each month, and in 2015, a total of 190 charges have been performed. DEP anticipates construction to begin in February 2016 at the North & South Somerset service plazas. In the coming months North and South Midway, Sideling Hill, Blue Mountain, Cumberland Valley, Highspire Lawn, and Valley Forge will have Level II chargers as well as Level III DC fast chargers installed capable of fully charging an electric vehicle in 30 minutes.

Promoting an Energy Efficient Work Force

Building Operator Certification (BOC)/Building Re-Tuning (BRT) Training: BOC is a national, competency-based training program that empowers facilities personnel with the job skills and knowledge to transform workplaces into more comfortable and energy-efficient spaces. A variety of building management topics including lighting systems, heating ventilation & air conditioning (HVAC), indoor air quality, sustainability, and energy conservation are addressed. BRT trains facility managers in a systematic approach to finding low-to-no-cost energy efficiency improvements in a target building. DEP has entered into a contract with Penn State University to conduct BOC and BRT Training for facility managers from K-12 schools and local governments from July 1, 2015 through June 30, 2016. *The first BOC course was offered in Allentown beginning on August 26th and ending on November 19th. Five of the participating facility managers were from K-12 schools, and three were from local governments. The first cohort of BRT began in northwest PA on November 12th at Penncrest School District. The final three building walkthroughs for BRT were conducted on December 10th at Union City Area School District, Erie County, and Greene Township. Recruitment for another BRT cohort has begun in the Lehigh Valley. Two school districts have committed to participate thus far. Another round of BOC will begin at DEP's Northwest Regional Office in Meadville on March 1st and end on May 10th.* Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).

Consortium for Building Energy Innovation: Throughout the fall semester 2014, a course entitled Building Retuning Design for Energy Efficiency Leadership was offered for the first time to 8 undergraduate and graduate students at Penn State's University Park campus. This course, focused on energy efficient building operations, was based on the training materials from Building Operator Certification (BOC) and Building Retuning (BRT) programs. Five building walk-downs/retunes of Penn State buildings were conducted by the students. In the spring semester 2015, three of the fall semester students continued on in an independent study course, during which they conducted four building retunes: College Township Municipal Building, two State College Area School District buildings, and one Penn State building. DEP has entered into a contract with Penn State University for FY 2015-2016 to further develop the course and expand the offering to other colleges and universities. *As part of this contract, the Consortium for Building Energy Innovation (CBEI), led by Penn State University, is offering three 2-hour workshops on U. S. Department of Energy's (DOE) Building Energy Asset Score tool. The first workshop was held at DEP's Southeast Regional Office in Norristown on December 2nd. Phoenixville Area School District, Abington School District, and the School District of Philadelphia attended. Penn State engineering students will now provide technical assistance to two of these districts, so they can assess their buildings using the Asset Score tool. On January 20th, the second workshop will be held at DEP's Southwest Regional Office in Pittsburgh. Eight people are currently registered to attend. The final workshop will be held in Harrisburg on a date yet to be determined.* Funding is provided by the U.S. DOE State Energy Program.

Industrial Energy Efficiency Assistance

DEP contracts with the Pennsylvania State University's Technical Assistance Program (PennTAP) to help Pennsylvania companies improve their competitiveness by providing technical assistance and information. DEP and PennTAP entered into a new contract for FY 2015 – 2016 to provide 10 -12 energy efficiency assessments for small to mid-sized manufacturers. PennTAP will also provide ISO 5001 and DOE Superior Energy

Performance technical assistance for several manufacturers. PennTAP's technical staff is in the outreach planning stages. Funding is provided by EPA's Pollution Prevention Incentives for States and the DOE's SEP.

PennTAP staff is in the process of scheduling energy efficiency assessments for the next quarter at York Wallcoverings, York County, Kurtz Brothers, Clearfield County, Huntingdon Fiberglass, Huntingdon County, Snow Shoe Refractories, Center County, JLG Bedford and Harbison Walker, Bedford County. The companies represent the printing; chemical, rubber, and plastics; advanced materials and diversified manufacturing; and metal products industries. The PennTAP staff conducted a webinar on energy efficiency assessments on December 17, 2015 with ten attendees. A webinar on energy management systems including ISO 50001 and U.S. Department of Energy's Superior Energy Management Program is scheduled for January 28, 2016.

