

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

DEP Highlights

2018 State Energy Program (SEP)

Under DOE's Office of Energy Efficiency and Renewable Energy's (EERE's) State Energy Program (SEP), states submit applications to increase market transformation of energy efficiency and renewable energy technologies through policies, strategies, and public-private partnerships that facilitate their adoption and implementation. DEP submitted an application requesting \$1.53 million in funding to the US Department of Energy on April 11th and is preparing to initiate programs for the period of performance from July 1st, 2018 to June 30th, 2019. *On June 12th, the Energy Programs Office (EPO) received notice from USDOE that they have approved Pennsylvania's 2018 SEP Plan. EPO will receive \$1,530,360 for the first year of our 3-year grant, beginning July 1, 2018 and ending June 30, 2019. SEP 2018 energy activities include technical assistance to small and medium size businesses, training for local governments and schools, comprehensive energy planning, energy assurance efforts, and a regional pooled municipal energy efficiency purchasing program. Contracting is underway for many of these programs.*

Participation in 2018 National CWA 303(d) and Data Management Workshops

DEP Bureau of Clean Water staff presented at the 2018 National Clean Water Act (CWA) Section 303(d) Listing and Total Maximum Daily Load (TMDL) and Data Management workshops on DEP's use of Environmental Systems Research Institute (ESRI) Story Maps and Pennsylvania's first Alternative TMDL -- the Kishacoquillas Creek Alternative Restoration Plan (ARP). The workshops were hosted by the Environmental Law Institute on behalf of the U.S. Environmental Protection Agency (EPA). Attendees were impressed by the technology capabilities evident in the story maps. EPA Regional staff commented that the Kishacoquillas Creek ARP was the first alternative plan they had seen that fit with the vision of a TMDL alternative.

Green Ribbon Schools

The Green Ribbon Schools award event was held on June 20 at the Capitol. Two schools, Wexford Elementary School and Mt. Lebanon High School, were this year's winners, being recognized for their implementation of sustainable actions on their respective campuses. Secretary McDonnell was on hand to provide congratulatory complements for the awardees.

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 full Regulatory Update.

- **Control of VOC Emissions from Industrial Cleaning Solvents:** Approved by the EQB on April 17, 2018 as a final-form rulemaking, and unanimously approved by IRRC on June 28, 2018. It is undergoing form and legality review by the Office of Attorney General until late July 2018.
- **Safe Drinking Water General Update and Fees:** Approved by EQB on April 17, 2018 as a final-form rulemaking, and unanimously approved by IRRC on June 28, 2018. It is undergoing form and legality review by the Office of Attorney General until late July 2018.
- **Radiological Health:** Approved by the EQB on June 19, 2018 as a final-form rulemaking. Following review by IRRC, the House and Senate ERE Committees, and the Office of Attorney General, publication of the final-form rulemaking is anticipated for this Fall. The effective date of the rulemaking is 90 days after publication.
- **NRC Consistency Final-Omitted Rulemaking:** Approved by the EQB on June 19, 2018 as a final-omitted rulemaking. Following review by IRRC, the House and Senate ERE Committees, and the Office of Attorney General, publication of the final-omitted rulemaking is anticipated for this Fall.

Public Comment Periods

Proposals Open for Public Comment

- *Clean Water and Drinking Water State Revolving Fund Programs: Federal Fiscal Year 2018 Intended Use Plans (Opened 6/30/18; Closes 7/30/18)*
- *Nutrient Credit Trading Program; TeamAg, Inc. on behalf of Lancaster Area Sewer Authority (Opened 6/23/18, Closes 7/23/18)*
- *Pennsylvania's 2018 Annual Ambient Air Monitoring Network Plan (Opened 6/16/18; Closes 7/16/18)*
- *Proposed State Implementation Plan Revision: Certification of RACT for EPA's CTG for 2008 8-hour Ozone NAAQS and Incorporation of NSPS (Opened 6/16/18; Closes 7/17/18)*
- *Semi-wadeable Large River Macroinvertebrate Assessment Method (Opened 6/16/18; Closes 7/30/18)*
- *Continuous Instream Monitoring Assessment Method (Opened 6/16/18; Closes 7/30/18)*
- *Eutrophication Cause Determination Method (Opened 6/16/18; Closes 7/30/18)*

Recently Closed Comment Periods

- *Environmental Assessment Approval for PENNVEST Funding Consideration May/June 2018 (Opened 5/16/18; Closed 6/25/18)*
- *Interim Final TGD: Water Management for Agricultural High Tunnels (383-4200-001) (Opened 4/21/18; Closed 6/19/18)*

Recently Finalized

- *Air Quality General Permit GP-5, General Permit GP-5A, and Air Quality Permit Exemption List (Finalized 6/9/18)*

Communications Monthly Press Releases

Press Releases Issued

May 24 – DEP Issues a Code Orange Air Quality Action Day Forecast for the Philadelphia Area for May 25, 2018

May 31 – DEP and Agriculture Leaders to Tour Environmental Award-Winning Stream Restoration Project at Plain Sect Farm

June 04 – DEP and Agriculture Leaders Tour Environmental Award-Winning Stream Project at Plain Sect Farm

June 04 – Mosquito Spraying Set for McKean County on June 5 and 6, 2018

June 05 – “DEP Connects” Program Invites Citizens to New Community Engagement Series of Regional Events

June 06 – ADVISORY – MARIENVILLE – FRIDAY – Wolf Administration to Visit Marienville Area Library Rain Garden Project

