DEP REGULATORY UPDATE  
August 31, 2022  
(This update is designed to provide a quick snapshot of the current status of regulations within DEP)

ENVIRONMENTAL QUALITY BOARD REGULATIONS

<table>
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<th>Title of Regulation/Statutory Authority</th>
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| Control of Emissions from Unconventional Oil and Natural Gas Sources (#7-544)  
25 Pa. Code Chapter 129  
Air Pollution Control Act | 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 rulemaking will establish RACT requirements for volatile organic compounds and other pollutants from existing unconventional 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.  
**CONTACT:** Viren Trivedi, 717-783-9476, vtrivedi@pa.gov | CURRENT STATUS: Final  
House ERE Committee voted to report a concurrent regulatory review resolution to the General Assembly to disapprove the final rule on August 2, 2022.  
**Background:**  
- IRRC approved on July 21, 2022.  
- House ERE Committee letter sent to IRRC on July 11, 2022.  
- Redelivered to House and Senate ERE Committees and IRRC on June 16, 2022.  
- EQB adopted revised final rule on June 14, 2022.  
- Withdrawn from consideration by IRRC on May 4, 2022.  
- House ERE Committee disapproval letter sent to IRRC on April 26, 2022.  
- Delivered to House and Senate ERE Committees and IRRC on March 15, 2022.  
- EQB adopted final rule on March 15, 2022.  
- IRRC comments received on August 26, 2020.  
- 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. |
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<td>Water Quality Standard for Manganese (#7-553) 25 Pa. Code Chapters 93 and 96 Administrative Code of 1929, Pennsylvania Clean Streams Law, Federal Clean Water Act</td>
<td>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).</td>
<td>CURRENT STATUS: Final Delivered to House and Senate ERE Committees and IRRC on August 10, 2022.</td>
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**Background:**
- EQB adopted the final rule on **August 9, 2022**.
- Draft final Annex A presented to Water Resources Advisory Committee (WRAC) on **November 18, 2021**, the Agricultural Advisory Board (AAB) on **December 9, 2021**, the Mining and Reclamation Advisory Board on **January 20, 2022**, the Aggregate Advisory Board on **February 2, 2022**, and the Public Water System Technical Assistance Center Advisory Board on **February 8, 2022**.
- IRRC comments received on **October 26, 2020**.
- 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 AAB 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](#).

