

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

DEP Highlights

Environmental Justice Summit

An internal 'EJ Summit' was held on Tuesday, December 12 to highlight the Department's commitment to environmental justice, solicit feedback from staff on environmental justice progress and initiatives within the Department, and inform attendees of next steps of outreach following the Listening Sessions. Fifty-one DEP personnel from the central office and regional offices participated. Attendees representing every program within the agency commented on methods the Department should use to engage with EJ communities and the public at large, and provided suggestions on how EJ policies can be implemented regarding permitting, compliance, and beyond.

Pennsylvania's Methane Reduction Strategy for the Oil and Natural Gas Industry

On Nov. 30, 2017, DEP released the revised draft final General Permits 5 and 5A and Exemption 38 for discussion at the AQTAC meeting on Dec. 14, 2017. AQ program staff are finalizing the Comment/Response and Technical Support Documents for release with the General Permits and Exemption 38, when issued, in early 2018. At the Dec. 14 AQTAC meeting, DEP also presented concepts for a proposed rulemaking to implement EPA's 2016 Control Technique Guidelines (CTG) for the Oil and Gas Industry. The EPA established a deadline of two years from the date of issuance of the final guidelines to submit the state's SIP revision, which will be due to EPA on or before Oct. 27, 2018.

PAG-02

The PAG-02 NPDES General Permit for Stormwater Discharges Associated with Construction Activities (PAG-02) was reissued for a 2-year term, effective December 8, 2017. Notice of DEP's action to reissue PAG-02 was published in the Pennsylvania Bulletin on December 16, 2017. During the 2-year period, DEP expects to work with EPA to address their concerns over the permit and make additional changes to improve the permitting process under 25 Pa Code Chapter 102.

Federal Regulations

Recently Submitted DEP Comments

None submitted.

Regulations Planned for DEP Comment

None planned.

Regulatory Update (detailed summaries included in respective program sections)

Please refer to the [DEP Rolling Regulatory Agenda](#) for the Regulatory Update.

Proposals Open for Public Comment

- *Draft TGM: Land Recycling Program Technical Guidance Manual (261-0300-101) (Opened 12/16/17; Closes 3/16/18)*
- *Interim Final TGD: Guidelines for Chain Pillar Development and Longwall Mining Adjacent to unconventional Wells (800-0810-004) (Opened 12/16/17; Closes 1/30/18)*
- *Draft PAG-11 NPDES General Permit for Discharges from Aquatic Animal Production Facilities (Opened 12/16/17; Closes 1/16/18)*
- *Pennsylvania's Ozone Exceptional Event Analysis for the May 2016 Fort McMurray Fires (Opened 12/2/17; Closes 1/2/18)*

Recently Closed Comment Periods

- *Proposed Rulemaking: Triennial Review of Water Quality Standards (Opened 10/21/17; Closed 12/29/17)*
- *Draft Statement of Policy: Water Quality Toxics Management Strategy (Opened 10/21/17; Closed 12/29/17)*
- *Draft Policy for the Development and Publication of Technical Guidance (012-0900-001) (Opened 10/14/17; Closed 12/13/17)*
- *Draft Policy for the Development and Review of Regulations (012-0820-001) (Opened 10/14/17; Closed 12/13/17)*
- *Draft Advisory Committee Guidelines (Opened 10/14/17; Closed 12/13/17)*
- *Draft Technical Guidance: Processing Completion Reports for Coal Mining Operations (563-2504-411) (Opened 9/30/17; Closed 10/30/17)*

Communications Monthly Press Releases

Press Releases Issued

November 1 – Wolf Administration Invites Pennsylvania's Environmental Stewards to Apply for 2018 Governor's Awards for Environmental Excellence

November 1 – Wolf Administration and Carlisle Community Kick Off Transformation of 48-Acre Industrial Brownfield into Residential/Retail Complex and Park

November 2 – DEP Extends Use of Existing PAG-02 Authorizations and Proposes to Reissue Current General Permit

November 3 – DEP Confirms Soil Contamination at Former Lead Smelter Site in Philadelphia, Oversees Remediation

November 6 – DEP Releases Comprehensive Performance Evaluation Report on PWSA Aspinwall Filter Plant

November 9 – DEP and United Refining Company Achieve Sulfur Dioxide Reductions in Warren PA

November 13 – ADVISORY – Wolf Administration to Visit Panda Hummel Station Power Project Under Construction

November 14 – ADVISORY – Wolf Administration to Highlight Progress Addressing Environmental Issues

November 15 – ADVISORY – Wolf Administration to Highlight Conservation Efforts and Visit the Tom Ridge and Julian Wetlands Project

November 15 – Wolf Administration Tours Panda Power Funds’ Hummel Station Natural Gas Power Plant Under Construction

November 17 – Wolf Administration Visits Wetlands Mitigation Project, Planned Site of Environmental Recreation and Education Facility

November 17 – DEP Agreement with PWSA Could Allow \$1.8 Million Investment in Lead Line Replacement

November 21 – DEP to Help Increase K-12 Students’ Watershed Knowledge and Stewardship

November 21 – ADVISORY – Wolf Administration to Celebrate Pennsylvania Manufacturer’s Innovative Use of Recycled Glass

November 27 – Governor Wolf Announces Five Fuel Saving Projects for Pennsylvania Schools, Businesses, and Municipalities

November 27 – DEP, Partners Celebrate First North American Use of PA-Manufactured Recycled Glass Construction Foam

November 28 – ADVISORY – DEP to Hold Public Meeting on Keyser Deep Mine Permit in Somerset County

November 28 – DEP to Provide Details on Methane-related Permit Updates

November 28 – ADVISORY – Steering Committee for Pennsylvania’s Chesapeake Bay Watershed Plan to Recommend Method for Developing Local Numeric Goals

November 30 – DEP Outlines Methane-related Permit Updates

November 30 – Wolf Administration Invites Public to Learn about Solar Energy Initiatives in Economically Disadvantaged Communities in Free Webinar

December 1 – DEP Issues \$600,000 Penalty to Advanced Disposal Services Greentree Landfill, LLC for Waste Slope Failure and Other Violations

December 4 – ADVISORY – Media Availability with DEP Secretary at 2017 National Brownfields Conference

December 4 – DEP Issues Civil Penalty to Cabot Oil and Gas for Violations at Numerous Well Sites in Susquehanna County

December 4 – ADVISORY – Wolf Administration Participates in Dauphin County Stormwater Project Demonstration

December 5 – ADVISORY – State Solar Energy Planning Group to Discuss Community Solar and Electricity Strategies at December Public Meeting

December 5 – *Wolf Administration Participates in Dauphin County Stormwater Project Demonstration*

December 5 – *Wolf Administration Announces Coastal Zone Grants to Protect Lake Erie, Delaware Estuary Areas*

December 7 – *ADVISORY – Wolf Administration Officials Celebrate Grand Opening of Pratt Head Start Agricultural and Environmental Learning Center*

December 7 – *Governor Wolf Approves 106 Local Water Clean Up Projects Statewide*

December 7 – *DEP to Reissue Current PAG-02 General Permit Effective December 8, 2017*

December 8 – *Wolf Administration Officials Tour New Agricultural, Environmental Learning Center at Philadelphia's Largest Head Start Center*