June 07 – ADVISORY – WEBINAR – DEP to Provide Information on Unconventional Gas Well and Compressor Station Permits

June 08 – Wolf Administration Visits Marienville Area Library Rain Garden Project Made Possible Through State’s Growing Greener Program

June 14 – DEP Reminds Homeowners to Check for Mine Subsidence Risks

June 15 – Mosquito Spraying Set for Lycoming County for Monday June 18, 2018

June 15 – DEP Issues a Code Orange Air Quality Action Day Forecast for Southwest, Southcentral and Lehigh Valley Counties for June 16-18, 2018

June 17 – DEP Issues a Code Orange Air Quality Action Day Forecast for the Philadelphia Area for Monday June 18, 2018

June 18 – Mosquito Spraying Set for McKean County for Tuesday June 19, 2018

Active and Abandoned Mine Operations

Final Rulemakings

Final Rulemaking – Handling and Use of Explosives

This final-form rulemaking was approved by the EQB on February 20, 2018. It was delivered to the House and Senate Environmental Resources and Energy Committees on March 16, 2018. IRRC unanimously approved the

regulation at its April 19, 2018, meeting. The Office of Attorney General approved for form and legality. *It was published as a final rulemaking on June 23, 2018, and was effective upon publication.*

Proposed Rulemakings

Noncoal Mining Fees

The Noncoal Mining Program Fees proposed rulemaking contemplates 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 proposed rulemaking was published in the PA Bulletin on February 3, 2018 for public comment through March 5, 2018. One public comment was received. IRRC provided comments on April 4, 2018, seeking clarification on increased fees not exceeding program costs, the exploration of alternatives to address small business impacts, the implementation of automatic fee increases with respect to the three-year review cycle, and the need for more information on the application of cost indices. The draft was discussed with the Aggregate Advisory Board on May 9, 2018. *It is tentatively planned for EQB consideration as a final-form rulemaking in the third quarter of 2018.*

OSM Program Consistency

This proposed rulemaking would amend the coal mining regulations to achieve consistency with federal requirements. On April 6, 2017, the Mining and Reclamation Advisory Board (MRAB) recommended that the rulemaking should proceed to EQB as proposed. The EQB considered and adopted the proposed rulemaking at its May 16, 2018 meeting. *The Office of Attorney General will review through early July 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. The MRAB's Regulatory, Legislative and Technical Committee met on April 19, 2018 to review concepts and provide input prior to the drafting of proposed changes. *This is planned to be presented to the MRAB at their July 19, 2018 meeting.*

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.

Board of Coal Mine Safety (BCMS)

The Board will discuss future regulatory work at its next meeting.

Air Quality

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. *On June 9, 2018, the Department issued General Permits 5 and 5A (GP-5/5A), effective August 8, 2018, for unconventional natural gas operations at compressor stations and well sites. These GPs can be used by the natural gas industry for the installation of new or modified equipment. On the same day, the Department also released a new ePermitting module for GP-5/5A. The Department held an informational webinar on GP-5/5A general permits on June 8 and a training webinar on ePermitting on June 12, 2018, for industry and consultants.*

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 received a completeness letter on Oct. 13, 2017. On March 22, 2018, the EPA published in the Federal Register its intent to approve the Warren County SIP revision. The public comment period closed on April 23, 2018. *EPA received 40 comments; however, many of the comments appear to be unrelated to the SIP revision.*

Air Quality Rulemakings

Control of VOC Emissions from Industrial Cleaning Solvents

The rulemaking would establish RACT requirements for industrial cleaning solvents (ICS) as recommended in the EPA's 2006 Control Techniques Guidelines for ICS. It was unanimously approved by the EQB on April 17, 2018, *and was unanimously approved by IRRC on June 28, 2018. It is undergoing form and legality review by the Office of Attorney General until late July 2018.* This is the last of 44 required CTGs to be promulgated in Pennsylvania and will be part of the Certification SIP Revision that will be submitted to EPA later this summer.

Air Quality Fee Rulemaking

The Clean Air Fund constitutes approximately 60% of the Air Quality Program's budget and is comprised of two appropriations: the Title V and Mobile/Area Source (or non-Title V) accounts. The Mobile/Area Source account is anticipated to hit a zero balance sometime in FY 2019-20, and the Title V account will reach a zero balance sometime in FY 2023-24.

On June 14, 2018, the Bureau presented a draft proposed fee rulemaking to the Air Quality Technical Advisory Committee (AQTAC). The committee voted to concur with the Department's recommendation to present the proposed rulemaking to the Environmental Quality Board. The rulemaking will affect approximately 500 Title V facilities and 2,100 non-Title V facilities permitted by DEP. The proposed rulemaking will also impact the owners/operators of approximately 5,000 asbestos projects per year. Total additional revenue from the rulemaking is expected to be approximately \$13.2 million per year.

Low Volatility Gasoline Requirement for the Pittsburgh–Beaver Valley Area

On May 1, 2018, the Bureau electronically submitted the SIP revision amending Pennsylvania's existing regulation requiring the use of a reduced volatility gasoline with an RVP of 7.8 pounds per square inch in the seven-county Pittsburgh–Beaver Valley area from May 1 through September 15 each year for ozone control. The final rulemaking adds language repealing the RVP requirement after EPA approves a noninterference demonstration (NID) required under Section 110(l) of the Clean Air Act. On May 2, 2018, the Bureau electronically submitted the NID SIP revision confirming that the repeal of the low RVP fuel program will not interfere with the attainment and/or maintenance of the ozone National Ambient Air Quality Standards (NAAQS).