**CONTACT:** Josh Lookenbill, 717-783-2959, mlookenbil@pa.gov
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<td>Additional RACT Requirements for Major Sources of NOx and VOCs for the 2015 Ozone NAAQS (RACT III Major Sources) (#7-561) 25 Pa. Code Chapters 121 and 129 Air Pollution Control Act</td>
<td>This 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. CONTACT: Viren Trivedi, 717-783-9476, <a href="mailto:vtrivedi@pa.gov">vtrivedi@pa.gov</a></td>
<td>CURRENT STATUS: Final Delivered to House and Senate ERE Committees and IRRC on August 10, 2022. Background: • EQB adopted the final rule on August 9, 2022. • Draft final Annex A presented to the AQTAC on April 7, 2022, the CAC on April 19, 2022 and May 18, 2022, and the SBCAC on April 27, 2022. • IRRC comments received on November 12, 2021. • Proposed rule published in the Pa. Bulletin on August 7, 2021. Public hearings held on September 7, 8 and 9, 2021. Public comment period closed on October 12, 2021. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on July 14, 2021. • EQB adopted proposed rule on May 19, 2021. • Draft proposed Annex A discussed with CAC on May 7, 2020, AQTAC on May 7, 2020, and with SBCAC on April 22, 2020.</td>
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<td>Municipal Waste Processing Permit-By-Rule; Rural Transfer Facility (#7-564) 25 Pa. Code Chapter 271 Solid Waste Management Act; Municipal Waste Planning, Recycling and Waste Reduction Act</td>
<td>This rulemaking proposes to amend 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. CONTACT: Laura Henry, 717-772-5713, <a href="mailto:lahenry@pa.gov">lahenry@pa.gov</a></td>
<td>CURRENT STATUS: Final Delivered to House and Senate ERE Committees and IRRC on August 10, 2022. Background: • EQB Adopted on July 12, 2022. • Draft final Annex A presented to the Solid Waste Advisory Committee (SWAC) on June 14, 2022. • IRRC letter (no comments) received on March 16, 2022. • Proposed rule published in the Pa. Bulletin on January 15, 2022. Public comment period closed on February 14, 2022. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on January 4, 2022. • EQB adopted proposed rule on November 16, 2021. • Draft proposed Annex A discussed with the Solid Waste Advisory Committee on June 3, 2020.</td>
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| **Coal Refuse Disposal Revisions** (#7-565)  
25 Pa. Code Chapter 90  
*Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act* | 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.  
**CONTACT:** Greg Greenfield, 717-787-3174, grgreenfie@pa.gov | **CURRENT STATUS:** Final  
The final rule to be published in *Pennsylvania Bulletin* on September 10, 2022.  
**Background:**  
- IRRC approved on July 21, 2022.  
- Delivered to House and Senate ERE Committees and IRRC on June 16, 2022.  
- EQB adopted final rule on May 18, 2022.  
- Draft final Annex A presented to the Mining and Reclamation Advisory Board on January 20, 2022.  
- IRRC letter (no comments) received on January 5, 2022.  
- Delivered to House and Senate ERE Committees, IRRC, and the LRB on October 20, 2021.  
- EQB adopted proposed rule on June 15, 2021.  
- Draft proposed Annex A discussed with the Aggregate Advisory Board on May 6, 2020 and MRAB on July 16, 2020 and October 22, 2020. |
| **Noncoal Mining Clarifications and Corrections** (#7-554)  
25 Pa. Code Chapter 77  
*Noncoal Surface Mining Conservation and Reclamation Act, Clean Streams Law* | 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.  
**CONTACT:** Sharon Hill, 717-787-6842, shill@pa.gov | **CURRENT STATUS:** Draft Final  
Draft final Annex A discussed with the Aggregate Advisory Board on November 3, 2021.  
**Background:**  
- IRRC comments received on June 3, 2021.  
- 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. |
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| **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 *Air Pollution Control Act* | This 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.  
CONTACT: Randy Bordner, 717-772-3921, runbordner@pa.gov | CURRENT STATUS: **Draft Final**  
Draft final Annex A was presented to AQTC on August 18, 2022, SBCAC on August 24, 2022, and the CAC on July 19, 2022.  
**Background:**  
- IRRC comments received on May 4, 2022.  
- Delivered to House and Senate ERE Committees, IRRC, and the LRB on January 4, 2022.  
- EQB adopted proposed rule on September 21, 2021.  
| **PFAS Maximum Contaminant Level (MCL)** (7-569) 25 Pa. Code Chapter 109 *Safe Drinking Water Act* | This rulemaking proposes to establish a maximum contaminant level (MCL) for select per- and polyfluoroalkyl substances (PFAS) in drinking water.  
CONTACT: Dawn Hissner, 717-772-2189, dhissner@pa.gov | CURRENT STATUS: **Draft Final**  
Draft final Annex A presented to (TAC) on July 14, 2022.  
**Background:**  
- IRRC comments received on May 27, 2022.  