Energy Efficient Building Codes Training

Pennsylvania's acceptance of \$99.6 million dollars from the American Recovery and Reinvestment Act (ARRA) carries with it a number of obligations regarding enforcement of the 2009 International Energy Conservation Code (IECC) across the state. Specifically, DEP has provided assurance to DOE that it will develop and implement a program that will measure and ensure that DEP has achieved 90 percent statewide compliance with the code by 2017. DEP entered into a SFY 2015 – 2016 sub-grant with Department of Community and Economic Development, who contracts with the Pennsylvania State Association of Township Supervisors to provide residential and commercial energy code trainings that will include guides and tools. The trainings, guides and tools will be developed as a result of the benchmarking study conducted by Performance System Developments.

The Pennsylvania Energy Code Collaborative (PECC), consisting of stakeholders working with energy codes, met December 2, 2015 to discuss their vision and goals: assist the state to measure and achieve full compliance with 2009 energy codes; educate consumers to build demand for efficient buildings and strong energy codes; and create an ongoing forum for collaborative discussion of energy code compliance and enforcement issues. The PECC agreed next steps are to develop a Code Compliance 101 factsheet with state-specific data (targeting primarily for policymakers, but adaptable for other audiences) and to help to disseminate the resources and training opportunities available through PSD's new Penn Energy Code Challenge outreach program.

LED Street Lights Technical Assistance for Municipalities

The LED Street Lights Technical Assistance project consists of two main strategies to guiding municipal officials towards a transition from HID lighting to higher efficient with LED street lights. The first approach involves individual analysis of street lighting bills from municipalities in order to assess the cost and energy reductions that can be expected based on the specific LED rates offered by the utility. DEP staff performed assessments for approximately 50 municipalities in the 4th quarter of 2015, bringing the total assessments completed to around 90. These assessments were completed for municipal street lighting customers of PPL and FirstEnergy (Met-Ed, Penelec, Penn Power, & West Penn Power). The results consistently show energy (kWh) reductions of 40-60% when converting from HPS to LED street lighting. The cost savings varies among the electric utilities. FirstEnergy customers are seeing 30% - 50% reductions in their bills, and PPL customers are seeing 0% - 15% reductions. The second approach under this project is the development of a series of workshops designed to educate municipal officials on the LED technology and the process of working with the utility to begin replacements. During the 4th quarter of 2015, three workshops were held in FirstEnergy territories with total attendance of approximately 230 municipal officials. The workshops were held in Erie (50 attendees), Pittsburgh (70), and State College (110).

State Energy Program Competitive Award for Energy Efficiency Registry

DOE has finalized the contract with Tennessee Department of Environment and Conservation (TDEC) in December 2015. While work has started on the project, TN is now working with all of the partners to execute grant agreements. DEP's Energy Office is working with the TDEC, NASEO, The Climate Registry (TCR), APX (a private sector provider of Renewable Energy Certificate registrations) and other partner states (GA, MI,

MN, OR), to begin development of an energy efficiency registry. The registry would enable market-oriented energy efficiency programs to provide transparent outcomes and also provide a robust accounting tool for use in meeting voluntary or mandated goals. The registry could be used by states to track energy efficiency projects and programs, avoid double counting, and enable potential future trading approaches and multi-state agreements. Work will begin on the project this winter. The project team will catalyze the establishment of a national energy efficiency registry by overseeing the development of the following deliverables:

1. Model registry principles and operating rules, informed by a national consensus multi-stakeholder process, that will form the foundation of the energy efficiency registry;
2. A roadmap with potential pathways for voluntary state adoption and implementation of the registry, and integration of the registry into broader state energy planning and policy; and,
3. A software platform, informed by the model registry principles and operating rules developed under a parallel but separate effort.

At the conclusion of this project, the team will deliver governance rules that enable the operation of a nationally accessible and user-friendly energy efficiency registry tool and a roadmap that enables states to understand its adoption and implementation. DEP plans to include DCED, PUC and other stakeholders in these discussions and planning as we move forward.

Environmental Cleanup and Brownfields

Cleanup Standards Scientific Advisory Board (CSSAB)

The next Cleanup Standards Scientific Advisory Board meeting is scheduled for Feb. 24, 2016, from 9:00 a.m. to 4:00 pm in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg. Tentative topics of discussion include revisions to the Land Recycling Program Technical Guidance Manual (TGM); an overview of public comments received on the proposed Vapor Intrusion Guidance; advice from CSSAB regarding technologically enhanced naturally occurring radioactive materials (TENORM); and recommendations from the Separate Phase Liquids / Maximum Extent Practicable Subcommittee on updates to the TGM. There will also be the election of CSSAB officers.