On June 15, 2018, EPA published in the Federal Register (83 FR 27901) a Direct Final Rule (DFR) approving Pennsylvania's revision to the SIP repealing the Commonwealth's summertime low volatility gasoline requirements (25 Pa. Code Ch. 126 Subch. C) in the seven-county Pittsburgh–Beaver Valley area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland). As a DFR, the rule will automatically become effective on August 14, 2018, unless EPA receives adverse public comment by July 16, 2018. Additionally, EPA stated that its approval of the Department's NID and SIP revision is in accordance with Section 110(l) of the Clean Air Act. EPA simultaneously published a proposal to approve the SIP revision if adverse comments are received during the DFR comment period (83 FR 27937, June 15, 2018).

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

The proposed rulemaking 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 was presented to the SBCAC, AQTAC and CAC on Jan. 24, Feb. 8, and Feb. 20, 2018, respectively.

Additional Requirements for Fine Particulate Matter in the Nonattainment New Source Review Program (25 Pa. Code Chapters 121 and 127)

This proposed rulemaking would amend 25 Pa. Code Chapter 127, Subchapter E (relating to new source review) to incorporate Federal requirements issued by the EPA on August 24, 2016, for the regulation of precursor emissions to the formation of particulate matter less than and equal to 2.5 micrometers in diameter (PM_{2.5}). The EPA's final rule requires states with nonattainment areas for PM_{2.5} to amend their new source review (NSR) regulations to include emissions of volatile organic compounds (VOC) and ammonia as PM_{2.5} precursors. See 81 FR 58010.

On April 6, 2018, EPA published a finding of failure in the Federal Register (83 FR 14759) stating that Pennsylvania failed to submit SIP revisions for the moderate areas of 2012 PM 2.5 NAAQS. These findings start 18- and 24-month periods during which states either must submit complete SIP revisions or become subject to mandatory sanctions. These findings also establish a 24-month deadline by which EPA must either approve a SIP or finalize a federal implementation plan that addresses the necessary revisions. The date for the 18-month EPA sanction clock is November 7, 2019, and the 24-month sanction clock expires on May 7, 2020. The Department anticipates presenting the proposed rulemaking EQB for consideration in the fourth quarter of 2018.

First Driving PA Forward Grant (Clean Diesel) - Volkswagen Settlement

PA DEP's Air Quality (AQ) Program began accepting grant applications on May 19th, 2018 to replace, repower, or retrofit fleet diesel-powered trucks, buses and other vehicles and equipment under the Pennsylvania State Clean Diesel Grant program. A portion of the funds available for these grants will be from the \$118 million settlement from Volkswagen. Grants are available to public and private entities, including school districts, local governments, and non-profit organizations. Applications will be accepted until 4:00 PM on July 6th, 2018.

Energy Programs Office

Finding Pennsylvania's Solar Future

The Finding Pennsylvania's Solar Future (PASF) Team hosted a stakeholder meeting on June 14th at the University of Pennsylvania, attended by nearly 100 stakeholders. The stakeholders, along with representatives from the Legislature, DEP, and PUC, discussed the Pennsylvania Solar Future Plan and the next steps towards implementation. A public comment period will begin in July for the general public to review and register comments on the final draft of Pennsylvania's Solar Future Plan.

2018 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 2018 AFIG Program began accepting applications via the PA DCED's (Department of Community and Economic Development) Electronic Single Application (ESA) system on May 4th, 2018. Approximately \$5 million in grant funding is available for school districts, municipal authorities,

political subdivisions, nonprofit entities, corporations, limited liability companies, or partnerships incorporated or registered in the Commonwealth. The first acceptance period ends on July 13th, 2018. All applications received by that date will be reviewed by DEP staff and recommendations for awards will be made. The second application acceptance period ends December 14th, 2018.

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

EPO and various stakeholders are participating in a project with Penn State University 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, to enable interested municipal, industrial and rural co-op organizations to assess implementation feasibility, is being developed and delivery of this guide will take place in June 2018. *Construction work has been completed. C65 microturbine has been installed and contractors are working on control systems and connectors. Commissioning is scheduled for 2nd week of July. This project will be used to demonstrate Renewable Distributed Energy technology and a test for cost & benefits of using this type of system under various configurations.*

Building Construction Technology Extension Center

DEP has executed a new contract 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 in the southwest Region, beginning July 1st, 2018. PennTAP will conduct three BRT workshops by June 2019. BRT Training specifically targets facility managers/staff in K-12, governmental, and community college facilities to train them on better management techniques and technology for their existing buildings to optimize energy efficiency. Funding is provided by the U.S. Department of Energy's (DOE) State Energy Program (SEP).

EV Everywhere

A Drive Electric PA Coalition meeting was held on June 4th, 2018 at the PA Turnpike Headquarters in Middletown, PA. The Coalition reviewed a final draft of the PA EV Roadmap and provided comments. This report is intended to provide an outlook on electric vehicles (EVs) in PA for the years ahead, and the policies and strategies to increase the adoption of EVs. DEP will be preparing the final PA EV Roadmap for publication later in the summer. The next Coalition meeting is tentatively planned for October 2018 in the Philadelphia area (specific date TBD).