- Delivered to House and Senate ERE Committees, IRRC, and the LRB on February 15, 2022.  
- EQB adopted proposed rule on November 16, 2021.  
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<td>Water Quality Standards - Dunbar Creek et al. Stream Redesignations (#7-557) 25 Pa. Code Chapter 93 Section 303(c)(1) of the <em>Federal Clean Water Act</em></td>
<td>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. CONTACT: Josh Lookenbill, 717-783-2959, <a href="mailto:mlookenbil@pa.gov">mlookenbil@pa.gov</a></td>
<td>CURRENT STATUS: Proposed Program drafting final rulemaking. Background: • IRRC letter (no comments) received on October 14, 2021. • Proposed rule published in the Pa. Bulletin on July 31, 2021. Public hearing held on August 30, 2021. Public comment period closed on September 14, 2021. To view comments, visit eComment. • Delivered to House and Senate ERE Committees, IRRC, and the LRB on June 24, 2021. • EQB adopted proposed rule on April 20, 2021.</td>
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| MAX Bulger and Yukon Hazardous Waste Delisting (#7-566) 25 Pa. Code Chapter 261a Solid Waste Management Act, Resource Conservation and Recovery Act | This 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. **CONTACT:** Tom Mellott, 717-783-3390, mtmellott@pa.gov | CURRENT STATUS: Proposed  
IRRC comments received on March 24, 2022.  
**Background:**  
- Delivered to House and Senate ERE Committees, IRRC, and the LRB on January 4, 2022.  
- EQB adopted proposed rule on September 21, 2021.  
- Draft proposed Annex A discussed with the Solid Waste Advisory Committee on September 10, 2020. |
| Administration of the Land Recycling Program: Vanadium MSC (#7-572) 25 Pa. Code Chapter 250 Land Recycling and Environmental Remediation Standards Act | The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the toxicity value and medium specific concentrations (MSCs) established under the Statewide health standard for vanadium 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. This rule will focus on updates to the vanadium toxicity value and updates to the vanadium soil and groundwater MSCs. 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. **CONTACT:** Mike Maddigan, 717-772-3609, mmaddigan@pa.gov | CURRENT STATUS: Proposed  
**Background:**  
- Delivered to House and Senate ERE Committees, IRRC, and the LRB on July 12, 2022.  
- EQB adopted proposed rule on May 18, 2022.  
- Draft proposed Annex A presented to CSSAB on October 4, 2021. |
| Radiation Protection Program Fees (#7-574) 25 Pa. Code Chapter 218 Radiation Protection Act | This rulemaking amends Chapter 218 relating to fees. DEP must review the adequacy of established fees every three years. The current fee review indicates the need for a fee increase for the Radioactive Materials and Decommissioning Program and the Radiation-Producing Machines Program, as fee revenue is insufficient to cover program costs. **CONTACT:** John Chippo, 717-787-2480, jchippo@pa.gov | CURRENT STATUS: Proposed  
This rule was published in Pa. Bulletin on August 27, 2022, with a 30-day public comment period that closes on September 26, 2022. To view and submit comments, visit eComment.  
**Background:**  
- Delivered to House and Senate ERE Committees, IRRC, and the LRB on August 10, 2022.  
- EQB adopted proposed rule on June 14, 2022.  
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<td>Environmental Protection Performance Standards for Conventional Oil and Gas Operators (#7-539) 25 Pa. Code Chapter 78 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</td>
<td>This 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. <strong>CONTACT:</strong> Kurt Klapkowski, 717-772-2199, <a href="mailto:kklapkowsk@pa.gov">kklapkowsk@pa.gov</a></td>
<td>CURRENT STATUS: <strong>Draft Proposed</strong> Program drafting proposed rulemaking package. <strong>Background:</strong> • Draft proposed Annex A discussed with the Oil and Gas Technical Advisory Board on <a href="#">September 17, 2020</a> and <a href="#">May 5, 2021</a>, and the PA Grade Crude Development Advisory Council (CDAC) on <a href="#">December 3, 2020</a> and <a href="#">April 22, 2021</a>.</td>
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<td>Waste Management and Related Issues at Conventional Oil and Gas Well Sites (#7-540) 25 Pa. Code Chapter 78 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</td>
<td>This 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. <strong>CONTACT:</strong> Kurt Klapkowski, 717-772-2199, <a href="mailto:kklapkowsk@pa.gov">kklapkowsk@pa.gov</a></td>
<td>CURRENT STATUS: <strong>Draft Proposed</strong> Program developing proposed rulemaking package. <strong>Background:</strong> • Draft proposed Annex A discussed with the Oil and Gas Technical Advisory Board on <a href="#">September 17, 2020</a> and <a href="#">September 9, 2021</a>, and the PA Grade Crude Development Advisory Council (CDAC) on <a href="#">December 3, 2020</a> and <a href="#">August 19, 2021</a>.</td>