Storage Tank Advisory Committee (STAC)

The Storage Tank Advisory Committee held its final meeting of 2015 on Dec. 8. Charlie Swokel, Chief, Division of Storage Tanks, reviewed the STAC membership list and stated that 15 of the 16 positions are filled. Currently, a local government member is the only vacancy. Richard Burgan, Director, Bureau of Special Funds, Department of Insurance, provided an update with regards to the Underground Storage Tank Indemnification Fund (USTIF). Kris Shiffer, DEP, provided a brief update on the recently revised Federal UST regulations. These newly promulgated Federal requirements will need to be incorporated into Chapter 245 (Administration of the Storage Tank and Spill Prevention Program) in order for Pennsylvania to retain state program approval. The primary purpose of the STAC meeting was to present and discuss additional concepts to improve and clarify Chapter 245. Mr. Shiffer presented concepts via PowerPoint and there was good feedback from committee members. Storage tank program staff will now review the suggestions and comments received from the committee in preparation for the next STAC meeting scheduled for March 8, 2016, when the program intends to further discuss some of the concepts presented at the Dec. 8 meeting, along with introducing some additional concepts for revising Chapter 245.

Environmental Education

Environmental Education Grants Program (EEGP)

DEP's Environmental Education and Information Center (EEIC) awards grants to colleges and universities, K-12 schools, county conservation districts, businesses, and non-profit organizations, municipalities to do professional development, curriculum integration, hands-on lessons as well as covering costs associated with a variety of environmental education topics. This program is funded through a portion of fines and penalties collected by DEP.

The 2016 grant round opened October 5, 2015 and closed December 18, 2015. DEP received 229 grant applications totaling \$651,000

Schools, colleges and universities, county conservation districts, nonprofit organizations, municipalities, and businesses can to apply for the grants.

The grants provide funding to develop programs and projects that support environmental education about issues including:

- **Sustainable Living:** rain gardens, rain barrels, clean energy, radon protection, composting, and other related topics.
- **Chesapeake Bay and Watershed Education:** reducing non-point source pollution, abandoned mine drainage/reclamation, water conservation, private water wells, groundwater, and other related topics
- **Air Quality:** ground level ozone, climate change, transportation, and electric generation issues
- **Brownfields:** brownfield redevelopment and creating sustainable communities
- **Energy:** energy efficiency and conservation, as well as, school energy teams, natural gas, coal, wind, solar, and other clean energy sources and technologies
- **Keystone Energy Education Program (KEEP):** school energy teams to reduce school building's energy use
- **Climate Change:** climate change and mitigation strategies
- **Environmental Literacy:** engage educators and stakeholders in content standards and field-based environmental education
- **Environmental Education Certification:** develop and implement institutionalized and community-based certification programs designed for teachers, naturalists, and educators working in schools and environmental education facilities
- **Natural Landscaping and Trees:** native plant landscaping, riparian buffers, and invasive plant management
- **Connecting Children with Nature:** immersive outdoor education

Eligible projects include, but are not limited to, teacher professional development; curriculum integration; outdoor learning resources, such as trails, shelters, streamside plantings, and educational programming; transportation to field study sites; water chemistry testing equipment; and educational events. Grants are awarded for up to \$3,000.

Go Green PA Exhibit

Go Green PA is an interactive, educational exhibit that promotes water conservation, clean watersheds, sustainable building materials, green/healthy products, energy efficiency, radon awareness, and composting.

The exhibit was featured most recently on *January 9 – 16, 2016 at the Pennsylvania Farm Show.*

<u>Event</u>	<u>attendance</u>	<u>audience</u>
Farm Show (2016)	585,000	General Public

PA Falcon Reintroduction Program

The 2016 nesting season will begin in late January when the adults are expected to renew their pair-bond. For the 2016 nesting season, the PA Falcon Cam will feature a new, dynamic website.

Ongoing, active components of this program include: email interaction with web viewers, Falcon Wire and Twitter postings and school/youth programming on endangered species, featuring Rachel's falcons.