Green Schools

DEP's EPO staff assisted the PA Department of Education, US Department of Education, and USEPA in finalizing the preparation of the 2018 Pa Green Ribbons Schools Award Ceremony. The Green Ribbon Schools Program is run by the US Department of Education, recognizing environmentally conscious schools for their efforts. *The awards program took place on Wednesday June 20, 2018 at the Capitol Media Center. The Secretaries of Education, DCNR, and DEP, other political representatives, and past winners were present. This year's 2018 US Department of Education Green Ribbon School national honorees were the Mount Lebanon High School and the Wexford Elementary School, Allegheny County.*

Industrial Energy Efficiency Technical Assistance

The 2015 Climate Action Plan (CAP) and the 2018 CAP update contain work plans that call for significantly increasing the number of energy assessments for the manufacturing sector. The current PA DEP SEP (State Energy Plan) proposal directly coincides with the CAP recommendations. For state fiscal year 2017-18, DEP contracted with the Pennsylvania Technical Assistance Program at the Pennsylvania State University (PennTAP) and the Emerging Technology Applications Center (ETAC) to provide energy efficiency technical assistance targeting the Industrial sector of energy consumers. *To date, PennTAP has completed 86% (43 out of*

50 planned site visits) of their energy efficiency assessment project goal. They have provided assessments throughout the Commonwealth for manufacturing companies representing PA's chemical, rubber, and plastics, and food processing industries. The Emerging Technology Applications Center (ETAC) completed a total of 12 energy efficiency assessments to date, which represents 75% of their project goal of 16 energy efficiency assessments. ETAC's energy efficiency site assessments were provided in the southcentral and southeast regions of PA. The participating companies represented PA's printed circuit assemblies and molded pulp products industries.

2018 State Energy Program (SEP)

DOE's Office of Energy Efficiency and Renewable Energy's (EERE's) State Energy Program (SEP) issued SEP Formula Grant Guidance to states and territories in February. States are expected to submit applications to increase market transformation of energy efficiency and renewable energy technologies through policies, strategies, and public-private partnerships that facilitate their adoption and implementation. DEP submitted the Pennsylvania State Energy Program application requesting \$1.53 million in funding to the US Department of Energy on April 11th and is preparing to initiate programs for the period of performance from July 1st, 2018 to June 30th, 2019. On June 12th, EPO received notice from USDOE that they have approved Pennsylvania's 2018 SEP Plan. EPO will receive \$1,530,360 for the first year of our 3-year grant, beginning July 1, 2018 and ending June 30, 2019. SEP 2018 energy activities include technical assistance to small and medium size businesses, training for local governments and schools, comprehensive energy planning, energy assurance efforts, and a regional pooled municipal energy efficiency purchasing program. Contracting is underway for many of these programs.

Climate Program

The CCAC (Climate Change Advisory Committee) met on Tuesday, June 26th in the RCSOB Room 105 to discuss updates for the 2018 Climate Action Plan. ICF presented the initial modeling results and discussed the final mitigation and adaptation strategies. DEP's staff provided a Driving PA Forward update, and there was a presentation from officials from Lycoming County on their resiliency plan. The next CCAC Meeting is scheduled for Tuesday, August 28th in the RCSOB, Room 105.

Commercial Property Assessed Clean Energy Program (C-PACE)

On June 13, 2018, Governor Tom Wolf signed Senate Bill 234, establishing C-PACE, a financing mechanism that enables low-cost, long-term funding for energy efficiency, renewable energy, and water conservation upgrades to commercial, agricultural and industrial properties. This legislation will help enhance property values and employment opportunities while lowering the costs of doing business. C-PACE will provide a market-driven and voluntary solution to this problem without requiring any public funds. This legislation provides a new option for local governments, who may choose to develop or participate in a PACE program. Once established, private lenders provide financing to building owners for energy-efficiency and clean energy technology upgrades. Then the local community simply collects an assessment on the improved building over a period of years and remits the payment to the lender to pay for the retrofit. Additionally, EPO staff are part of the U.S. Department of Energy C-PACE Workgroup with multiple partners involved in existing C-PACE programs throughout the country. More information will be provided as the program development phases progress.

Environmental Cleanup and Brownfields

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

In February 2018, proposed amendments to Chapter 245 were published that focus on strengthening the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment. In addition, with the last comprehensive Department rulemaking occurring over 10 years ago, the proposed rulemaking also addresses issues that Department personnel have observed in conducting inspections, oversight and enforcement of Chapter 245. There were 84 comments received from the public and the Independent Regulatory Review Commission on the proposed amendments. Department staff reviewed the comments and made changes to the proposed rulemaking as warranted. The Department anticipates presenting the final-form rulemaking to the EQB for consideration in the third quarter of 2018.

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

The Department is developing a proposed rulemaking to update Statewide health standard medium-specific concentrations (MSCs) listed in Appendix A of Chapter 250. Additional changes to the regulations may be needed to clarify regulatory language, update outdated information, and to make other corrections. Conceptual changes to the MSC tables and regulatory language are planned to be presented to the Cleanup Standards Scientific Advisory Board (CSSAB) at its August 1, 2018 meeting.

Land Recycling Program Technical Guidance Manual (TGM) Public Comment Period

Notice of proposed revisions to the Land Recycling Program TGM was published in the Pennsylvania Bulletin on Dec. 16, 2017, with a 90-day public comment period that ended 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. A total of 98 comments were received from nine commentators during the comment period. Comments and responses on the proposed revisions are planned to be presented at the August 1, 2018 CSSAB meeting. The Department plans to provide a draft final version of the TGM to the CSSAB in December 2018.