December 11 – *Underwater Insects Aid DEP in Water Quality Checks*

December 12 – *ADVISORY – Steering Committee for Pennsylvania's Chesapeake Bay Watershed Plan to Discuss Assessment of Pollution Reduction at Halfway Point*

December 15 – *Governor Wolf Approves Funding for Abandoned Mine Cleanup Projects in Western Pennsylvania*

December 15 – *ADVISORY – GO-TIME: DEP to Announce Increased Oil and Gas Drilling Inspections in 2017 as a Result of Switch to Electronic Process*

December 18 – *GO-TIME: DEP Increases Oil and Gas Drilling Inspections after Switch to Electronic Process in 2017*

December 20 – *DEP, EPA, PennEnvironment Reach Settlement with ArcelorMittal Monessen for Air Quality Violations*

December 22 – *Ronald Schwartz Named Regional Director for Southwest Regional Office*

Active and Abandoned Mine Operations

Act 54 Report Review

The Bureau of Mining Programs is working with the California District Mining Office to systematically review the Act 54 report. *BMP has selected the University of Pittsburgh as the contractor, who has completed the previous two reports.*

Final Rulemaking

Draft Final-Form Rulemaking – Handling and Use of Explosives

This draft final-form rulemaking was presented to the MRAB at their July 2016 meeting, resulting in a recommendation to proceed. It was presented to the Aggregate Advisory Board at their November 2016 meeting, which also resulted in a recommendation to proceed. This rulemaking is tentatively *planned* for EQB consideration *at the first meeting in 2018.*

Proposed Rulemaking

Non-Coal Mining Fees

The Noncoal Mining program fees are the subject of a proposed rulemaking package that was unanimously adopted by the EQB at its October 17, 2017 meeting. The rulemaking proposes to revise the fee amount to reflect the full cost of implementing the Noncoal Surface Mining Act. The proposal includes fee increases that are phased in via three two-year increments. After these phases, the fees would be adjusted using an index for employment costs. *The rulemaking was transmitted to the Office of General Counsel on November 3, 2017, and was tolled on December 1, 2017. Program and Regulatory Counsel are preparing a response.*

OSM Program Consistency

On April 6, the MRAB recommended that the Department proceed with the proposed rulemaking process for the corrections to the coal mining regulations to achieve consistency with federal requirements. The rulemaking package is undergoing internal review and will be presented to the EQB in early 2018.

Water Supply Replacement

The mining program is beginning the preliminary process for rulemaking to update the regulations for water supply replacement for coal mining. A meeting has been scheduled with the MRAB's RLT committee to review concepts and get input prior to drafting proposed changes.

Aggregate Advisory Board Work Groups

The Aggregate Advisory Board has identified several issues that it would like to review and weigh in on in collaboration with the Department. The most prominent of these issues is the evaluation of factors contributing to sink hole development near quarry sites. Other work group topics include permit application reviews, bonding, inspections and overall program implementation. *The first work group meeting was held on December 18. The work group will break into smaller groups to undertake specific tasks relating to mine permitting in karst areas.*

Guidance Document Revisions

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

Processing Completion Reports for Coal Mining Operations (563-2504-411)

This draft guidance explains the process operators should follow to submit a completion report to have their bond liability reduced. A 30-day comment period opened on September 30, 2017. *No comments were received.*

Blaster's License Suspension and Revocation Procedure (562-2402-501)

Substantive changes have been made to the draft based on public comment. The changes enhance clarity and transparency, and ensure that the necessary actions taken are reasonable. This guidance document is expected to be published as final this *Winter*.

Board of Coal Mine Safety (BCMS)

Final Form – Sensitive Ground Fault

The Board adopted the regulation at its September 5, 2017 meeting. *The rule was delivered to IRRC and the House and Senate Environmental Resources and Energy Committees. IRRC approved the rule on November 16, 2017. The Office of General Counsel review began on November 17, 2017, and was approved on December 18, 2017. It is planned for publication as final on January 13, 2018.*

Air Quality

Air Quality Technical Advisory Committee (AQTAC)

The next AQTAC meeting is scheduled for *Feb. 8, 2018*, at 9:15 a.m. in Room 105, RCSOB.

Climate Change Advisory Committee (CCAC)

The next CCAC meeting is scheduled for *Feb. 6, 2018*, at 9:15 a.m. in Room 105, RCSOB.

Small Business Compliance Advisory Committee (SBCAC)

The next SBCAC meeting is scheduled for *Jan. 24, 2018*, at 10:00 a.m. in the 12th Fl. Conference Room, RCSOB.

VW Beneficiary Mitigation Plan

On Oct. 2, 2017, a final settlement agreement between the U. S. Department of Justice, the state of California and Volkswagen was approved by the Northern District Court of California, relating to Volkswagen's unlawful emissions from its 2.0-liter and 3.0-liter diesel vehicles, model years 2009 through 2016. The final settlement allocates \$118,569,539.52 to Pennsylvania for economic and environmental damages. *On Nov. 17, 2017, Pennsylvania filed the Certification of Beneficiary Status with the court and submitted it to the Trustee.* DEP is currently working to finalize its draft Beneficiary Mitigation Plan in response to the comments, testimony, and other input, as well as developing the project solicitation programs.

Pennsylvania's Methane Reduction Strategy for the Oil and Natural Gas Industry

In 2016, Governor Tom Wolf announced a four-point methane emission reduction strategy for unconventional natural gas operations in Pennsylvania. This strategy includes the development of a general permit for new unconventional well pad operations (GP-5A) and modifications to the existing general permit (GP-5) for compressors and natural gas processing facilities. *On Nov. 30, 2017, DEP released the revised draft final General Permits 5 and 5A and Exemption 38 for discussion at the AQTAC meeting on Dec. 14, 2017. AQ program staff are finalizing the Comment/Response and Technical Support Documents for release with the General Permits and Exemption 38, when issued, in early 2018. At the Dec. 14 AQTAC meeting, DEP also*

presented concepts for a proposed rulemaking to implement EPA's 2016 Control Technique Guidelines (CTG) for the Oil and Gas Industry. The EPA established a deadline of two years from the date of issuance of the final guidelines to submit the state's SIP revision, which will be due to EPA on or before Oct. 27, 2018.

Ozone Designations

In 2015, EPA lowered the ozone National Ambient Air Quality Standard (NAAQS) from 75 ppb to 70 ppb. Following promulgation of a new or revised air standard, states are given the opportunity to submit recommendations for the designation of attainment, unclassifiable and nonattainment areas. After a public comment period and public hearing, the Department submitted its recommendations to the EPA on Oct. 3, 2016. In addition, the Department has completed an Exceptional Event Analysis with respect to forest fires contributing to high ozone concentrations across the Commonwealth in 2016. The public comment period for this analysis closed on Jan. 2, 2018. The Department will be submitting the final analysis and comment/response document to the EPA. On Nov. 6, 2017, EPA designated 47 out of 67 counties in Pennsylvania as Attainment/Unclassifiable. EPA indicated that the remaining counties, in an eastern swath of counties running from south-central to northeastern Pennsylvania, will be addressed in a future, separate action.

2010 SO₂ NAAQS Attainment Demonstration SIP Revisions

The Department submitted the required SIP revisions for Beaver, Warren and Allegheny Counties on Oct. 2, 2017, and received completeness letters from EPA on Oct. 5, 2017. The Department also submitted the Indiana/Armstrong County SIP revision on Oct. 11, 2017, and a received a completeness letter on Oct. 13, 2017. EPA is reviewing these documents.