Oil and Gas

COGAC and TAB Meetings

On January 13-14, 2016, COGAC and TAB met respectively and conducted their first committee and board meetings in calendar year 2016. The topics for both meetings included a discussion of various forms and technical guidance that are currently under development and intended to reflect the requirements contained in the final form Chapter 78, Subchapter C rulemaking. There were also four presentations by DEP staff and representatives from sister agencies. Specifically, the following presentations were provided:

- *The Department of Conservation and Natural Resources (DCNR) discussed the PA Natural Heritage Program and the process for listing species of special concern. Representatives from the Pennsylvania Fish and Boat Commission and Pennsylvania Game Commission also participated in the meeting and answered questions.*
- *DEP's Policy Office presented an overview of the Clean Power Plan.*
- *A representative from the Bureau of Waste Management provided an update on revisions to DEP's residual waste codes.*
- *Staff from the Office of Oil and Gas Management presented a summary of updates to the well completion report.*

A recording of both meetings will be made available to the public by posting on the DEP website (on the COGAC and TAB webpage) by the end of January.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Advisory Committee (RPAC)

The next RPAC meeting will be held *on April 7, 2016, at 9:00 a.m. in 14th Floor Conference Room, RCSOB.*

Radiation Protection Rulemaking Packages

Security Rule for Radioactive Material – This rulemaking incorporates by reference selected regulations from Title 10, Chapter I, of the U.S. Nuclear Regulatory Commission (NRC) Code of Federal Regulations (CFR) relating to radiation protection and control of radioactive materials. Recently NRC implemented new security-related regulations, known as 10 CFR Part 37, which Pennsylvania is required to adopt by March 2016. The purpose of this amendment is to reference the new Part 37, except for those subsections which only apply to the NRC. The rulemaking was *endorsed* by the Radiation Protection Advisory Committee (RPAC) at its June 2014 meeting. The EQB adopted the proposed rulemaking *on Oct. 21, 2014*. It was published in the *Pennsylvania Bulletin* on March 21 *with a 30-day public comment period that ended April 20*. No comments were received from the public or the Independent Regulatory Review Commission (IRRC). The EQB unanimously adopted the final-form rulemaking *on Sept. 15, it was deemed approved by IRRC on Dec. 10, and is scheduled for publication on Jan. 23, 2016.*

Radiation Protection Program Fees – This rulemaking amends Chapters 218 and 240 relating to fees. DEP must review the adequacy of established fees every three years, and the current fee review indicates the need for a fee increase in two program areas. The fees for Radioactive Materials and Decommissioning Program and the Radon Program are insufficient to cover program costs. This information was presented in a 3-year Fee Report

to the RPAC and EQB in 2014 meetings of these bodies. RPAC has endorsed the increases. *The proposed rulemaking is anticipated for presentation to the EQB in spring 2016.*

Radiological Health – This draft proposed rulemaking will amend 25 Pa. Code 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. This rulemaking has been discussed at length with RPAC in its 2014 and 2015 meetings. DEP received the Committee’s endorsement of the package in July 2015. Regulatory language is being finalized for anticipated EQB consideration in spring 2016.

Waste Management

Solid Waste and Recycling Fund Advisory Committees

The Solid Waste Advisory Committee (SWAC) published its 2016 meeting schedule in the Pennsylvania Bulletin on December 19, 2015, as follows:

- *Thursday, January 21*
- *Wednesday, April 27*
- *Thursday, June 30*
- *Thursday, September 22*

All meetings will be held at 10:00 a.m. in Room 105, RCSOB, in Harrisburg. The September meeting is a joint meeting between the SWAC and the Recycling Fund Advisory Committee.

The purpose of the Jan. 21 meeting is to discuss economic impacts in the recycling industry, the effect of municipal waste landfills and incinerators on “Clean Power Plans,” and climate change. A presentation will also be given by DEP staff about the status of the recycling industry in Pennsylvania.

Water Management

New Chapter 102 and 105 Delegation Agreements

The State Conservation Commission (SCC) approved the Department’s revised Chapter 102, including the post construction stormwater delegation, and the 105 delegation agreements at its September 15, 2015, meeting in Harrisburg. The agreements will be distributed statewide to conservation districts for signature in late October 2015. New conservation district managers participated in a conference call meeting in late July and webinar training was held in early August for all conservation districts and their board members. Conservation districts will have the opportunity to examine the key changes to the approved agreements prior to deciding if they desire to maintain, change, or terminate their level of delegation with the program. It is likely to take six to nine months after distribution for the conservation districts to review, approve, and return the new, fully executed agreements to the Department. Existing delegation agreements will remain in effect until a new agreement is executed or if the conservation district no longer wishes to be delegated. For conservation districts to continue delegation in one or both of the delegated programs, they must sign on to the new agreements. A termination process is established in the current delegation agreements should a conservation district wish to be no longer delegated.