Environmental Education

PA Falcon Reintroduction Program

The 2018 Falcon Watch and Rescue began on May 29, 2018. This program is designed to assist the fledgling falcons as they make their first flights. Sometimes the young fledglings end up in a position from which it would be difficult for them to reach the 15th Floor ledge. Three fledglings, “Red,” “Yellow,” and “White,” were each rescued. “White” was rescued twice. Now with the end of June three of the four are flying well. The exception is “White” which was last observed on June 13. It is possible that this particular falcon dispersed early but as the youngest, smallest, and the least developed this is doubtful. Hopefully, “White” will return to the ledge or, in the future, is identified by the Federal band affixed to its leg.

“Weathering the Storm” Stormwater Workshop

Two “Weathering the Storm” Stormwater Workshops were delivered; the first was held on June 12 on the campus of Gannon University, Erie, PA, and June 13 at the Winnie Palmer Nature Reserve on the campus of St. Vincent College, Latrobe, PA. Each workshop had twelve participants that completed the course. A third Stormwater workshop is scheduled for August 2, 2018 at the Beaver County Conservation District (BCCD). This workshop will be another collaborative effort between the BCCD, Penn State Extension and DCNR.

Moving eastward, a tentative Stormwater workshop is being scheduled for early August 8 to be cooperatively offered through DEP, DCNR and the Stroud Water Research Center, Philadelphia, PA.

Green Ribbon Schools

The Green Ribbon Schools award event was held on June 20 at the Capitol. Two schools, Wexford Elementary School and Mt. Lebanon High School, were this year's winners, being recognized for their implementation of sustainable actions on their respective campuses. Secretary McDonnell was on hand to provide congratulatory complements for the awardees.

Staffing

It is the goal of the Environmental Education and Information Center to fill the position of Environmental Education Program Coordinator as soon as possible. Two interns were onboarded and continue to assist the DEP Environmental Education program. Both current students, Erica Gebbia attends Bloomsburg University and Logan Kincaid is from Millersville University.

NOAA-Funded PA Environmental Literacy and Meaningful Watershed Educational Experience (MWEE) Programming Capacity Building Project

One of the key components of this program is the creation of a PA Environmental Education (EE) Providers Inventory. To ensure an organization is part of this inventory, please e-mail Amber Merrell, Administrative Coordinator of the Pennsylvania Association of Environmental Educators (PAEE) at amber@pae.net. Simply e-mail with "Add my EE organization to the Inventory" in the subject line. This inventory will be used to promote EE across PA, strengthen the statewide and regional network of EE providers, connect schools with EE providers, distribute a statewide survey, and other potential uses to build the capacity of EE in PA.

Update from the PA Watershed Education Task Force

The task force is currently conducting research about past NOAA funded MWEEs in PA, creating the statewide EE Providers Inventory, creating a statewide needs assessment survey, promoting high quality watershed education at conferences, and providing beginner and advanced professional development workshops for educators. Also, save the date: information on NOAA funded teacher stipends will be announced for educators to attend the watershed education Dive Deeper Summit, scheduled for September 20, 2018 at the Central Hotel and Conference Center, Harrisburg, PA. *The Dive Deeper Summit is sponsored by Penn State Extension. More information can be found at: <https://extension.psu.edu/dive-deeper-summit>*

Programs Delivered in June

Aside from the stormwater workshops, DEP's Environmental Education staff delivered additional programs during June. On June 27 and 28, the DEP Environmental Education staff assisted IU 15 Capital Region with summer programming. On June 27th, collaborating with DCNR, delivered a program on conducting a physical, chemical, and biological stream study to determine the health of the stream being studied. On June 28, additional programming was provided on wetlands as part of participants' field trip to Wildwood Park.

Oil and Gas

Groundwater Protection Council (GWPC) State Oil and Gas Regulatory Exchange (SOGRE) Review of Colorado Oil and Gas Regulations Relating to Well Integrity

Mr. Seth Pelepko, manager of the Division of Well Plugging and Subsurface Activities, was invited by representatives from the Groundwater Protection Council (GWPC) and the Environmental Defense Fund (EDF) to participate in the State Oil and Gas Regulatory Exchange (SOGRE) program. The mission of the SOGRE is to assist states with continual improvement of oil and gas regulatory programs by providing member

states with consultation and program review services targeted to their specific needs. As part of this initiative, Mr. Pelepko participated with representatives from the Texas Railroad Commission, EDF, and GWPC in a committee teleconference held on June 7. The committee completed its comprehensive review of the Colorado Oil and Gas Conservation Commission's (COGCC's) proposed well integrity rules, which the Governor of Colorado requested development of in 2018. The committee intends to issue its recommendations in a formal report and, moving forward, expects that the first draft of that report will be available by June 25.