2008 Ozone NAAQS SIP Revisions

Pennsylvania must submit a SIP revision certifying that our current Nonattainment New Source Review (NNSR) regulation meets the requirements of the 2008 Ozone NAAQS. DEP submitted the SIP revision to EPA on Oct. 30, 2017, and EPA determined that it is administratively and technically complete. DEP will also be certifying the implementation of 44 other VOC RACT CTGs before the sanctions deadline of Sept. 6, 2018.

Air Quality Rulemaking Packages

Control of VOC Emissions from Industrial Cleaning Solvents

The proposed rulemaking would establish RACT requirements for industrial cleaning solvents (ICS) as recommended in the EPA's 2006 Control Techniques Guidelines for ICS. Three public hearings were held in July 2017, and seven comments plus IRRC comments were received. A comment/response document is being prepared before bringing a draft final rulemaking back to the SBCAC and AQTAC on Jan. 24 and Feb. 8, 2018, respectively.

Low Reid Vapor Pressure (RVP) Gasoline Volatility Requirements Repeal

In 2014, the Pennsylvania General Assembly enacted Act 50 of 2014, requiring DEP to develop a SIP revision for the removal of the low RVP fuel provisions from the SIP. The law also directs the EQB to promulgate a regulation repealing the low RVP regulation. Based upon comments received from the Independent Regulatory Review Commission, the Department has revised the rulemaking to conform more with Act 50. Instead of revoking the RVP requirement before receiving EPA approval for the SIP revision, the regulatory language was changed to make low RVP requirements no longer effective upon EPA's approval of the Department's SIP revision. This is a change from past practice and guidance from EPA; however, the outcome is the same. On Dec. 12, 2017, the EQB unanimously approved this final rulemaking. The Department is currently preparing a non-interference demonstration SIP revision.

Air Program Fee Schedule for Emission, Plan Approval and Operating Permit Fees

A proposed rulemaking is under development that would amend existing AQ fee schedules to ensure that the fees are sufficient to cover the costs of administering the air program, as required by the Clean Air Act (CAA) and the Air Pollution Control Act (APCA). Various options for these fees were presented to AQTAC and the SBCAC on Sept. 6 and Oct. 25, 2017, respectively. *On Dec. 14, 2017, additional information was presented to AQTAC along with further discussion. The Bureau anticipates bringing a draft rulemaking before AQTAC in the second quarter of 2018.*

Revision of Sulfur Limits in No. 2 and Lighter Commercial Fuel Oil

A proposed rulemaking is under development that would reduce the maximum allowable sulfur content in No. 2 and lighter commercial fuel oil, sold for and used in combustion units, from the current limit of 500 parts per million (ppm) of sulfur to 15 ppm. Emissions of sulfur dioxide (SO₂) contribute to the formation of regional haze, which degrades visibility in many American cities and scenic areas, and fine particulate matter (PM_{2.5}). The draft proposed rulemaking will be presented to the SBCAC and AQTAC on Jan. 24 and Feb. 8, 2018, respectively.

Energy Initiatives

Finding Pennsylvania's Solar Future

The Pennsylvania Solar Future Initiative recently hosted two events to further develop information for the PA Solar Future Plan. On December 4th, the PA Solar Team hosted a webinar is designed to give a national and local perspective on how to deploy low-income beneficial solar projects, and how these issues may relate to Pennsylvania and the PA Solar Future Plan. On December 7th, the PA Solar Future team hosted the 4th Quarterly stakeholder meeting of 2017 at Widener University Commonwealth Law School in Harrisburg, PA. The day-long event served to engage our stakeholders on identifying the options and recommendations which will help Pennsylvania achieve the 10% solar target or goal. 72 people attended the day-long event at Widener, and 39 attended the morning sessions digitally.

Pennsylvania Energy Development Authority (PEDA)

The Pennsylvania Energy Development Authority (PEDA) is an independent public financing authority that was created in 1982 by the Pennsylvania Energy Development Authority and Emergency Powers Act and that was revitalized through an April 8, 2004 Executive Order. *21 PEDA projects continue to be deployed. Sixteen projects have been completed and are operating. Three projects have been constructed but are awaiting administrative close out. Two projects are still under construction. Total anticipated savings/generation benefits equal 85,843,883 kWh/yr. This equates to the energy consumed by 8,254 households for each year, for the life of the projects. Projected carbon dioxide emission savings from the 21 projects is estimated to be 55,369 tons each year. This equates to saving the greenhouse gas emissions from 11,781 typical passenger vehicles for a year. As a condition of the PEDA grant contract, grantees are required to submit at least one, follow-up annual report which provides detailed information on the actual alternative energy generation and energy savings documented from the project. To date, seven projects have submitted their follow-up annual report. The actual energy savings/generation for all seven projects are 1,771,503 kWh/yr and 23,461.70 MCF/yr.*

2017 Alternative Fuel Incentive Grant (AFIG)

The AFIG Program offers grant funding for clean, alternative fuel projects in Pennsylvania, and investment in Pennsylvania's energy sector. The 2017 Alternative Fuel Incentive Grant Program opened in May. Awards for

the first round of the program were announced on November 27, 2017. Five projects were awarded for a total of \$1.1 million in grants. The awards include three vehicle purchases and/or retrofit projects and two refueling infrastructure projects. The second application acceptance period closed on December 15, 2017 with a total of 27 applications submitted. These applications are currently being reviewed and evaluated by AFIG staff. Guidelines for the 2018 AFIG Program are currently in development. The program is expected to reopen in spring 2018.

The Pennsylvania FAST Act Alternative Fuel Corridor Infrastructure solicitation opened on September 30, 2017. The FAST Act is a special solicitation under the Alternative Fuels Incentive Grant Program (AFIG) designed to support the installation of alternative fuel infrastructure along Pennsylvania Interstate Highway Corridors. Approximately \$1 million in grants were made available to install: public-use electric, hydrogen, propane, and compressed natural gas refueling infrastructure along the highway corridors in Pennsylvania. *The application period closed on November 17, 2017, and the application received is currently being evaluated. The program will reopen in 2018 pending the Federal Highway Administration's designation of new FAST Act corridors in Pennsylvania.*

Alternative Fuel Vehicle Rebate Program

The alternative fuel vehicle rebate program provides rebates to PA residents for EVs and PHEVs. DEP has provided 610 rebates since January 1, 2017, resulting in \$879,250 of support. *DEP's Office of Pollution Prevention and Energy Assistance (OPPEA) renewed the Alternative Fuel Vehicle rebate program beginning January 1, 2018 to June 30, 2018. OPPEA made only minor changes to text of the guidelines document. There are no substantive changes to the program. OPPEA will administer the rebate program until 500 rebates are provided or until June 30, 2018, whichever occurs first. OPPEA will reevaluate the status of the program in June 2018.*

Green Energy Revolving Loan Fund (GELF)

As of September 2017, GELF has closed *over \$17.2 million* of loans supporting the deployment of energy efficiency and alternative energy measures in Pennsylvania. *In early December, a GELF loan with Eco-Save was in underwriting for lighting and controls upgrades for an existing building in Fort Washington for \$300,000. Assuming the loan is closed in December or January, this will leave available over \$200,000 in revolved funding.* DEP and GELF are working to further develop the marketing of successes of completed projects by developing outreach tools designed to attract projects which can utilize the funds revolving back into the loan fund. These success stories will be posted on the GELF website and links provided on the DEP site.

