

September 2014 Report to the Citizens Advisory Council
(new and updated information in italics)

DEP Highlights

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

DEP presented the proposed Chapter 78, Subchapter C regulations to the EQB on August 27, 2013, who adopted the proposal for public comment. The proposed rulemaking was then reviewed by the Office of General Counsel and was forwarded to the Attorney General on September 26, 2013. After DEP responded to a tolling memo, the proposed rule was published in the *Pennsylvania Bulletin* for the 60-day public comment period.

The public comment period opened on December 14, 2013 and was initially scheduled to close on February 12. The EQB intended to host seven public hearings throughout each of the regions of Pennsylvania between January 9 and 27. However, as a result of comments received during the initial public hearings, and to promote an even greater level of public participation, EQB and DEP jointly announced on January 22 that the public comment period would be extended for 30 days to March 14 and additional public hearings would be held. The extension provided for a total of 90 days for public comment and nine public hearings.

Approximately 290 commentators provided comment during the series of public hearings and DEP received over 24,000 comments electronically and in hard copy. Of those comments, over 1,100 represented “individual” comments and the balance were submitted to DEP as form letters. IRRRC submitted a 19-page comment letter to DEP on April 14, formally closing the comment period.

DEP will consider all comments received as it proceeds with the development of the final rulemaking. DEP presented a summary of the comments received at the June 26 Oil and Gas Technical Advisory Board (TAB) meeting. Video of the meeting will be posted online and PCN anticipates airing the meeting at some point in July. DEP anticipates being able to provide initial draft final rulemaking language to TAB at its September 25 meeting. As it proceeds to develop the final rulemaking language based on the comments received, DEP will consider using the Advanced Notice of Final Rulemaking process to take additional public comment on the draft changes included in the final rulemaking.

Act 126 of 2014 (relating to omnibus Fiscal Code amendments) was signed by the Governor on July 10 and contained the following provision:

Section 1741.1-E. Environmental Quality Board.

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

As a result of this statutory change, the DEP determined that the Subchapter C rulemaking process could continue, but that the regulations would be completely bifurcated on final rulemaking. The regulatory provisions applicable to conventional wells will be retained in the existing Chapter 78 and a new regulatory Chapter 78A will be created that is applicable to unconventional wells. No regulatory language outside of the scope of the proposed rulemaking will be altered as a result of this change (for example, the well drilling, operation and plugging requirements contained in Chapter 78, Subchapter D will be included, as appropriate, in both the conventional and unconventional Chapters). DEP intends to present a preliminary draft of the two individual Chapters at the Oil and Gas Technical Advisory Board meeting on September 25.

Environmental Education Grants Program (EEGP)

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

This program is funded through a portion of fines and penalties collected by DEP. The total amount awarded in 2013 was \$334,034.

The 2015 grant round will open October 6. The following topics will be the primary focus of grant-funded projects:

- ***Chesapeake Bay and Watershed Education*** - Organizations are encouraged to develop environmental education programs that promote the reduction of non-point source pollution, such as nutrient and sediment loads, along with other water-related education programs.
- ***Air Quality*** - Organizations are encouraged to develop air quality education and outreach programs.
- ***Keystone Energy Education Program (KEEP)*** - Applicants are encouraged to form or enhance an energy team with teachers, students, building facility managers and administrators with the goal to reduce the school building's energy use. Applying schools will coordinate energy education workshops focusing on energy basics, electricity generation and usage, efficiency and conservation, sustainability, alternative transportation fuels, career development, Energy Star Portfolio Manager benchmarking; purchase hands-on energy education classroom kits; and develop and implement school-centered energy conservation plans, including student-led energy audits. Schools may partner with colleges or universities, non-profit environmental education centers, STEM organizations, math and science collaboratives or other organizations.
- ***Energy Education*** - Organizations are encouraged to develop other educational programs on energy efficiency and conservation, as well as natural gas, coal, wind, solar and other energy sources and technologies.
- ***Brownfields*** - Organizations are encouraged to develop education and outreach programs for students, youth, educators, community members, community groups, developers, property owners, and others that are interested in brownfield redevelopment and sustainable communities.
- ***Environmental Literacy Planning and Programming*** - Applicants are encouraged to engage educators and stakeholders in content standards and field-based environmental education. Areas of specific focus should include: graduation requirements, professional development on environmental education content knowledge and field-based pedagogy, assessment and evaluation, partnering to build capacity, identifying existing resources and sustainability of programs. Additionally, projects may focus on high performing green schools and buildings; providing high quality programming for children, youth and/or adults (programs to include STEM, outdoor education, service learning, ensuring access for participants with disabilities); professional development for formal and non-formal educators; environmental service learning programs for youth and adults; and environmental careers/green jobs.
- ***Formal and Non-formal EE Certification*** - Applicants are encouraged to develop and implement institutionalized and community-based certification programs designed for teachers, naturalists and

