

DEP REGULATORY UPDATE

March 19, 2021

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

ENVIRONMENTAL QUALITY BOARD REGULATIONS

Title of Regulation/ Statutory Authority	Summary of Regulation and Contact	Status
<p>Water Quality Standards – Class A Stream Redesignations (#7-548) 25 Pa. Code Chapter 93 <i>Clean Streams Law</i></p>	<p>The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC’s fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations.</p> <p>CONTACT: Tom Barron, 717-787-9637, tbarron@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p style="background-color: yellow;">Scheduled for IRRC consideration on April 15, 2021.</p> <p>Background:</p> <ul style="list-style-type: none"> • Delivered to House and Senate ERE Committees and IRRC on February 25, 2021. • EQB adopted final rule on November 17, 2020. • IRRC comments received on June 6, 2019. • Proposed rule published in the Pa. Bulletin on March 23, 2019. Public comment period closed on May 7, 2019. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on March 4, 2019. • EQB adopted proposed rule on December 18, 2018.
<p>Water Supply Replacement for Surface Coal Mining (#7-545) 25 Pa. Code Chapters 87-90 <i>Surface Mining Conservation and Reclamation Act</i></p>	<p>This rulemaking revises Chapters 87-90, to clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies.</p> <p>CONTACT: Sharon Hill, 717-787-6842, shill@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p style="background-color: yellow;">Scheduled for IRRC consideration on April 15, 2021.</p> <p>Background:</p> <ul style="list-style-type: none"> • Delivered to House and Senate ERE Committees and IRRC on February 25, 2021. • EQB adopted final rule on November 17, 2020. • Draft final Annex A discussed with the Mining and Reclamation Advisory Board (MRAB) on April 2, 2020. • IRRC comments received on January 2, 2020. • Proposed rule published in the Pa. Bulletin on November 2, 2019. Public comment period closed on December 2, 2019. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on October 15, 2019. • EQB adopted proposed rule on June 18, 2019.

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<p>Water Quality Management and NPDES Permit Application Fees and Annual Fees (#7-533) 25 Pa. Code Chapters 91 and 92a <i>Pennsylvania Clean Streams Law</i></p>	<p>This rulemaking amends fees related to water quality management permitting (Chapter 91) fee schedule for NPDES permit applications (Chapter 92a). Chapter 91 establishes, among other things, a water quality management (WQM) permitting program for the construction of sewage and industrial waste treatment facilities and for land application of sewage and industrial wastes. DEP began its Chapter 92a annual invoicing and fee collection program in December 2010. Chapter 92a updated the fee schedule for NPDES permit applications for persons to discharge pollutants from point sources into surface waters. Chapter 92a also introduced an annual fee for certain facilities authorized to discharge pollutants by individual NPDES permits. A fee analysis highlighted that revenue continues to fall short of expenses, impeding the work of Programs to carry out necessary tasks for protecting water resources in the Commonwealth.</p> <p>CONTACT: Sean Furjanic, 717-787-2137, sefurjanic@pa.gov</p>	<p>CURRENT STATUS: Final</p> <p>EQB adopted final rule on March 16, 2021.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft final Annex A presented to the Agricultural Advisory Board (AAB) on January 27, 2020 and October 22, 2020, and to the Water Resources Advisory Committee (WRAC) on January 30, 2020 and November 19, 2020. • IRRC comments received on June 13, 2019. • Proposed rule published in the Pa. Bulletin on March 30, 2019. Correction to table in § 91.22(a) published on April 6, 2019. Public comment period closed on May 14, 2019. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on March 12, 2019. • EQB adopted proposed rule on December 18, 2018.
<p>Administration of Land Recycling Program (#7-552) 25 Pa. Code Chapter 250 <i>Land Recycling Act</i></p>	<p>The rulemaking amends 25 Pa. Code Chapter 250 to update the MSCs established under the Statewide health standard based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. The regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. Additional changes to the regulations may be needed to clarify regulatory language, update outdated information, and to make other corrections. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs.</p> <p>CONTACT: Troy Conrad, 717-783-9480, tconrad@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Program drafting final-form rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft final Annex A presented to the Cleanup Standards Scientific Advisory Board (CSSAB) on December 16, 2020. • IRRC comments received on June 1, 2020. • Proposed rule published in the Pa. Bulletin on February 15, 2020. Public comment period closed on April 14, 2020. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on January 27, 2020. • EQB adopted proposed rule on November 19, 2019.