Proposed Oil and Gas Fee Rulemaking Adopted by Environmental Quality Board

On May 16, 2018, the Office of Oil and Gas Management presented the proposed Unconventional Well Permit Application Fee rulemaking to the Environmental Quality Board (EQB). The proposed rulemaking increases the current well permit application fees from \$5,000 for a nonvertical unconventional well and \$4,200 for a vertical unconventional well, to \$12,500 for all unconventional well permit applications. The permit fees for conventional wells remain unchanged. The EQB took action to adopt the proposed rulemaking with two opposing votes. The proposed rulemaking will be published in the Pennsylvania Bulletin with a 30-day public comment period.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Rulemaking Packages

Final Rulemaking - Radiological Health

This rulemaking 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 amendments also contain comprehensive amendments for radon testing, mitigation, and laboratory analysis that largely reflect current practice. *The EQB approved the final-form rulemaking at its June 19, 2018 meeting. Following review by IRRC, the House and Senate ERE Committees, and the Office of Attorney General, publication of the final-form rulemaking is anticipated for this Fall. The effective date of the rulemaking is 90 days after publication.*

Final-Omitted Rulemaking – NRC Consistency

DEP has developed a final-omitted rulemaking to amend 25 Pa. Code Chapters 215, 217, 230 and 232 to correct references to specific sections of Title 10 Chapter I of the Code of Federal Regulations that were inadvertently incorporated by reference in Pennsylvania's regulations. These corrections were identified by the NRC in a recent program review and are necessary for the Commonwealth to remain compatible and properly administer the federal requirements of NRC's Agreement State program. *The EQB approved the final-omitted rulemaking at its June 19, 2018 meeting. Following review by IRRC, the House and Senate ERE Committees, and the Office of Attorney General, publication of the final-omitted rulemaking is anticipated for this Fall.*

Waste Management

Solid Waste Advisory Committee (SWAC)

The SWAC met on Thursday, June 7, 2018, in Room 105 of the Rachel Carson Building. The Committee heard a presentation from DEP on potential changes to the Management of Fill Policy. In addition, representatives of Thermostat Recycling Corporation provided an update on thermostat recycling in Pennsylvania in response to finalization of their annual report for 2017. The next regular SWAC meeting is scheduled for Thursday, September 20, 2018.

Recycling Fund Advisory Committee (RFAC)

The RFAC also met on June 7, 2018. The Committee provided a final recommendation to DEP to include the expanded duties of County Recycling Coordinators in the 2019 solicitation for Section 903 recycling grants as discussed by the Act 101 Workgroup (described below). In addition, RFAC discussed recent developments to recycling markets in Pennsylvania and the impacts to the recycling industry resulting from China's trade restrictions. The next RFAC meeting is scheduled for Thursday, September 20, 2018; this is the annual meeting at which the Committee will review and act on the Recycling Fund FY 18-19 budget.

Act 101 Workgroup

RFAC members are serving on the Act 101 Workgroup and have been engaged in discussions on potential revisions to Act 101 since June 2017. Workgroup meetings were held on January 30 and June 7, 2018, that focused on the duties of County Recycling Coordinators under the Section 903 grants and a broader discussion of the funding mechanisms and grant programs in Act 101. On June 7, RFAC recommended that DEP include the expanded duties in its next round of 903 grants. The Workgroup will meet during the next regularly scheduled SWAC and RFAC meetings on Thursday, September 20, 2018.

Water Programs

Safe Drinking Water General Update and Fee Final Rulemaking Approved by EQB

On April 17, 2018, the Environmental Quality Board approved the Safe Drinking Water General Update and Fee final rulemaking package. *It was approved by IRRC on June 28, 2018. It is undergoing form and legality review by the Office of Attorney General until late July 2018.* The purpose of this rulemaking package is to amend DEP's Safe Drinking Water regulations to: (1) incorporate the remaining general update provisions that were separated from the proposed Revised Total Coliform Rule (RTCR) as directed by the EQB on April 21, 2015, including revisions to treatment technique requirements for pathogens; clarifications to permitting requirements; and new requirements for alarms, shutdown capabilities, and auxiliary power; (2) amend permit fees and add new annual fees to supplement state costs and fill the funding gap (\$7.5M); and (3) add new amendments to establish the basis for issuing general permits and to address concerns related to gaps in the monitoring, reporting and tracking of back-up sources of supply.

Legacy Sediment Webinar for WIP3 Workgroups

Bureau of Waterways Engineering & Wetlands staff teamed with the Water Sciences Institute and Franklin & Marshall College to present a webinar on June 6, 2018, focused on the Big Spring Run Restoration Project (BSR) monitoring results, a cost-effectiveness study of BSR, and new streambank erosion targeting tools using Lidar. The Phase 3 WIP Workgroups recently became aware of the findings from BSR and the new targeting tools and how these might be incorporated into the Phase 3 WIP efforts. Legacy sediment is an important consideration in the Phase 3 WIP efforts because it is common to multiple sectors, including Agriculture, Stormwater, and Forest. The tools being developed will help each sector target the largest sources of sediment and other nutrients from legacy sediment streambank erosion.

Participation in 2018 National CWA 303(d) and Data Management Workshops

DEP Bureau of Clean Water staff participated in the 2018 National Clean Water Act (CWA) Section 303(d) Listing and Total Maximum Daily Load (TMDL) and Data Management workshops at the National Conservation Training Center, Shepherdstown, WV. The workshops were hosted by the Environmental Law Institute on behalf of the U.S. Environmental Protection Agency (EPA). The objectives of the workshops were to provide attendees with the following: tools and information for the unique challenges of TMDLs and restoration alternatives, innovative state, tribal and territorial practices to improve collaboration across clean water programs; improved tools for data management systems for decision making and reporting water quality; and innovative methods of communicating water quality to broad audiences.