Combined Heat and Power (CHP)-Enabled Renewable, Distributed Energy Technology via Leveraged Use of Pennsylvania Marcellus Shale Gas

The 2015 Climate Change Action Plan Update contains a work plan that recommends increasing deployment of CHP systems in PA and recently the PUC has proposed a policy statement intended to promote CHP investments, and encourage electric distribution companies (EDCs) and natural gas distribution companies (NGDCs) to make CHP an integral part of their energy efficiency and resiliency plans. The project is to demonstrate the use of natural gas and solar energy in a hybrid, CHP-Enabled Renewable Energy distributed energy configuration at the newly constructed Building 7R facility at the microgrid within the Philadelphia Navy Yard. The CHP Enabled Renewable Energy Guide is being developed and delivery will take place in year 2 of the effort.

The Capstone microturbine is on-site at Penn State at The Navy Yard. Penn State released a contract scope of work for the development of all construction requirements for the installation of a natural gas-fired microturbine. Evaluating alternative controller hardware solutions and costs for the controller scheme to interface between the microturbine and the existing smart inverter / solar and battery storage subsystems. Next

step after installation and the initial operational demonstration of the microturbine is to integrate the microturbine with the existing smart inverter, photovoltaic array, and battery banks. This will include identifying any additional system components and software solutions to support the execution of proposed supplemental test cases.

Industrial Energy Efficiency Technical Assistance

The Climate Change Action Plan Update contains a work plan that calls for greatly increasing the number of energy assessments for the manufacturing sector, and this proposal directly coincides with that recommendation. For state fiscal year 2017-18, DEP contracted with the Pennsylvania Technical Assistance Program at the Pennsylvania State University (PennTAP) and Emerging Technology Applications Center (ETAC) to provide energy efficiency technical assistance. *PennTAP's technical staff provided five energy efficiency assessments in the month of November 2017 to companies that manufacture food, advanced materials and metal fabrication. ETAC provided an onsite energy efficiency assessment in the month of November 2017 to a greenhouse nursery in the northeast region.*

Energy Assessments and Retrofits for Restaurants and Corner Stores

DEP contracted with the Energy Outreach and Assessment Center (EOAC) at the Philadelphia Navy Yard to design and demonstrate a scalable approach to facilitating building energy assessments that will lead to energy retrofits in small- and medium-sized facilities. The second year of the project is underway, with more cohorts of trained student assessors *and a revised projection of over 40 additional assessments before June 30, 2018. Seven businesses* who were provided assessments last year have been applying for Small Business Advantage Grants. They are using lessons learned from last year to determine best how to streamline implementation of projects for business owners, and identify how the project can be expanded to other communities.

Building Construction Technology Extension Center

DEP has contracted with the Pennsylvania Technical Assistance Program at the Pennsylvania State University (PennTAP) to provide Building Re-Tuning (BRT) training to K-12 school district and local government facility managers. Three workshops will be held, coupled with the preparation of a recorded webinar for registered attendees to watch prior to the workshops. The webinar will provide basic information on BRT and introduce the five steps of BRT: Initial Data Collection, Fundamentals, Identification, Implementation, and Documentation. At this time, PennTAP is planning to hold the second workshop on February 15th, 2018 at Penn State Great Valley Campus in Chester County. The first workshop was successfully presented on November 16, 2017 at the Montgomery County Intermediate Unit. Marketing for the event will start soon for the second workshop, through resources such as the Pennsylvania Association of School Business Officials (PASBO), EPA's Green and Health Schools Coordinator, and the Delaware Valley Regional Planning Commission. Funding is provided by the DOE's State Energy Program.

Energy-Efficient Building Codes Outreach and Education

OPPEA contracted with The Pennsylvania Municipal League (PML) to administer 2009 International Energy Conservation Code trainings to code officials, contractors, developers, and other energy code professionals. The trainings will be provided by the Pennsylvania Code Construction Academy and Performance Systems Development (PSD). *PSD staff provided a building energy code webinar to 8 attendees on daylight zones and lighting controls on December 6, 2017. A Circuit Rider Training (special design hands-on) was also provided to Upper Salford Township.*

EV Everywhere

DEP, Clean Cities, and PADOT hosted their quarterly Drive Electric PA (DEPA) meeting on Wednesday, November 1, 2017. The meeting was the first facilitated session using our contractor Yborra & Associates and Meister Consultants Group, Inc. (Yborra/Meister). Yborra/Meister gave an overview of the process to develop a PA Electric Vehicle Roadmap. During this meeting, Yborra/Meister completed facilitation exercises with the

DEPA to explore EV goal setting and EV adoption scenarios, as well as, leading discussions on market intervention strategies. The DEPA Coalition members spent time networking and providing updates from the three committees: EV Education and Outreach, EV Procurement, and EV Charging Infrastructure.

The next DEPA quarterly meeting will take place on Friday January 12, 2018. Yborra/Meister will be presenting draft components of the EV Roadmap. Yborra/Meister will also gather insights from stakeholders on major barriers, opportunities, and potential policies that may influence market development across scenarios. Additional DEPA networking and updates will be taking place from around the state.

Green Schools

DEP staff serve on the Advisory Council and working task forces of the PA Green and Healthy Schools Partnership (PAGHSP), a collaborative effort formed to promote healthy and high performing places of learning across the Commonwealth that seeks to bring together a network of non-profits, governmental agencies, and others. This school year DEP will work with the PAGHSP to follow-up with teachers who attended Eco-Schools training at the May 2017 Envirothon to assist them in implementation of Eco-Schools. DEP will also receive assistance from PAGHSP in marketing another round of the Keystone Energy Education Program professional development workshops. This updated version of the workshop will include guidance on implementing Eco-Schools, specifically the Energy Pathway. Workshops are being scheduled for mid-March and early May.

Environmental Cleanup and Brownfields

Cleanup Standards Scientific Advisory Board (CSSAB)

The 2018 meeting schedule of the Cleanup Standards Scientific Advisory Board has been announced. CSSAB meetings will be held on April 4, Aug. 1 and Dec. 6 in Room 105, RCSOB. Each meeting will begin at 9:00 a.m. and end at approximately 3:30 p.m.

Proposed Final-Omit Rulemaking, 25 Pa. Code, Chapter 250 (relating to Administration of the Land Recycling Program)

The EQB unanimously approved the Chapter 250 Final-Omit Rulemaking on Dec. 12, 2017, correcting three data transcription errors. This final rulemaking corrects the Aldrin used aquifer TDS $\leq 2,500$ residential numeric value in Table 1. The beryllium and cadmium toxicity values in Table 5B and associated direct contact numeric values in Table 4A were also corrected. In Table 5B, the oral cancer slope factor values for beryllium and cadmium have been removed. Changes to Table 4A include correcting the beryllium residential numeric value and the non-residential surface soil numeric value. The cadmium residential numeric value and the non-residential surface soil numeric value have been changed. This is a final rulemaking, so the next steps include reviews by the Governor's Office of General Counsel, the Governor's Budget Office, the Office of the Attorney General and the Independent Regulatory Review Commission. Publication of the corrected values in the Pennsylvania Bulletin and the Pennsylvania Code is expected in the spring of 2018.