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<p>Control of Emissions from Oil and Natural Gas Sources (#7-544) 25 Pa. Code Chapter 129 <i>Air Pollution Control Act</i></p>	<p>This rulemaking proposes to establish emission limitations and other requirements codified in 25 Pa. Code Chapter 129 consistent with reasonably available control technology (RACT) recommendations of the Control Technique Guidelines for the Oil and Natural Gas Industry finalized by the EPA on October 27, 2016. The proposed rulemaking would establish RACT requirements for volatile organic compounds and other pollutants from existing oil and natural gas production facilities, compressor stations, processing plants, and transmission stations. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision.</p> <p>CONTACT: Viren Trivedi, 717-783-9476, vtrivedi@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Program drafting final-form rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC comments received on August 26, 2020. • Proposed rule published in the Pa. Bulletin on May 23, 2020. Three virtual (WebEx) public hearings were held on June 23, 24, and 25, 2020. Public comment period closed on July 27, 2020. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC and the LRB on April 27, 2020. • EQB adopted proposed rule on December 17, 2019. • Draft proposed Annex A discussed with Citizens Advisory Council (CAC) on June 18, 2019, with Air Quality Technical Advisory Committee (AQTAC) on April 11, 2019, and with Small Business Compliance Advisory Committee (SBCAC) on April 17, 2019.
<p>Water Quality Standard for Manganese (#7-553) 25 Pa. Code Chapters 93 and 96 <i>Administrative Code of 1929, Pennsylvania Clean Streams Law, Federal Clean Water Act</i></p>	<p>This rulemaking proposes to address a provision regarding the water quality standards for manganese included in Act 40 of 2017. This rulemaking proposes to amend 25 Pa. Code Chapter 93 (relating to water quality standards) and 25 Pa. Code Chapter 96 (relating to water quality standards implementation). The amendments propose to delete manganese from Table 3 at § 93.7 (relating to specific water quality criteria) and add manganese to Table 5 at § 93.8c (relating to human health and aquatic life criteria for toxic substances). Additionally, the amendments propose two alternatives for a point of compliance with the manganese water quality standard: the point of all existing or planned surface potable water supply withdrawals; or all surface waters (i.e., near the point of discharge).</p> <p>CONTACT: Tom Barron, 717-787-9637, tbarron@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Program developing final-form rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC comments received on October 26, 2020. • Proposed rule published in the Pa. Bulletin on July 25, 2020. Three virtual (WebEx) public hearings were held on September 8, 9, and 10, 2020. Public comment period closed on September 25, 2020. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC and the LRB on June 30, 2020. • EQB adopted proposed rule on December 17, 2019. • Draft Annex A presented to WRAC on July 25, 2019, Small Water TAC on August 8, 2019, and to the Agricultural Advisory Board on August 29, 2019. • DEP published an Advance Notice of Proposed Rulemaking on January 27, 2018, opening a 30-day public comment period. To view comments, visit eComment.