Key Changes to the Chapter 102 Agreement:

- Permit Decision Guarantee/Permit Review Process (PDG/PRP) SOPs have been developed for each permit type and the timeframes in those SOPs are reflected in the delegation agreements and required output measures (ROMs).

- Post Construction Stormwater Management (PCSM) delegation has been developed in a stand-alone agreement, along with associated ROMs.
- The PCSM delegation provides for both completeness and engineering review of the PCSM plans; what was previously known as the “technical review” will be terminated. Districts who do not assume the PCSM delegation will still remain required to execute completeness reviews of PCSM plans and to make note of PCSM practices during site inspections.
- Agriculture E&S is specifically identified in the base and PCSM delegation agreements and ROMs.

Key Changes to the Chapter 105 Agreement:

- General Permit transfers and Submerged Lands License Agreement transfers will be added to the responsibilities of the delegated conservation districts.
- Customized agreements will no longer be issued. Every conservation district will be provided the same agreement with the same delegated responsibilities.
- Permit Decision Guarantee/Permit Review Process (PDG/PRP) SOPs have been developed for each permit type and the timeframes in those SOPs are reflected in the delegation agreements and ROMs.

NPDES Permitting

On May 30, DEP published a draft NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (PAG-13). The PAG-13 General Permit currently in effect does not expire until March 2018. If the reissued PAG-13 General Permit is published as final prior to the existing PAG-13 expiration date, it will not become effective until March 2018. DEP is seeking input on the draft PAG-13 early due to the possibility of changes to the General Permit that may necessitate significant efforts on the part of MS4 permittees in preparing future Notices of Intent (NOIs) for General Permit coverage. The most significant proposed change involves the development of Pollutant Reduction Plans for stormwater discharges to waters draining to the Chesapeake Bay and to waters impaired for nutrients and sediment, with mandatory reductions in pollutant loadings. DEP provided a 60-day comment period in lieu of the standard 30-day comment period. DEP subsequently decided to extend the comment period for an additional 15 days based on several public requests. *As a result, the comment period ended on August 31, 2015. DEP received 609 comments from 64 individuals/groups. Bureau of Clean Water (BCW) staff currently are reviewing the comments, preparing the responses and, where necessary, revising the general permit.*

BCW re-issued the NPDES General Permit for Discharges Resulting from Hydrostatic Testing of Tanks and Pipelines (PAG-10) on July 11, 2015. The PAG-10 is now valid for 5 years.

BCW staff is currently working on the re-issuance of the NPDES General Permit for Discharges of Stormwater Associated with Industrial Activities (PAG-03). The current PAG-03 expired on December 5, 2015. *The proposed draft PAG-03 general permit revision was advertised in the Pa Bulletin on October 17, 2015. The draft PAG-03 is available for viewing on the Department’s website. The public comment period was open for 30 days until November 16, 2015. BCW published an Administrative Extension to PAG-03 until December 5, 2016 so that the current authorization for existing general permitted discharges does not expire until a new permit can be issued. However, during the period of Administrative Extension, new NPDES PAG-03 general permits cannot be issued. Persons seeking authorizations to discharge would need to apply for an individual NPDES discharge permit.*

Stormwater BMP Grant Program Applications Received

DEP announced a new grant program, using EPA money, which will be used by municipalities to construct stormwater Best Management Practices (BMPs) in the Chesapeake Bay Watershed in August. The deadline for applications closed on October 9, 2015. DEP received 42 applications. The most common types of BMPs requested in the applications are raingardens, trees (urban planting and riparian buffers), and stormwater management basin retrofits. Applications came from municipalities and municipal authorities in the

southcentral, northeast and northcentral DEP regional offices. Details on the program are available on the DEP stormwater website at [Chesapeake Bay BMP Funding](#). Review and scoring of the applications is almost completed. Announcement of successful applicants should happen within the next couple months.