Technical Guidance Manual (TGM) Public Comment Period

The department has completed the proposed revisions to the Land Recycling Program TGM. Notice of the revised TGM was published in the Pennsylvania Bulletin on Dec. 16, 2017. The 90-day public comment period ends on March 16, 2018. Substantial revisions include a reorganization of information to improve clarity and flow of the document, clarification of complicated concepts, updating outdated information, removing redundant text, and the addition of vapor intrusion and groundwater monitoring guidance.

Storage Tank Advisory Committee (STAC)

The STAC held its final meeting of calendar year 2017 on Dec. 5 in Room 105, RCSOB. DEP provided an overview of Draft Technical Guidance Document (TGD) “Guidelines for Reuse and Disposal of Hydrostatic Test Liquids.” The newly created draft TGD document is intended to provide general guidelines for proper use and reuse of test liquids and proper disposal of waste test liquids generated during hydrostatic testing. The document will be open for public comment in early 2018. In addition, DEP presented information on the Storage Tank Program’s ePermitting and Online Registration Fee Payment System and an update of proposed amendments to 25 Pa. Code, Chapter 245. The next STAC meeting is scheduled for March 6, 2018, at 10 a.m. in Room 105, RCSOB.

Proposed Amendments to 25 Pa. Code, Chapter 245 (relating to Administration of the Storage Tank and Spill Prevention Program)

DEP is proposing to amend Chapter 245, Administration of the Storage Tank and Spill Prevention Program, to strengthen the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment. Currently, UST owners and operators are required to have spill prevention, overfill prevention, and release detection equipment in place, but are not required to periodically verify the functionality of some of that equipment. With the last comprehensive rulemaking occurring nearly 10 years ago, the program is also looking to address a number of areas of Chapter 245 that have been problematic, have lacked clarity, or simply need correction. The proposed rulemaking has been reviewed and approved by both the Governor’s Budget Office and the Office of General Counsel, is currently under review by the Office of Attorney General, and is anticipated to be published for public comment during the first quarter of 2018.

Environmental Education

Environmental Education Grants Program (EEGP)

Now, 64 of the 2017 Environmental Education grants are fully executed, while 8 are still going through the signature process. 7 grants were withdrawn due to lack of execution. Due to budget restrictions, DEP’s Environmental Education Mini-Grant Program will not be offered until Fall of 2018 at the earliest.

PA Falcon Reintroduction Program

Though the cooperation of the Department of General Services, the Office of Administration, the Harrisburg Fire Department and Department of Environmental Protection a new Fall Protection Plan was developed for accessing the 15th floor ledge. With this plan in place, three new microphones were installed and the cameras were cleaned in preparation for the upcoming nesting period.

Farm Show

The EE and Communications staff collaborated with Graphics, the Department of General Services and an outside vendor to develop a new exhibit for the 2018 PA Farm Show. The new panels were printed by the Department of General Services Bureau of Publications and were delivered at the end of December. Another new improvement was the development of a bean-bag game teaching the young on how they can contribute to clean water in Pennsylvania. Non-point source pollution, stormwater management, and the Chesapeake Bay are the key themes for this year’s exhibit.

Pennsylvania Envirothon

The 2017-18 High School event is scheduled for May 22 and 23, 2018 at Susquehanna University and Camp Mount Luther. DEP’s Environmental Education staff will be delivering a Falcon Reintroduction Teacher Workshop on May 22, 2018.

“Weathering the Storm” Stormwater Workshop

A Stormwater Workshop has been scheduled for June 2018 in the Northwest Region. This collaborative workshop will feature cooperation between DEP, DCNR, and the PA SeaGrant staff. This workshop will include a tour of downtown Erie highlighting Stormwater BMP’s currently in use at the Erie Art Museum, Gannon University and City Hall.

Keystone Energy Education Program (KEEP)

A survey of KEEP past participants has been completed. Based on this new input, this year’s KEEP workshops will incorporate these suggestions. Upcoming workshop locations include facilities in the Philadelphia area, Central Pennsylvania, Western Pennsylvania, and the Northwest. Workshops are scheduled to begin in March and will be completed by May 2018.

Pennsylvania Environmental Literacy and MWEE Programming Capacity Building

This grant from NOAA objective is to address environmental literacy initiatives which advance implementation of meaningful watershed educational experiences (MWEEs) – that is, locally relevant, hands-on programs that promote experiential learning, critical thinking, and actions to improve freshwater resources. This initiative is led by the Pennsylvania Watershed Education Task force, which has brought together approximately 20 collaborators from a mix of state agencies, leading informal environmental education organizations, business and industry leaders in the environmental workforce, post-secondary institutions, and K-12 schools. The task force met and presented at the Pennsylvania Science Teachers Association (PSTA). In March, this initiative will be presented to members of the Pennsylvania Association of Environmental Educators (PAEE) conference to be held in State College.

Environmental Education Programming

On December 6, a DEP Environmental Education staffer delivered a program on the importance of wetlands to water quality and wildlife to 28 4th Graders at Robert G. Reid Elementary School, part of the Middletown Area School District. Program assistance was provided by high school students from Middletown Area High School. On December 18th, an after-school club from Lower Dauphin Middle School visited the Environmental Education and Information Center at the Rachel Carson State Office Building. 35 participants enjoyed programming on the Energy Efficiency Lighting Program, Peregrine Falcons, and Geocaching.

Oil and Gas

Extension of Erosion and Sediment Control General Permit-2 (ESCGP-2)

On December 9, DEP published a notice in the Pennsylvania Bulletin that it is administratively extending ESCGP-2 to December 29, 2018. DEP is extending the availability of this permit to adequately complete preparation of the issuance of ESCGP-3. Individuals that are currently operating under ESCGP-2 may continue to operate until December 29, 2018 or the expiration date of coverage identified in the permit, whichever is later. Individuals may also continue to seek coverage under ESCGP-2 during this administrative extension, or until the new ESCGP-3 is issued if that issuance occurs before December 29, 2018.

Erosion and Sediment Control General Permit Industry Training

On December 13, representatives of the Bureau of Oil and Gas Planning and Program Management and the Eastern Oil and Gas District Office provided training at an event hosted by the Marcellus Shale Coalition (MSC) near Pittsburgh, PA. DEP staff provided training and updates on topics including the planned transition from Erosion and Sediment Pollution Control General Permit-2 (ESCGP-2) to ESCGP-3 that will occur in 2018, Post Construction Stormwater Management (PCSM) requirements for Oil and Gas Activities, and Delineating Environmental Resources in Chapters 102 and 105 Permit Applications.