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<p>Control of VOCs from Gasoline Dispensing Facilities (Stage I and Stage II) (#7-525) 25 Pa. Code § 129.82 <i>Air Pollution Control Act</i></p>	<p>This rulemaking proposes to remove the requirement to install new Stage II vapor recovery systems and establish procedures for the decommissioning of existing Stage II vapor recovery systems. Stage II systems that are not decommissioned will be required to still comply with existing Stage II regulatory maintenance requirements. Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a SIP revision.</p> <p>CONTACT: Chris Trostle, 717-772-3926, dtrostle@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Program drafting final-form rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC comments received on December 30, 2020. • Proposed rule published in the Pa. Bulletin on September 26, 2020. Three virtual (WebEx) public hearings were held on October 27, 28, and 29, 2020. Public comment period closed on November 30, 2020. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC and the LRB on September 17, 2020. • EQB adopted proposed rule on May 19, 2020. • Draft proposed Annex A discussed with CAC on May 22, 2019, AQTAC on April 11, 2019 and with SBCAC on April 17, 2019.
<p>CO₂ Budget Trading Program (#7-559) 25 Pa. Code Chapter 145 <i>Air Pollution Control Act</i></p>	<p>This rulemaking proposes to amend 25 Pa. Code Chapter 145 (relating to interstate pollution transport reduction) by adding Subchapter E (relating to CO₂ budget trading program). This proposed rulemaking would establish a cap on carbon dioxide (CO₂) emissions from fossil fuel-fired electric generating units, with a nameplate capacity equal to or greater than 25 megawatts (MWe), in Pennsylvania. This rulemaking would allow Pennsylvania to participate in the Regional Greenhouse Gas Initiative by establishing the Pennsylvania component of the CO₂ Budget Trading Program which is designed to reduce anthropogenic emissions of CO₂, a greenhouse gas, in a manner that is protective of public health, welfare and the environment and is economically efficient.</p> <p>CONTACT: Viren Trivedi, 717-783-9476, vtrivedi@pa.gov</p>	<p>CURRENT STATUS: Draft Final</p> <p>Program drafting final-form rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC comments received on February 16, 2021. • Proposed rule published in the Pa. Bulletin on November 7, 2020. Ten virtual (WebEx) public hearings were held on December 8, 9, 10, 11 and 14, 2020. Public comment period closed on January 1, 2021. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC and the LRB on October 21, 2020. • EQB adopted proposed rule on September 15, 2020. • Draft proposed rulemaking Annex A presented to AQTAC, the CAC, and the SBCAC on May 7, May 19 and July 22, 2020. • On April 23, 2020, DEP held a special joint informational meeting with AQTAC and the CAC to present the modeling results associated with Pennsylvania's participation in a CO₂ budget trading program. • Details of and concepts for Pennsylvania's regulation presented to AQTAC, CAC and the SBCAC on February 13, February 18 and April 22, 2020 respectively.

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<p>Dam Safety and Waterway Management (#7-556) 25 Pa. Code Chapter 105 <i>Federal Clean Water Act, Pennsylvania Clean Streams Law, Dam safety and Encroachment Act</i></p>	<p>This proposed rulemaking would amend Chapter 105; clarifying existing requirements; deleting or updating obsolete and antiquated requirements; incorporating new or revised sections and definitions; and correcting typographical errors.</p> <p>CONTACT: Andy Klinger, 717-772-5975, anklinger@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>IRRC comments received on March 5, 2021.</p> <p>Background:</p> <ul style="list-style-type: none"> Proposed rule published in the Pa. Bulletin on December 5, 2020. Public comment period closed on February 3, 2021. To view comments, visit eComment. Delivered to House and Senate ERE Committees, IRRC and the LRB on November 10, 2020. EQB adopted proposed rule on July 21, 2020. Draft proposed Annex A discussed with WRAC on January 30, 2020.
<p>Noncoal Mining Clarifications and Corrections (#7-554) 25 Pa. Code Chapter 77 <i>Noncoal Surface Mining Conservation and Reclamation Act, Clean Streams Law</i></p>	<p>This rulemaking proposes to clarify and correct existing regulatory requirements for noncoal mining. The rulemaking also proposes to update the blasting section to be consistent with the recently revised Chapter 211 and to reflect current technology.</p> <p>CONTACT: Bill Allen, 717-783-9580, wallen@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>Proposed rule published in the Pa. Bulletin on March 20, 2021. Public comment period closes on May 4, 2021. To submit and view comments, visit eComment.</p> <p>Background:</p> <ul style="list-style-type: none"> Delivered to House and Senate ERE Committees, IRRC, and the LRB on February 25, 2021. EQB adopted proposed rule on November 17, 2020. Draft proposed Annex A discussed with the Aggregate Advisory Board on May 6, 2020.
<p>Coal Refuse Disposal Revisions (#7-565) 25 Pa. Code Chapter 90 <i>Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act</i></p>	<p>This rulemaking proposes to implement Act 74 of 2019. Proposed regulatory amendments will include clarification of the triggering events that would require an operator to install a system to prevent precipitation from contacting the coal refuse; differences between the State and Federal regulations relating to temporary cessation; and establish a connection between the disposal area and the source of the refuse.</p> <p>CONTACT: Greg Greenfield, 717-787-3174, grgreenfie@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program drafting proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> Draft proposed Annex A discussed with the Aggregate Advisory Board on May 6, 2020 and MRAB on July 16, 2020 and October 22, 2020.