Proposed Rulemaking:

Revised Total Coliform Rule

The purpose of the proposed RTCR Chapter 109 rulemaking package is to incorporate necessary federal requirements needed to obtain primacy and to provide for the increased protection of public health. The proposal does the following:

- Strengthens public health protection by ensuring the integrity of drinking water distribution systems and monitoring for the presence of microbial contamination.
- Establishes a Maximum Contaminant Level (MCL) for E.coli.
- Creates a treatment technique for coliforms that requires public water supplies (PWSs) to assess their system and correct any problems that have been identified.

The RTCR was published in the PA Bulletin on October 3, 2015. Two public hearings were scheduled on November 3 (New Stanton) and November 5 (Norristown). The public comment period closed December 1, 2015. IRRC's comment period closed December 31, 2015. The draft final rulemaking is being developed and is tentatively scheduled for discussion at the March 16, 2016 Small Water Systems TAC Board meeting.

Disinfection Requirements Rule

The purpose of the proposed Disinfection Requirements Rule Chapter 109 rulemaking package is to strengthen requirements relating to microbial protection and disinfection by ensuring the adequacy of treatment designed to inactivate microbial pathogens and by ensuring the integrity of drinking water distribution systems. The amendments include:

- *New monitoring and reporting requirements to ensure compliance with existing treatment techniques regarding log inactivation and CT requirements. Without this data, there is no way to determine compliance with the existing requirement.*
- *Increasing the minimum disinfectant residual requirements in the distribution system to 0.2 mg/L free or total chlorine. The Department's existing disinfectant residual requirements for the distribution system have not been substantially updated since 1992 and require the maintenance of a detectable residual that is defined as 0.02 mg/L. This is not protective of public health because a residual of 0.02 mg/L does not represent a true detectable residual and the level is inadequate to protect against microbial growth within the distribution system.*
- *The amendments also include minor clarifications to the Stage 2 Disinfectants/Disinfection Byproducts Rule (Stage 2 DBPR), Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Lead and Copper Rule Short-Term Revisions (LCRSTR) in order to obtain or maintain primacy.*

The pre-draft proposed rulemaking was originally included in the Proposed Revised Total Coliform Rule (RTCR), which was presented to the Small Water Systems Technical Assistance Center (TAC) Board on June 18 and September 23, 2014 for review and comment. However, on April 21, 2015, the Environmental Quality Board approved the proposed RTCR with modifications. The modifications included splitting out the "Non-RTCR" provisions for additional stakeholder input. The motion was made with the expectation that the "Non-RTCR" provisions would be revisited in short order. On April 30, 2015, the TAC Board voted to recommend that the Department further split the "Non-RTCR" provisions to focus solely on the disinfection requirements and the minor corrections needed to obtain/maintain primacy.

In order to provide additional opportunity for stakeholder input on the disinfection requirements, TAC meetings were convened on May 18, May 26, June 16 and June 30, 2015. Two meetings were also held with large water systems on June 29 and July 16, 2015 to gather additional comments. During these meetings, 14 water systems and organizations delivered presentations to help inform the discussion.

The proposal was presented to the EQB for consideration on Nov 17, 2015 and was approved as a proposed rulemaking. On December 30, 2015, the Disinfections Requirements Rule (7-520) was transmitted to the Office of Attorney General commencing their 30-day review. The proposed rulemaking is tentatively planned to be published in the PA Bulletin on Feb 13, 2016.

Water Resources Planning

City of Waukesha Great Lakes Water Diversion Application

DEP published notice in the Pennsylvania Bulletin on behalf of the Great Lakes-St. Lawrence River Basin Water Resources Council (Compact Council) and the Great Lakes-St. Lawrence River Basin Water Resources Regional Body (Regional Body) regarding an application for diversion of water from the Great Lakes-St. Lawrence River Basin. The proposal pertains to the City of Waukesha, Wisconsin, (Waukesha) which requests to divert 10.1 million gallons per day of water from the Great Lakes-St. Lawrence River Basin. The application must be reviewed by the Compact Council and Regional Body, which will issue a Declaration of Finding regarding the application’s consistency with regional standards. The Compact Council will then vote on the application and, unless there is a dissenting vote, the State of Wisconsin can proceed with its regulatory decision making and permitting as appropriate. Pennsylvania will participate in the review of the application and is afforded a vote on the Compact Council. The Compact Council and Regional Body began a 60-day public comment period on January 12, 2016, that will close on March 14, 2016, to allow for public input. Comments received during this period will be shared with member states prior to issuance of a final Declaration of Finding by the Regional Body and decision by the Compact Council. Information about the application and means for submitting comments on the application are available at the following website developed by the Compact Council and Regional Body www.waukeshadiversion.org.