Guidelines for Chain Pillar Development and Longwall Mining Adjacent to Unconventional Wells

The “Guidelines for Chain Pillar Development and Longwall Mining Adjacent to Unconventional Wells” technical guidance document (TGD) was published in the Pennsylvania Bulletin as interim final on December 16, 2017, with a 45-day public comment period concluding on January 30, 2018. The Department and the Oil and Gas Technical Advisory Board’s (TAB) Coal-Gas Coordination Subcommittee have been working to develop the interim final technical guidance document since March 2016. Successful development of the TGD involved a significant effort with multiple stakeholders participating, including the DEP Bureaus of Oil and Gas Planning and Program Management, District Oil and Gas Operations, and Mine Safety; the United States Mine Safety and Health Administration and the National Institute for Occupational Safety and Health; as well as representatives from the oil and gas and mining industries. TAB voted unanimously at its November 1, 2017 meeting to support publication of the interim final TGD. The guidelines are primarily aimed at ensuring safe operations when longwall mining is taking place adjacent to completed unconventional wells.

e-Inspections

On December 18, DEP announced initial results of a GO-TIME initiative that migrated DEP from paper-based oil and gas inspections to a mobile inspection platform. The DEP Office of Oil and Gas Management and Bureau of Information Technology teamed up with the Pennsylvania Department of Transportation (PennDOT) in 2016 to build off existing technology at PennDOT to create a mobile app with preloaded operator and well information; photo and voice recognition capability; and a connection to EFACTS, the DEP inspection and compliance management database. Manual data entry (duplicative of entry at the inspection site) has been virtually eliminated, and trips between field sites and offices are significantly reduced. The first phase of the app—for surface activities—launched in February 2017, and by November, surface inspectors were using it to conduct more than 99% of their inspections. In early fall, functionality for subsurface activities was added. Considerable gains have been achieved in speed and efficiency.

Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations

A final workgroup meeting on this TGD was held on Wednesday, November 15 to solicit comments from stakeholders regarding the Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations. The policy remains under development within DEP. DEP plans to present this version of the TGD to the Oil and Gas TAB members in early 2018, and then it will be published as final in the Pennsylvania Bulletin.

Area of Review (AOR) Technical Guidance Document (TGD)

Oil and Gas staff are working to draft the comment-response document that will be published in the PA Bulletin along with the final version of the AOR TGD. It is anticipated that the document will be published as final during the first quarter of 2018.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Advisory Committee (RPAC)

The next RPAC meeting is scheduled for March 21, 2018, at 9:00 a.m. in Room 105, RCSOB.

Radiation Protection Rulemaking Packages

Radiological Health

This proposed rulemaking is diverse in scope and will amend 25 Pa. Code Chapters 215-240 to establish and maintain adequate radiation protection standards and oversight due to significant technological advances in the use of radiation sources. The revisions will delete Agreement State transitional language and outdated requirements as well as add definitions for clarity of new and existing regulatory provisions. The amendments also contain comprehensive amendments for radon testing, mitigation, and laboratory analysis that largely reflect current practice. Revisions made to the rulemaking based on public comments were discussed with and endorsed by RPAC at its Oct. 19, 2017 meeting. The Department is finalizing the rulemaking and tentatively plans to present it to the EQB in Spring 2018.

Waste Management

Solid Waste Advisory Committee (SWAC)

SWAC's last regular meeting of 2017 was held on Dec. 6. Secretary McDonnell was present for a Meet and Greet, engaged the Committee in discussion, and answered the Committee's questions. The next SWAC meeting is scheduled for Thursday, March 8, 2018, at 10 a.m. in Room 105, RCSOB. Regular SWAC meetings are also scheduled for 2018 on the following dates: Thursday, June 7; Thursday, Sept. 20 (annual joint meeting with the Recycling Fund Advisory Committee); and Wednesday, Dec. 12.

Recycling Fund Advisory Committee (RFAC)

RFAC has been engaged in discussions regarding Act 101 since June 2017. To date, RFAC has been meeting during the regularly scheduled SWAC meetings to hold these discussions. The December 6 meeting focused on the funding mechanisms and grant programs authorized by the Act. RFAC heard presentations from DEP's Larry Holley, Joanne Shafer of the Centre County Recycling and Refuse Authority, and Timothy Breneisen of the City of Lancaster. Each provided a perspective on how the current funding and grant structure has impacted their respective organizations, outlining what has worked and where improvements could be made. RFAC will continue to meet during regularly scheduled SWAC meetings on the dates listed above as well as on other dates that might be scheduled throughout the year as needed. A special meeting is planned for Tuesday, Jan. 30, 2018, at 10 a.m. in Room 105, RCSOB to discuss the effectiveness of Section 903 grants.

Hazardous Waste Generator Improvements Rule

EPA published the Hazardous Waste Generator Improvements Rule in the Federal Register (FR) on Nov. 28, 2016. The rule has an effective date of May 30, 2017. Pennsylvania incorporates the federal regulations by reference under 25 Pa. Code § 260a.3. Information on the Final Rule may be found at <https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements>. The Department is aware that the reorganization of the hazardous waste generator regulations will cause the federal and state regulations to be out of synchronization. A memo regarding a proposal to recommend that EQB omit the proposed rulemaking process (Final-Omit) was sent to the Office of General Counsel on November 16, 2017. The Department is awaiting OGC's response.

Water Programs & Water Resources Planning

Comprehensive Environmental Assessment Final Technical Guidance Document

The final Chapter 105 Water Obstruction & Encroachment Permit Comprehensive Environmental Assessment of Proposed Project Impacts (DEP ID: 310-2137-006), was published in the [PA Bulletin](#) on December 16, 2017. This final technical guidance is intended to clarify the process for completing the information requirements for a Water Obstruction and Encroachment Permit application, Environmental Assessment Form No. 3150-PM-BWEW0017. This final guidance provides the permit applicant with an outline of the information that the applicant should submit to DEP as part of a comprehensive environmental assessment to meet the regulatory standards in 25 Pa. Code Chapter 105 (relating to dam safety and waterway management).

PAG-02

The PAG-02 NPDES General Permit for Stormwater Discharges Associated with Construction Activities (PAG-02) was reissued for a 2-year term, effective December 8, 2017. Notice of DEP's action to reissue PAG-02 was published in the Pennsylvania Bulletin on December 16, 2017. During the 2-year period, DEP expects to work with EPA to address their concerns over the permit and make additional changes to improve the permitting process under 25 Pa Code Chapter 102.

Preparation for PAG-12 Reissuance

DEP has developed a draft PAG-12 NPDES General Permit for Operation of Concentrated Animal Feeding Operations (CAFOs) that is under review within DEP at this time. The existing PAG-12 expires on March 31, 2018. DEP anticipates publishing the draft PAG-12 in the Pennsylvania Bulletin in early 2018. DEP must update the PAG-12 documents to comply with EPA's NPDES Electronic Reporting Rule ("eReporting Rule"), which was published in 2015. DEP must also require permittees to submit annual reports electronically to DEP by December 21, 2020. DEP is proposing the imposition of an annual NOI fee to help cover DEP's costs to permit and inspect CAFOs. Revenues from CAFO permits currently provide DEP with less than 5% the revenue needed to cover operating expenses of CAFO permitting activities.