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| Administration of Sewage Facilities Program ([#7-570]) 25 Pa. Code Chapters 71, 72, and 73 *Pennsylvania Clean Streams Law, Pennsylvania Sewage Facilities Act* | This rulemaking proposes to update 25 Pa. Code Chapters 71—73 to implement recent amendments to the Pennsylvania Sewage Facilities Act made by Act 26 of 2017 and Act 34 of 2020, and to address a number of other issues in these regulations, which were last revised significantly in 1997. The regulatory revisions in this proposed rulemaking will include site suitability criteria for sites with shallow soils, which will provide additional opportunities for new land development in a manner that provides safe, effective long-term sewage disposal. This proposed rulemaking will also include other regulatory revisions and updates to ensure that the planning, permitting, operation and maintenance of sewage facilities sufficiently protect public health and safety, the waters of the Commonwealth, and property values.  
**CONTACT:** Jay Patel, 717-783-2283, jaypatel@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
| Water Quality Standards for Site-Specific Criteria ([#7-571]) 25 Pa. Code Chapter 93 *Pennsylvania Clean Streams Law, Federal Clean Water Act* | This rulemaking proposes to update 25 Pa. Code Chapter 93 with site-specific water quality criteria for methylmercury for unnamed tributaries to Rambo Run and Ebaughs Creek located in York County. In addition, proposed updates will revise provisions to allow for a more efficient regulatory review process to incorporate site-specific criteria into the water quality standards in 25 Pa. Code Chapter 93, which would allow site-specific criteria to be incorporated into National Pollutant Discharge Elimination System (NPDES) permits more quickly.  
**CONTACT:** Josh Lookenbill, 717-783-2959, mlookenbil@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
| Annual Fee for Unconventional Operations ([#7-573]) 25 Pa. Code Chapter 78a *2012 Oil and Gas Act, Clean Streams Law, Dam Safety and Encroachments Act, Solid Waste Management Act* | This rulemaking proposes to establish an annual fee for unconventional operations. The annual fee will provide a stable source of funding through FY 2027-28.  
**CONTACT:** Kurt Klapkowski, 717-772-2199, kklapkowski@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
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| Administration of the Land Recycling Program (#7-575)  
25 Pa. Code Chapter 250  
Land Recycling and Environmental Remediation Standards Act | The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the medium specific concentrations (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. This rule will focus on updates to the models used to calculate the MSCs for lead in soil and potential changes to how the MSCs for PAH’s are calculated. These regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. This rulemaking also proposes to clarify administrative elements of Chapter 250. 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.  
CONTACT: Mike Maddigan, 717-772-3609, mmaddigan@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
| Lead and Copper Rule Revisions (LCRR) (#7-576)  
25 Pa. Code Chapter 109  
Safe Drinking Water Act | This proposed rulemaking would incorporate the final federal LCRR provisions into state regulations to strengthen public health protection and maintain primacy by ensuring state regulations are as stringent as federal regulations.  
CONTACT: Lisa Daniels, 717-772-4046, ldaniels@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
| Water Quality Standards – Triennial Review of Water Quality Standards and Updates to Toxics Management Strategy—Statement of Policy (#7-577)  
25 Pa. Code Chapters 93 and 16  
40 CFR § 131.20 | This rulemaking revises the Commonwealth’s water quality criteria and standards in Chapter 93 and updates the Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act.  
CONTACT: Josh Lookenbill, 717-783-2959, mlookenbil@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
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| Environmental Laboratory Accreditation Amendments (# 7-578) 25 Pa. Code Chapter 252 Environmental Laboratory Accreditation Act | This rulemaking proposes to amend existing regulations pertaining to environmental laboratory accreditation to update accreditation standards, clarify requirements, add requirements for a Legionella accreditation program, and add the air monitoring matrix to the scope of Chapter 252. **CONTACT:** Annmarie Beach, (717) 346-8212, anbeach@pa.gov | CURRENT STATUS: Pre-Draft Proposed  
Program developing proposed regulatory amendments. |
### BOARD OF COAL MINE SAFETY REGULATIONS