educators working in schools and environmental education facilities at parks, county conservation districts, nature/EE centers, conservancies and more. It gives educators in these arenas access to a formal credential that standardizes and upgrades professional development, allowing educators to address academic standards in a meaningful and relevant way.

- **STEM Education** - Applicants are encouraged to develop environmental education programs integrating STEM program instruction (Science, Technology, Engineering and Mathematics) into programs.
- **Curriculum Integration Projects** – Applicants are encouraged to articulate the Academic Standards for Environment and Ecology into the formal K-12 curriculum, including Energy Education, for the entire school district, private school or charter school.
- **Curriculum Revision Projects** – Applicants are encouraged to revise current (or write new) lesson plans or units to meet the changes identified in the alignment to the Environment and Ecology Standards, including Energy Education, and provide a means for classroom assessment.
- **Outdoor Learning Resource Projects** – Applicants are encouraged to develop resources such as trails, agricultural demonstration areas, energy demonstration areas, ponds, wetland areas, sheltered learning stations, etc., as well as similar nearby community resources as a framework within which students can learn about natural systems and the interrelationship among natural and man-made communities.
- **Natural Landscaping and Trees** – Applicants are encouraged to develop educational programs on landscaping with native plants; the social, economic and environmental benefits of trees; and invasive plant management, along with information on how to sustainably maintain these natural landscapes.
- **Connecting Children to Nature** – Applicants are encouraged to develop and facilitate educational programs or infrastructure for such programs designed to align science, environment and ecology and resource learning with immersive activities in the out-of-doors. Students within such programs should receive regular time outdoors during instruction or during healthful play.

PA Falcon Cam Program

The adults have returned to the ledge periodically over the past several weeks. This is an indication that they are no longer flying with the fledges and that our young juvenile peregrines have become independent. Chances are, they have already arrived in one of our great flyways, where they'll be sustained by soon to occur mass migrations. To learn more about this behavior, web viewers can visit the Falcon Telemetry page from the DEP Falcon Page.

DEP at Home Exhibit

DEP at Home is an interactive, educational exhibit that promotes energy efficiency, alternative transportation technologies, including electric (EV) and compressed natural gas (CNG) vehicles.

The 20 x 30 foot exhibit features a garage with graphics depicting a Tesla EV and Ford Truck CNG vehicle. The garage is new for 2014 and features a real CNG van and Electric car (Nissan Leaf) with refueling/recharging hardware. In most venues, a CNG and or electric vehicle is on site for visitors to examine and even connect/Plug in to become familiar with the alternative transportation technologies of the 21st century.

Since the debut of the exhibit at the 2013 Farm Show, it has been featured at over 14 home shows, and special events, reaching over 1 million visitors. The DEP at Home Garage was one of 15 exhibits featured at the PA Innovation Expo in the Keystone Building July 22. The exhibit was on display at Ag Progress Days at Penn State's Rock Springs Research Complex August 12-14. A Nissan Leaf was loaned to DEP by Nissan of State College. Attendance at the two events is estimated at 11,100. Several home shows are tentatively scheduled for the fall of 2014.