Pennsylvania Sewage Facilities Act

*On July 20, 2017, Governor Tom Wolf signed an amendment to the Sewage Facilities Act, Act 26 of 2017. The changes to the Act have ramifications for the sewage facilities planning process for on-lot systems and on-lot system permitting. A draft Act 26 implementation strategy was presented and discussed at the Sewage Advisory Committee (SAC) Meeting that was held on October 4, 2017. As required by Act 26, DEP is developing scientific, technical and field-testing standards for alternate onlot systems. Alternate systems are demonstrated onlot treatment and disposal systems that are not described in regulation. *Many of these alternate systems provide advance pretreatment of sewage that allows for disposal of sewage effluent on sites with shallow soils. The alternate onlot system review process is currently under development, in consultation with a Workgroup under SAC. Although SAC does not agree with all the standards being proposed, DEP and the Workgroup agreed on a number of issues and standards discussed during the workgroup meetings. The Workgroup provided recommendations on the proposed standards for alternate systems to the full SAC at a meeting on December 5, 2017. DEP is continuing to develop guidance documents to be published in the PA Bulletin in mid-January. In accordance with Act 26, the standards must be final on or before March 18, 2018.**

Stream Redesignations – Sobers Run, et al. Proposed Rulemaking

As part of its continuing water quality management program and ongoing review of water quality standards, DEP is currently drafting proposed rulemaking and related documentation to support recommended revisions to stream redesignations in Pennsylvania's Water Quality Standards (Chapter 93), for consideration by the Environmental Quality Board (EQB). The recommended amendments are to revise 25 Pa. Code Chapter 93,

§§93.9c, 93.9f, and 93.9i. Additionally, the Department is recommending corrections to some stream names as they appear in §93.9c. The final rulemaking was approved by the EQB on August 15, 2017, and *was approved by IRRC at their November 16, 2017 meeting.*

Triennial Review of Water Quality Standards

Section 303(c)(1) of the Clean Water Act and Federal regulations at 40 CFR Section 131.20 require that states periodically, but at least once every three years, review and revise their water quality standards as necessary. Pennsylvania's Water Quality Standards are set forth in 25 Pa Code Chapter 93 (Water Quality Standards) and Chapter 16 (Water Quality Toxics Management Strategy – Statement of Policy). A proposed rulemaking was published for comment on October 21, 2017. *The comment period will end on February 16, 2018. Public hearings were held in Wilkes-Barre, Harrisburg and Pittsburgh. An additional hearing will be held January 30, 2018 in DEP-SERO.* The final rulemaking is anticipated in 2018, which will then be submitted to the U.S. Environmental Protection Agency for formal review and approval in accordance with the Federal Clean Water Act.

Final-Form Rulemaking: 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 draft *final-form* rulemaking was presented to the TAC Board on July 13, 2017, and August 24, 2017. The final-form rulemaking was *approved by the EQB on December 12, 2017.*

Safe Drinking Water General Update and Fees

There are three main purposes for this rulemaking. The first is to incorporate the remaining general update provisions that were separated from the proposed RTCR as directed by the EQB on April 21, 2015. The second purpose is to include additional general update provisions. The third purpose is to add new annual fees and amend (update) permit fees. The EQB approved the proposed rulemaking for publication in the Pa Bulletin, which occurred on August 26, 2017. The public comment period closed on September 25, 2017. IRRCs comments *were received* on October 25, 2017. *The final rule was presented to TAC at their December 7, 2017 meeting. DEP is awaiting final TAC comments, and hopes to present this final regulation to EQB in April of 2018.*

Chesapeake Bay Program

Phase III Watershed Implementation Plan (WIP)

DEP has started the development process for the Phase III WIP. The intention of this process is to develop a final plan. A steering committee has been formed to provide input and recommendations to the Department for the development of the Phase 3 WIP. The steering committee has met *seven* times.

The Midpoint Assessment of the Total Maximum Daily Load (TMDL) is close to being completed. The Chesapeake Bay Partnership Principals' Staff Committee (PSC), comprised of the Cabinet-level representatives of the lead agencies of all the partners, discussed its Midpoint Assessment at a two-day meeting in mid-December. Another meeting will be scheduled for mid-February 2018 to finish this work.

Key milestones in the completion of the plan *and the modified scheduled* are as follows:

- January 19, 2017 – EPA released interim final expectations for completion of revised Phase III WIPs to be developed by the states. Appendices will be added to this expectations document as decisions are made over the coming months regarding Conowingo Dam, Climate Change and the actual planning targets for each state.

- May 8, 2017 – EPA released final Pennsylvania state-specific expectations for the completion of Pennsylvania’s Phase III WIP.
- Late February 2018 – EPA releases draft Phase III planning targets. These are revised nutrient and sediment reduction goals for each state by major basin.
- May 2018 – EPA releases final Phase III planning targets.
- March 1, 2019 (Tentative) – States must submit draft Phase III Watershed Implementation Plans to EPA for review and approval. These plans must be developed in concert with stakeholders and include a public outreach and comment process.
- June 28, 2019 (Tentative) – Final Pennsylvania Phase III WIP is approved and released.

Another key issue of interest to Pennsylvania is the development of Local Planning Goals. The intent behind these local planning goals is to more effectively target resources and achieve success. The Steering Committee decided at their November 30, 2017, meeting to develop local planning goals at the county scale, with an equal level of effort for each county. It must be emphasized that these are planning goals only; they do not constitute an obligation on the part of the county to meet a targeted reduction assigned to them.

Incorporated into the development of the Phase III WIP will also be a re-evaluation of Pennsylvania’s commitments under the 2014 Watershed Agreement. A summary and recordings of all Steering Committee Meetings and the June 5, 2017, Kick-off and Listening Session and written public comments can be found on the Phase II WIP webpage at www.dep.pa.gov/chesapeakebay/phase3.

Chesapeake Bay Agriculture Inspection Activities

As of June 30, 2017, the total number of inspections of unique agricultural operations reported by regional offices and conservation districts for the Chesapeake Bay Agriculture Inspection Program (CBAIP) was 2,080, totaling approximately 245,664 acres. As of November 1, 2017 (120 days after the end of the first year) DEP received 73 referrals (3.5% of the total number of operations inspected). This means that, while 60-65% of the operations met the planning obligations at the time of initial inspection, 96.5% of the inspected operations met the planning requirements in the 2016-2017 year. Through December 27, 2017, the conservation districts and DEP Regional Offices have referred 78 operations for follow up enforcement action, 67 of which were located in DEP’s Southcentral Region. To date, DEP has sent 74 Notices of Violation to the farms that were referred to the Department for non-compliance with Manure Management and/or Ag Erosion and Sedimentation Control planning obligations.

Delaware River Basin Commission (DRBC) Natural Gas Development Regulations

DRBC published draft regulations regarding natural gas development activities (high-volume hydraulic fracturing, wastewater treatment, and water withdrawals and transfers) in the Delaware River Basin on the DRBC website on November 30. The public comment period is scheduled to run for 90 days. Four public meetings have been scheduled to accept public comments on the draft rules (January 23 at 1:00 pm and 6:00 pm in Waymart, Wayne County, PA and January 25 at 1:00 pm and 6:00 pm in Philadelphia). New Jersey presented a letter to DRBC regarding the draft rulemaking early in the day on November 30 before the draft rules were posted that expressed that New Jersey was not in favor of releasing the draft regulations, and further, had concerns with the package as drafted. DRBC has received a letter from the Delaware RiverKeeper Network, followed by similar letters from others, requesting a 180-day comment period and a modification to the process for accepting public comment (currently only allowed electronically).

Susquehanna River Basin Commission (SRBC) Grandfathering Registration

The Susquehanna River Basin Commission (SRBC) announced its grandfathering registration program for entities with unregistered consumptive uses. SRBC estimates that there is more unregistered consumptive use in the basin than the total of all consumptive uses that are currently registered. This unregistered use could have

significant impacts on water availability, especially in areas of water stress (overuse of groundwater and impacts on wells; surface water impacts; etc.). Registration costs are waived through June 2018 as incentive for prompt registration. Costs increase to \$500 in the next 6-month period and later increase to \$1,000 in the six months after that. SRBC held two webinars on November 14 and December 13 to explain the registration process to the regulated community.