DEP staff presented at both workshops on DEP's use of Environmental Systems Research Institute (ESRI) Story Maps and Pennsylvania's first Alternative TMDL -- the Kishacoquillas Creek Alternative Restoration Plan (ARP). Attendees were impressed by the technology capabilities evident in the story maps. EPA Regional staff commented that the Kishacoquillas Creek ARP was the first alternative plan they had seen that fit with the vision of a TMDL alternative.

ORSANCO's Pollution Control Standards (PCS) 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. DEP has concerns that this will create regulatory uncertainty for those facilities that discharge directly to the river and will result in negative public perception due to the elimination of a water quality protection program, in addition to many other implementation issues. Materials concerning this proposal were released for public comment on January 10, 2018, with a 30-day initial comment period. There were two webinars held on January 24 and January 31. The public comment period ended on February 23. Approximately 10,000 comments were received. At the June commission meeting, a majority of commissioners voted to recommend a preferred alternative for final public comment that significantly weakens the ORSANCO Pollution Control Standards (PCS) program. This would create an additional regulatory burden for the Department and create uncertainty for the regulated community along the Ohio River.

Coastal Zone Advisory Committee

The Coastal Zone Advisory Committee held a meeting on Wednesday June 6, 2018 in the 10th floor conference room of the Rachel Carson State Office Building. The Coastal Resources Management Program staff provided updates to networked Agency partners, and the committee heard a presentation from PhilaPort staff regarding general port activities, future plans, Coastal Zone grant project details, mitigation efforts, dredging, and activities with PennDOT, which is a networked partner of the Coastal Program. A quorum was not present at the meeting, so all official business was tabled for the next meeting to be held in January 2019.

Legislative Budget and Finance Committee (LBFC) Hearing

DEP was asked to attend the June 6, 2018 hearing for the release of an LBFC report titled, Feasibility of Establishing a Water Use Fee in Pennsylvania. DEP provided LBFC staff with water use data and technical support in the preparation of this report. Secretary McDonnell provided a formal written response to the draft report prior to the meeting.

Great Lakes Commission (GLC) – Open House and Board of Directors Meeting

On June 4 and 5, the Great Lakes Commission held an Open House to introduce new Executive Director Darren Nichols. The Board of Directors approved the FY19 budget, examined structural deficits within the budget, and identified potential cost savings for future years. Additional discussions included progress with Illinois and USACE on the Brandon Road aquatic invasive species project, potential non-federal cost-sharing agreements and roles for GLC for refurbishment of the Soo Locks in Michigan, and recent developments in Senate legislation introducing the potential for a Great Lakes Discharge Commission that would regulate ballast water.

Great Lakes Executive Committee Meeting (GLEC) – US EPA Region 5, Chicago, IL

On June 6 and 7, the GLEC Secretariat convened the semi-annual meeting of state, provincial, federal agency, and observer participants to receive updates regarding Great Lakes Water Quality Agreement activities and progress under the Annex Subcommittees. Of particular note for Pennsylvania was the announcement of the finalized US-Canadian Phosphorus Reduction Domestic Action Plans for Lake Erie, the updating of the 2013-16 total lake loadings, and the introduction of the ErieStat website created by the Great Lakes Commission for public reporting of Lake Erie phosphorus reduction activities. Other important information included updates from the Annex 10 Science Subcommittee that discussed concerns with food web ramifications of invasive mussels in the Great Lakes, and the Annex 9 Climate Change Impacts Subcommittee discussion of the continuance of extreme climate trends in the Great Lakes Basin.

Environmental Justice

Environmental Justice Office – General Updates

A new Director of the Office of Environmental Justice has been hired, and will start next month. A draft Environmental Justice Policy has been developed, and is planned to be released for public comment in summer 2018.

Policy Implementation

Ben Hal Mining Company submitted a permit application for a surface mine in Clarion County. The permit qualifies as a trigger permit. Regional coordinator Alwine and Knox District Mining Office staff are carrying out the EJ Public Participation Policy for this permit application.

Hegins Mining Company operates an anthracite coal breaking facility in Schuylkill County and their permit is set to expire. Hegins Mining Company applied for a new Coal Refuse Reprocessing permit that qualifies as a trigger permit. Regional Coordinator Brakeall and Pottsville District Mining Office staff are carrying out the EJ Public Participation Policy for this permit application.

Public Outreach

Secretary McDonnell and SERO staff hosted a roundtable meeting on Friday, April 20 in the City of Chester with a focus on environmental justice. Many of the questions from the roundtable involved air quality, so the Air Quality program in SERO has offered to lead a meeting that focuses on air quality permitting, monitoring and funding opportunities available through DEP to improve air quality. A follow-up meeting focused on Air Quality will be held on Tuesday, June 26 from 1:00 pm - 3:00 pm at Faith Temple Holy Church, 1007 W. 7th Street, Chester, PA 19013.

Environmental Justice Advisory Board

The Environmental Justice Advisory Board (EJAB) last convened on Tuesday, May 29, 2018, in the Rachel Carson State Office Building. The meeting included a review of the draft Environmental Justice Public

Participation Policy that incorporates feedback received from EJAB members. Guest speakers at the meeting included Franklin Kury, who authored the Pennsylvania Constitution's Environmental Rights Amendment, Samantha Harmon from the DEP's Bureau of Air Quality, who discussed the Volkswagen settlement and David Althoff of DEP's Energy Programs Office, and Jessica Ennis from Earthjustice, who discussed community solar. The EJAB will convene for a conference call on Tuesday, July 10 from 9:00 – 11:00 a.m.