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<p>Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices (#7-555) 25 Pa. Code Chapters 227 and 228 <i>Radiation Protection Act</i></p>	<p>This rulemaking proposes to update Chapter 227 to stay current with advances that have occurred in the uses of non-medical X-ray equipment. The revisions will ensure consistency with other government agencies that similarly regulate these devices.</p> <p>CONTACT: John Chipppo, 717-787-2480, jchippo@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program drafting proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> Draft proposed Annex A discussed with the Radiation Protection Advisory Committee on July 9, 2020.
<p>Waste Management and Related Issues at Conventional Oil and Gas Well Sites (#7-540) 25 Pa. Code Chapter 78 <i>2012 Oil and Gas Act, Clean Streams Law, PA Grade Crude Development Act, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014</i></p>	<p>This proposed rulemaking relates primarily to the proper management of waste generated at conventional oil and gas well sites. The purpose of this regulation is to update the performance standards for surface activities at conventional well sites to ensure that these activities are conducted in a manner that protects the health, safety, and environment and property of Pennsylvania’s residents.</p> <p>CONTACT: Kurt Klapkowski, 717-772-2199, kklapkowski@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program developing proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> Draft proposed Annex A discussed with the Oil and Gas Technical Advisory Board on September 17, 2020 and the PA Grade Crude Development Advisory Council (CDAC) on December 3, 2020.
<p>Environmental Protection Performance Standards for Conventional Oil and Gas Operators (#7-539) 25 Pa. Code Chapter 78 <i>2012 Oil and Gas Act, Clean Streams Law, PA Grade Crude Development Act, Solid Waste Management Act, Dam Safety and Encroachment Act, Radiation Protection Act</i></p>	<p>This proposed rulemaking relates primarily to critical environmental protection performance standards at conventional oil and gas well sites. The purpose of this regulation is to update the performance standards for surface activities at conventional well sites to ensure that these activities are conducted in a manner that protects the health, safety, and environment and property of Pennsylvania’s residents.</p> <p>CONTACT: Kurt Klapkowski, 717-772-2199, kklapkowski@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program developing proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> Draft proposed Annex A discussed with the Oil and Gas Technical Advisory Board on September 17, 2020 and the PA Grade Crude Development Advisory Council (CDAC) on December 3, 2020.

Title of Regulation/ Statutory Authority	Summary of Regulation and Contact	Status
<p>MAX Bulger and Yukon Hazardous Waste Delisting 25 Pa. Code Chapter 261a (#7-566) <i>Solid Waste Management Act, Resource Conservation and Recovery Act</i></p>	<p>This proposed rulemaking seeks to amend 25 Pa. Code Chapter 261a to exclude the wastewater sludge generated from the treatment disposal impoundment and landfill leachate and contact stormwater at the MAX Environmental Technologies, Inc. Bulger and Yukon facilities from the list of hazardous wastes under the Resource Conservation and Recovery Act of 1976 (RCRA) and Solid Waste Management Act and their implementing regulations. The regulatory changes in this rulemaking, once promulgated, will codify delisting the wastewater sludge from the Bulger and Yukon Facilities as a hazardous waste.</p> <p>CONTACT: Tom Mellott, 717-783-3390, mtmellott@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program drafting proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft proposed Annex A discussed with the Solid Waste Advisory Committee on September 10, 2020.
<p>Municipal Waste Processing Permit-By-Rule; Rural Transfer Facility (#7-564) <i>Solid Waste Management Act; Municipal Waste Planning, Recycling and Waste Reduction Act</i></p>	<p>This proposed rulemaking amends 25 Pa. Code Chapter 271.103 to add a new municipal waste processing permit-by-rule (PBR) for rural transfer facilities. It establishes requirements for operation of a rural transfer facility, including siting, storage, recordkeeping and other requirements. This proposed rulemaking was developed to create waste management and recycling opportunities for more citizens and in communities that are currently underserved or without collection infrastructure.</p> <p>CONTACT: Laura Henry, 717-772-5713, lahenry@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program drafting proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft proposed Annex A discussed with the Solid Waste Advisory Committee on June 3, 2020.
<p>Additional RACT Requirements for Major Sources of NOx and VOCs for the 2015 Ozone NAAQS (RACT III Major Sources) (#7-561) <i>25 Pa. Code Chapters 121 and 129 Air Pollution Control Act</i></p>	<p>This proposed rulemaking would establish additional presumptive NOx and VOC RACT requirements and RACT emission limitations for certain major stationary sources of NOx and VOC emissions as part of the Commonwealth's demonstration to fulfill the RACT requirements for the 2015 8-hour ozone NAAQS.</p> <p>CONTACT: Viren Trivedi, 717-783-9476, vtrivedi@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program drafting proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> • Draft proposed Annex A discussed with CAC on May 19, 2020, AQTAC on May 7, 2020, and with SBCAC on April 22, 2020.