Ohio River Valley Water Sanitation Commission (ORSANCO) Pollution Control Standards Program

The Ohio River Valley Water Sanitation Commission (ORSANCO) is considering discontinuation of its Pollution Control Standards (PCS) program. This program provides for uniform water quality standards throughout the interstate Ohio River mainstem system (including the Allegheny and Monongahela Rivers). As a member of the PCS Committee, PA has voiced concerns that this will create regulatory uncertainty for those facilities that discharge directly to the rivers and will result in negative public perception due to the elimination of a water quality protection program. DEP will continue to be involved in the process as the PCS Committee meets and prepares a draft program for public comment.

Environmental Justice

Environmental Justice Summit

An internal ‘EJ Summit’ was held on Tuesday, December 12 to highlight the Department’s commitment to environmental justice, solicit feedback from staff on environmental justice progress and initiatives within the Department, and inform attendees of next steps of outreach following the Listening Sessions. Fifty-one DEP personnel from the central office and regional offices participated. Attendees representing every program within the agency commented on methods the Department should use to engage with EJ communities and the public at large, and provided suggestions on how EJ policies can be implemented regarding permitting, compliance, and beyond.

Environmental Justice Advisory Board

The last meeting was held on Tuesday, November 14, 2017 and included an introduction of six newly appointed Board members and a presentation from the Department of Health’s Office of Health Equity. The next meeting is scheduled for Tuesday, February 13, 2018 and will include an election for Board officers.

Attachment 1

2018 Events Calendar

Please consult the DEP Calendar of Events for a comprehensive listing of upcoming events. The Calendar can be accessed in the Public Participation Tab on the DEP website. Click on “Public Participation;” “Calendar of Events.”

January	
10	Technical Advisory Committee on Diesel-Powered Equipment, 10:00 a.m., Westmoreland Room, DEP New Stanton Office, New Stanton, PA
11	Mining and Reclamation Advisory Board – Regulatory, Legislative, and Technical Committee, 9:00 a.m., Room 105, RCSOB, Harrisburg, PA

11	<i>Mining and Reclamation Advisory Board, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA</i>
11	<i>Coal and Clay Mine Subsidence Insurance Fund Board, 10:00 a.m., 12th Floor Conference Room, RCSOB, Harrisburg, PA</i>
17	<i>Coastal Zone Advisory Committee, 9:30 a.m., 10th Floor, RCSOB, Harrisburg, PA</i>
24	<i>Small Business Compliance Advisory Committee, 12th Floor, RCSOB, 400 Market St., Harrisburg, PA, 10:00 a.m.</i>
25	<i>Water Resources Advisory Committee, 9:30 a.m., Room 105, RCSOB, Harrisburg, PA</i>
30	<i>Special Meeting of the Recycling Fund Advisory Committee (re: Act 101 discussion), Room 105, RCSOB, 400 Market St., Harrisburg, PA, 10:00 a.m.</i>
February	
6	<i>Climate Change Advisory Committee, Room 105, RSCOB, 400 Market St., Harrisburg, PA, 10:00 a.m.</i>
8	<i>Air Quality Technical Advisory Committee, Room 105, RSCOB, 400 Market St., Harrisburg, PA, 9:15 a.m.</i>
8	<i>Aggregate Advisory Board, 10:00 a.m., 12th Floor Conference Room, RCSOB, Harrisburg, PA</i>
8	<i>State Board for the Certification of Water and Wastewater Systems Operators, 10:00 a.m., 10th Floor, RCSOB, Harrisburg, PA</i>
13	<i>Environmental Justice Advisory Board, 8:30 a.m., 14th Floor Conference Room, RCSOB, Harrisburg, PA</i>
14	<i>State Board for Certification of Sewage Enforcement Officers (SEOs), 10:00 a.m., Conference Room 11B, 11th Floor, RCSOB, Harrisburg, PA</i>
14	<i>Oil and Gas Technical Advisory Board, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA</i>
22	<i>Agricultural Advisory Board, 9:00 a.m., Susquehanna Room B, DEP South-Central Regional Office, 909 Elmerton Avenue, Harrisburg, PA</i>
March	
6	<i>Board of Coal Mine Safety, 10:00 a.m., Conference Room 1A and 1B, DEP Cambria Office, Ebensburg, PA</i>
6	<i>Storage Tank Advisory Committee, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA</i>
8	<i>Solid Waste Advisory Committee, 10:00 a.m., Room 2015, RCSOB, Harrisburg, PA</i>
14	<i>Water Resources Advisory Committee, 9:30 a.m., Room 105, RCSOB, Harrisburg, PA</i>
22	<i>Radiation Protection Advisory Committee, 9:00 a.m., Room 105, RCSOB, Harrisburg, PA</i>
29	<i>Small Water Systems Technical Assistance Center Board, 9:00 a.m., Room 2015, RCSOB, Harrisburg, PA</i>

Attachment 2

Oil and Gas Workload Report (As of December 15, 2017)

YTD WELL PERMIT APPLICATIONS - 1/1/2017 to 12/15/2017						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	195	27	220	197	197	23
UNCONVENTIONAL	1,995	382	2,042	1,986	1,842	56
Sub Total	2,190	409	2,262	2,183	2,039	79
AUTHORIZATIONS	578	145	707	529	N/A	178
Total	2,768	554	2,969	2,712	2,529	257

WEEKLY WELL PERMIT APPLICATIONS - 12/9/2017 to 12/15/2017						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	4	4	0	0	0	0
UNCONVENTIONAL	15	15	79	79	79	0
Sub Total	19	19	79	79	79	0
AUTHORIZATIONS	7	7	17	14	N/A	3
Total	26	26	96	93	93	3

HISTORICAL WELL PERMIT APPLICATIONS AS OF 12/15/2017						
	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,571	197,538	196,294	190,141	1,244	102,433
UNCONVENTIONAL	24,893	24,498	23,982	19,334	516	11,217
Sub Total	222,464	222,036	220,276	209,475	1,760	113,650
AUTHORIZATIONS	43,044	42,769	42,203	N/A	566	18,758
Total	265,508	264,805	262,479	250,878	2,326	132,408

YTD INSPECTIONS - 1/1/2017 to 12/15/2017				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	14,650	11,439	3,096	234
UNCONVENTIONAL	15,540	7,152	747	124
CLIENT/SITE	4,574	1	871	192
Total	34,764	18,592	4,714	550

WEEKLY INSPECTIONS - 12/9/2017 to 12/15/2017				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	243	240	13	2
UNCONVENTIONAL	251	247	2	2
CLIENT/SITE	73	1	4	3

Total	567	488	19	7
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WELLS DRILLED					
	Two Years Prior 1/1/2015 to 12/15/2015	One Year Prior 1/1/2016 to 12/15/2016	Year To Date 1/1/2017 to 12/15/2017	Week of 12/9/2017 to 12/15/2017	As of 12/15/2017
CONVENTIONAL	287	91	103	1	193,117
UNCONVENTIONAL	761	479	785	18	10,897
Total	1,048	570	888	19	204,014

This report was prepared by Neil Bakshi, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email nebakshi@pa.gov or call (717) 772-3612.