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.”

July	
10	Chesapeake Bay WIP Steering Committee Meeting, 1:00 p.m. – 4:00 p.m., Room 105 RCSOB, Harrisburg, PA
11	Chesapeake Bay WIP Forestry Workgroup Meeting, 10:00 a.m., Susquehanna River Basin Commission Office, 4423 North Front St., Harrisburg, PA
11	Technical Advisory Committee on Diesel-Powered Equipment Meeting, 10:00 a.m., Westmoreland Room, DEP New Stanton Office, 131 Broadview Road, New Stanton, PA
17	Chesapeake Bay WIP Agriculture Workgroup Meeting, 10:00 a.m., Pa Department of Agriculture, 2301 North Cameron St., Harrisburg, PA
19	Mining and Reclamation Advisory Board Meeting, 9:00 a.m., DEP New Stanton Office, 131 Broadview Road, New Stanton, PA
25	Small Business Compliance Advisory Committee (SBCAC) Meeting, 10:00 a.m., 12 th Floor Conference Room, RCSOB, Harrisburg, PA
August	
1	Cleanup Standards Scientific Advisory Board (CSSAB) Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
2	Air Quality Technical Advisory Committee Meeting, 9:15 a.m., Room 105, RCSOB, Harrisburg, PA
2	Susquehanna River Basin Commission Public Hearing, time TBD, Harrisburg, PA
8	Oil and Gas Technical Advisory Board Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
8	Aggregate Advisory Board, 10:00 a.m., Pennsy Supply, Thomasville Quarry Offices, 550 S. Biesecker Road, Thomasville, PA
15	State Board for Certification of Sewage Enforcement Officers (SEOs), 10:00 a.m., 11B Conference Room, RCSOB, Harrisburg, PA
15	State Board for Certification of Water and Wastewater Systems Operators Meeting, 10:00 a.m., 10 th floor conference room, Harrisburg, PA
16	Agricultural Advisory Board, 9:00 a.m., Ag. Progress Days, 2710 West Pine Grove Road, Pennsylvania Furnace, PA
16	Small Water Systems Technical Assistance Center (TAC) Meeting, 9:00 a.m., Room 105, RCSOB, Harrisburg, PA
21	Environmental Quality Board (EQB) Meeting, 9:00 a.m., Room 105, RCSOB, Harrisburg, PA
27-28	Interstate Commission on the Potomac River Basin 4 th Quarter Meeting, time and location TBD
28	Climate Change Advisory Committee (CCAC) Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA

September	
4	Board of Coal Mine Safety Meeting, 10:00 a.m., Conference Room 1A and 1B, Cambria District Office, Ebensburg, PA
4	Storage Tank Advisory Committee (STAC) Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
18	Environmental Quality Board (EQB) Meeting, 9:00 a.m., Room 105, RCSOB, Harrisburg, PA
19	Water Resources Advisory Committee (WRAC) Meeting, 9:30 a.m., Room 105, RCSOB, Harrisburg, PA
20	Solid Waste Advisory Committee (SWAC) and Recycling Fund Advisory Committee (RFAC) Joint Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA
28	Low-Level Radioactive Waste Advisory Committee Meeting, 10:00 a.m., Room 105, RCSOB, Harrisburg, PA

Attachment 2

Oil and Gas Workload Report (As of June 15, 2018)

YTD WELL PERMIT APPLICATIONS - 1/1/2018 to 6/15/2018						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	117	26	121	121	120	0
UNCONVENTIONAL	714	109	991	983	957	8
Sub Total	831	135	1,112	1,104	1,077	8
AUTHORIZATIONS	272	78	374	279	N/A	95
Total	1,103	213	1,486	1,383	1,353	103

WEEKLY WELL PERMIT APPLICATIONS - 6/9/2018 to 6/15/2018						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	2	2	8	8	8	0
UNCONVENTIONAL	29	29	24	24	24	0
Sub Total	31	31	32	32	32	0
AUTHORIZATIONS	19	16	4	1	N/A	3
Total	50	47	36	33	33	3

HISTORICAL WELL PERMIT APPLICATIONS AS OF 6/15/2018						
	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,685	197,658	196,411	190,246	1,247	101,788
UNCONVENTIONAL	25,650	25,540	25,009	20,006	531	11,791
Sub Total	223,335	223,198	221,420	210,252	1,778	113,579
AUTHORIZATIONS	43,354	43,242	42,530	41,634	712	18,786
Total	266,689	266,440	263,950	251,886	2,490	132,365

YTD INSPECTIONS - 1/1/2018 to 6/15/2018				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	5,687	4,749	1,524	119
UNCONVENTIONAL	9,237	5,427	381	56
CLIENT/SITE	2,013	1	738	144
Total	16,937	10,177	2,643	319

WEEKLY INSPECTIONS - 6/9/2018 to 6/15/2018				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	187	181	14	2
UNCONVENTIONAL	280	271	14	7
CLIENT/SITE	72	1	6	6
Total	539	453	34	15

WELLS DRILLED					
	Two Years Prior 1/1/2016 to 6/15/2016	One Year Prior 1/1/2017 to 6/15/2017	Year To Date 1/1/2018 to 6/15/2018	Week of 6/9/2018 to 6/15/2018	As of 6/15/2018
CONVENTIONAL	28	33	37	3	192,637
UNCONVENTIONAL	164	381	369	28	11,288
Total	192	414	406	31	203,925

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.