Title of Regulation/ Statutory Authority	Summary of Regulation and Contact	Status
<p>VOC RACT Requirements for Certain CTG Source Categories for the 2015 Ozone NAAQS (RACT 3 CTG Categories) (#7-568) 25 Pa. Code Chapters 121 and 129 <i>Air Pollution Control Act</i></p>	<p>This proposed rulemaking would be part of the Commonwealth’s demonstration to fulfill the RACT requirements for the 2015 8-hour ozone NAAQS. This proposed rulemaking would establish presumptive VOC RACT requirements and RACT emission limitations for certain control techniques guideline (CTG) source categories: shipbuilding and ship repair surface coating; synthetic organic chemical manufacturing industry air oxidation, distillation, and reactor processes; and large petroleum dry cleaners.</p> <p>CONTACT: Randy Bordner, 717-772-3921, ranbordner@pa.gov</p>	<p>CURRENT STATUS: Draft Proposed</p> <p>Program drafting proposed rulemaking package.</p> <p>Background:</p> <ul style="list-style-type: none"> Draft proposed Annex A discussed with CAC on November 17, 2020, AQTAC on October 15, 2020, and with SBCAC on October 28, 2020.
<p>Water Quality Standards - Dunbar Creek et al. Stream Redesignations (#7-557) 25 Pa. Code Chapter 93 <i>Section 303(c)(1) of the Federal Clean Water Act</i></p>	<p>The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to petitions submitted by citizens and data collected by the Department. In this rulemaking, redesignations rely on § 93.4b(a) and (b) to qualify one water for High Quality (HQ) and seven waters for Exceptional Value (EV) as well as correct the erroneous HQ designation of UNT Oley Creek to remove HQ. One water will be redesignated from Trout Stocking to Cold Water Fishes. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins.</p> <p>CONTACT: Michael “Josh” Lookenbill, 717-783-2959, mlookenbil@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Proposed rulemaking drafted and under review.</p>
<p>National Pollutant Discharge Elimination System (NPDES) Program and Combined Sewer Overflows (CSO) (#7-563) 25 Pa. Code § 92a.51(a) <i>Clean Streams Law</i></p>	<p>This rulemaking proposes to amend 25 Pa. Code § 92a.51(a) to provide an exception for combined sewer overflows (CSO) dischargers with approved long-term control plans (LTCPs) to comply with water quality standards in accordance with the schedule contained in the approved LTCPs allowing renewals of NPDES permits for CSOs to move forward.</p> <p>CONTACT: Sean Furjanic, 717-787-2137, sefurjanic@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Program developing proposed regulatory amendments.</p>