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| Prohibiting Electronic Liquid-Vaporizing Devices at Underground Bituminous Coal Mines (7-558) 25 Pa. Code Chapter 208 Bituminous Coal Mine Safety Act | 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. CONTACT: Richard Wagner, 724-404-3154, rwagner@pa.gov | CURRENT STATUS: Final

The final rule to be published in *Pennsylvania Bulletin* on September 10, 2022.

**Background:**
- IRRC approved on [July 21, 2022](#).
- Delivered to House and Senate ERE Committees and IRRC on [June 16, 2022](#).
- BCMS adopted final rule on [June 15, 2022](#).
- Summaries of public comments received and annex changes discussed with BCMS on [June 1, 2021](#).
- IRRC comments received [May 12, 2021](#).
- 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 (2022)

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<td><strong>CO₂ Budget Trading Program</strong>&lt;br&gt;(#7-559)&lt;br&gt;25 Pa. Code Chapter 145&lt;br&gt;<em>Air Pollution Control Act</em></td>
<td>This rulemaking amends 25 Pa. Code Chapter 145 (relating to interstate pollution transport reduction) by adding Subchapter E (relating to CO₂ budget trading program). This rulemaking establishes 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 allows 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. &lt;br&gt;&lt;br&gt;<em>CONTACT:</em> Viren Trivedi, 717-783-9476, <a href="mailto:vtrivedi@pa.gov">vtrivedi@pa.gov</a></td>
<td>Published as final in the <em>Pennsylvania Bulletin</em> on <a href="#">April 23, 2022</a>, making the rule effective.</td>
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**Background:**<br>• IRRC approved on [September 1, 2021](#).<br>• Delivered to House and Senate ERE Committees and IRRC on [July 28, 2021](#).<br>• EQB adopted final rule on [July 13, 2021](#).<br>• Draft final Annex A presented to AQTAC on [May 17, 2021](#), SBCAC on [May 19, 2021](#), and CAC on [May 19, 2021](#).<br>• Summaries of public comments received and annex changes discussed with AQTAC on [April 8, 2021](#) and CAC on [April 20, 2021](#).<br>• IRRC comments received on [February 16, 2021](#).<br>• Proposed rule published in the Pa. Bulletin on [November 7, 2020](#). Ten public hearings were held on December 8, 9, 10, 11 and 14, 2020. Public comment period closed on January 14, 2021. To view comments, visit [eComment](#).<br>• Delivered to House and Senate ERE Committees, IRRC and the LRB on [October 21, 2020](#).<br>• EQB adopted proposed rule on [September 15, 2020](#).<br>• Draft proposed rulemaking Annex A presented to AQTAC, the CAC, and the SBCAC on [May 7, May 19 and July 22, 2020](#).<br>• 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.<br>• 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. |

| **Control of VOCs from Gasoline Dispensing Facilities (Stage I and Stage II)**<br>(#7-525)<br>25 Pa. Code § 129.82<br>*Air Pollution Control Act* | This rulemaking removes 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. <br><br>*CONTACT:* Chris Trostle, 717-772-3926, dtrostle@pa.gov | Published as final in the *Pennsylvania Bulletin* on [March 26, 2022](#), making the rule effective. |

**Background:**<br>• IRRC approved on [January 26, 2022](#).<br>• Delivered to House and Senate ERE Committees and IRRC on [December 14, 2021](#).<br>• EQB adopted final rule on [November 16, 2021](#).<br>• Draft final Annex A presented to AQTAC on [April 8, 2021](#), SBCAC on [May 19, 2021](#), and CAC on [June 15, 2021](#).<br>• IRRC comments received on [December 30, 2020](#).<br>• Proposed rule published in the Pa. Bulletin on [September 26, 2020](#). Three public hearings were held on October 27, 28, and 29, 2020. Public comment period closed on November 30, 2020. To view comments, visit [eComment](#).<br>• Delivered to House and Senate ERE Committees, IRRC and the LRB on [September 17, 2020](#).<br>• EQB adopted proposed rule on [May 19, 2020](#). |