Attachment 1

2016 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.”

February	
3	Environmental Quality Board Meeting, 9 a.m. ,Room 105 RCSOB
10	State Board for Certification of Water and Wastewater Systems Operators Meeting, 10 a.m., 10 th Floor Conference Room, RSCOB
11	Air Quality Technical Advisory Committee, 9:15 a.m., Room 105 RCSOB
23	Small Water Systems Technical Assistance Center Board, 9 a.m., Room 105 RCSOB
24	Cleanup Standards Scientific Advisory Board, 9 a.m., Room 105 RCSOB

25	Agricultural Advisory Board, 9 a.m., Susquehanna Conference Room, South Central Regional Office, 909 Elmerton Avenue, Harrisburg
March	
8	Board of Coal Mine Safety Meeting, 10 a.m., DEP Cambria Office, 286 Industrial Park Rd., Ebensburg.
8	Storage Tank Advisory Committee, 10 a.m. Susquehanna Conference Room B, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg
22	Sewage Advisory Committee Meeting, 10:30 a.m., Room 105 RCSOB
30	Conventional Oil and Gas Advisory Committee Meeting, 10 a.m., Room 105 RCSOB
31	Oil and Gas Technical Advisory Board Meeting, 10 a.m., Room 105 RCSOB
April	
12	State Board for Certification of Water and Wastewater Operators Meeting, 10 a.m., 10 th Floor Conference Room, RSCOB
13	Technical Advisory Committee on Diesel-Powered Equipment Meeting. 10 a.m., Westmoreland Room, DEP New Stanton Office, 131 Broadview Rd., New Stanton
14	Air Quality Technical Advisory Committee Meeting, 9:15 a.m., Room 105 RCSOB
19	Mine Families First Response & Communications Advisory Council Meeting, 10 a.m., Fayette Room, DEP New Stanton Office, 131 Broadview Rd., New Stanton

Attachment 2

Oil and Gas Workload Report

YTD WELL PERMIT APPLICATIONS - 1/1/2016 to 1/08/2016						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	0	0	1	1	1	0
UNCONVENTIONAL	13	13	28	28	28	0
Sub Total	13	13	29	29	29	0
AUTHORIZATIONS	16	1	19	19	N/A	0
Total	29	14	48	48	48	0

WEEKLY WELL PERMIT APPLICATIONS - 1/1/2016 to 1/8/2016						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	0	0	1	1	1	0

UNCONVENTIONAL	13	13	28	28	28	0
Sub Total	13	13	29	29	29	0
AUTHORIZATIONS	16	1	19	19	N/A	0
Total	29	14	48	48	48	0

HISTORICAL WELL PERMIT APPLICATIONS AS OF 1/8/2016

	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,173	197,155	195,934	189,900	1,221	104,569
UNCONVENTIONAL	21,371	21,721	20,706	17,120	437	10,271
Sub Total	218,544	218,298	216,640	207,020	1,658	114,840
AUTHORIZATIONS	41,583	41,223	40,928	N/A	295	18,523
Total	260,127	259,521	257,568	247,495	1,953	133,363

YTD INSPECTIONS - 1/1/2016 to 1/8/2016

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	261	256	10	4
UNCONVENTIONAL	189	186	6	1
CLIENT/SITE	66	0	4	4
Total	516	442	20	9

WEEKLY INSPECTIONS - 1/1/2016 to 1/8/2016

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	261	256	10	4
UNCONVENTIONAL	189	186	6	1
CLIENT/SITE	66	0	4	4
Total	516	442	20	9

WELLS DRILLED

	Two Years Prior 1/1/2014 to 1/8/2014	One Year Prior 1/1/2015 to 1/8/2015	Year To Date 1/1/2016 to 1/8/2016	Week of 1/1/2016 to 1/8/2016	As of 1/8/2016
CONVENTIONAL	9	4	2	2	194,252
UNCONVENTIONAL	34	21	10	10	9,631
Total	43	25	12	12	203,883

This report was prepared by Abbey Cadden, Policy Aide, DEP Policy Office. For questions or requests, please email acadden@pa.gov or call (717) 705-3769.