Title of Regulation/ Statutory Authority	Summary of Regulation and Contact	Status
<p>Requirements for the Control of Hydrofluorocarbons (HFCs) in the New or Retrofit Equipment and New Consumer Products (#7-562) 25 Pa. Code Chapters 121, 129, and 130 <i>Air Pollution Control Act</i></p>	<p>This proposed rulemaking would provide significant reductions in HFC emissions, a potent greenhouse gas, by preventing the future use of HFCs in sources such as air conditioning and refrigeration. Reductions in HFC emissions will help slow climate warming and decrease the adverse impacts of climate warming on human health, the environment, and the economy.</p> <p>CONTACT: Nancy Herb, 717-783-9269, nherb@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Proposed regulatory amendments on hold while U.S. Environmental Protection Agency develops national rule.</p>
<p>Amendments to the Pennsylvania Clean Vehicles Program (#7-567) 25 Pa. Code Chapter 126, Subchapter D <i>Air Pollution Control Act</i></p>	<p>This rulemaking will establish a requirement for automakers to offer for sale a percentage of ZEV Program-eligible light duty vehicles as part of their model offerings. With the availability of more non-emitting vehicles available for Pennsylvania’s residents to purchase and the opportunity for residents to replace existing gasoline-powered or diesel-powered light-duty vehicles with non-emitting vehicles, emissions of criteria and toxic air pollutants and GHGs will be reduced from Pennsylvania’s air. Vehicles are a significant contribution of air pollution and this rulemaking will improve ambient air quality and reduce the adverse effects of air pollution on public health and welfare, including the environment, particularly within environmental justice communities.</p> <p>CONTACT: Chris Trostle, 717-772-3926, dtrostle@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Program developing proposed regulatory amendments.</p>
<p>PFAS Maximum Contaminant Level (MCL) (#7-569) 25 Pa. Code Chapter 109 <i>Safe Drinking Water Act</i></p>	<p>This proposed rulemaking would establish a maximum contaminant level (MCL) for select per- and polyfluoroalkyl substances (PFAS) in drinking water.</p> <p>CONTACT: Lisa Daniels, 717-772-4046, ldaniels@pa.gov</p>	<p>CURRENT STATUS: Pre-Draft Proposed</p> <p>Program developing proposed regulatory amendments.</p>

BOARD OF COAL MINE SAFETY REGULATIONS

Title of Regulation/ Statutory Authority	Summary of Regulation and Contact	Status
<p>Prohibiting Electronic Liquid-Vaporizing Devices at Underground Bituminous Coal Mines (#7-558) 25 Pa. Code Chapter 208 <i>Bituminous Coal Mine Safety Act</i></p>	<p>This proposed rulemaking will amend the smoking prohibition at underground bituminous coal mines to expressly prohibit the use and/or possession of electronic liquid-vaporizing devices, including electronic cigarettes, and will provide for the imposition of a penalty for violations of the prohibition. This proposed rulemaking will also distinguish the prohibition at surface work areas of underground bituminous coal mines from the prohibition in the underground areas of these mines.</p> <p>CONTACT: Richard Wagner, 724-925-5551, rwagner@pa.gov</p>	<p>CURRENT STATUS: Proposed</p> <p>Proposed rule published in the Pa. Bulletin on March 13, 2021. Public comment period closes on April 12, 2021. To submit and view comments, visit eComment.</p> <p>Background:</p> <ul style="list-style-type: none"> Delivered to House and Senate ERE Committees, IRRC, and the LRB on February 25, 2021. BCMS adopted proposed rule on September 1, 2020. Draft proposed Annex A presented to BCMS on June 11, 2019 and December 10, 2019.

COMPLETED REGULATIONS (2021)

Title of Regulation/ Statutory Authority	Summary of Regulation & Contact	Status
<p>Air Quality Fee Schedule Amendments (#7-536) 25 Pa. Code Chapters 127 and 139 <i>Air Pollution Control Act</i></p>	<p>This rulemaking proposes to revise existing requirements and fee schedules codified in Chapter 127, Subchapter I to ensure that fees collected are sufficient to cover the costs of administering the air program as required under Section 6.3(a) of the Air Pollution Control (35 P. S. § 4006.3(a)). Upon promulgation, the final-form regulation will be submitted to the EPA for approval as a revision to the SIP or the Title V Program Approval, as appropriate.</p> <p>CONTACT: Susan Hoyle, 717-772-2329, shoyle@pa.gov</p>	<p>Published as final in the <i>Pennsylvania Bulletin</i> on January 16, 2021, making the rule effective.</p> <p>Background:</p> <ul style="list-style-type: none"> • IRRC approved on September 17, 2020. • EQB adopted final rule on July 21, 2020. • Draft final Annex A presented to Air Quality Technical Advisory Committee (AQTAC) on December 12, 2019, Citizens Advisory Council (CAC) on January 21, 2020, and the Small Business Compliance Advisory Committee (SBCAC) on January 22, 2020. • IRRC comments received on July 17, 2019. • Proposed rule published in the Pa. Bulletin on April 13, 2019. Public comment period closed June 17, 2019. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on March 27, 2019. • EQB adopted proposed rule on December 18, 2018.