Pennsylvania Energy Development Authority (PEDA)

PEDA's 2014 financial assistance offering opened June 14. Approximately \$12.5 million is available for awards. \$10 million of the \$12.5 million is allocated exclusively for renewable and energy efficiency deployment projects. Eligible Applicants are corporations, partnerships, limited liability companies, associations and other legal business entities, non-profit corporations, Pennsylvania schools, colleges and universities, municipalities, public corporation, authorities etc. PEDA expects to fund projects that request grant amounts of \$500,000 and under, however, request for grant funds between \$500,000 and \$1 million will be considered but will require additional justification and special approval by the PEDA Board.

As of the close of application acceptance period on Friday, August 15, the program had a total of 184 applications submitted via the DEP/DCNR Environmental eGrants system. On August 16, DEP published notice in the Pennsylvania Bulletin of its intent to conduct an administrative review of application completeness. This review allowed DEP to request missing information or documents necessary for applications to move onto the competitive scoring portion of the evaluation. In the past, administratively incomplete applications may have been considered ineligible.

The administrative review for application completeness concluded on Friday, August 29. Competitive scoring of all eligible applications has begun. The PEDA Board meeting and awards are anticipated in October 2014.

DEP published the Draft PEDA Energy Development Plan for a 60-day public comment period in the May 31 edition of the *Pennsylvania Bulletin*. *No comments were received; therefore, the plan has been finalized and placed on the PEDA website. The revised plan includes changes to remove outdated references and to incorporate reference to Governor Corbett's recently published State Energy Plan. The PEDA Board voted in favor of the approval of the plan at its April 7, Board meeting.*

Permit Review Process and Permit Decision Guarantee

On July 24, 2012, Governor Corbett signed Executive Order 2012-11 "Permit Decision Guarantee for the Department of Environmental Protection" directing the Department of Environmental Protection (Department) to, among other things, establish a Permit Review Process and Permit Decision Guarantee. The executive order also rescinded the Money Back Guarantee created under Executive Order 1995-5. The "Policy for Implementing the Department of Environmental Protection (department) Permit Review Process and Permit Decision Guarantee" (policy) was published as final on November 3, 2012, and implementation of the new permitting process began on November 14, 2012.

Following the first year of implementation on October 26, 2013, the department published the policy for a supplementary comment period. The department, via the prepared comment response document, has provided clarification and response to the comments and questions submitted during the comment period. Based on internal and external comments, the department determined that no revisions to the policy were necessary at this time.

Information pertaining to the department's Permit Review Process and Permit Decision Guarantee, *including the comment response document prepared in response to the supplementary public comment period*, can be found on the department's web site at www.dep.state.pa.us (DEP Search/Keyword: Permit Decision Guarantee).

Emergency Response Planning for High Hazard Rail Freight Spills

Citizens' concern over the dangers of High Hazard Rail shipments has grown significantly with the introduction of Bakken Crude Oil unit trains traveling through Pennsylvania en route to the refineries along the Delaware River. DEP Emergency Response met with the Pennsylvania Emergency Management Agency (PEMA) on August 19 to determine the informational resources available at DEP and PEMA and to develop a joint strategy to make these resources available to County Emergency Management Agencies for the development of local and county response plans in the event of a unit train derailment and/or fire. Currently DEP maintains sensitive information such as Public Water Supply (PWS) intake locations and PEMA has access to sensitive rail

shipment information. This information is protected, but is necessary for planning and emergency response and should be available to County and local responders in an emergency. For planning purposes, DEP has given the County EMAs a procedure to access the contact information for PWSs through eMapPA, but they can also contact DEP for a list of PWS contact information. DEP is encouraging County EMAs to contact PWSs so they can work together to plan for potential emergencies. PEMA and DEP will be providing training and outreach to facilitate and encourage communications between County EMAs and PWSs. In addition, DEP is exploring the possibility of providing the GIS layer of PWS intakes in eMapPA to PEMA's State Emergency Operations Center to be referenced following a report of a spill so the county and local emergency responders can be quickly apprised of the need to protect an impacted PWS intake. This approach would serve to protect the sensitive information from wholesale dissemination while also better protecting PWSs and Pennsylvania's citizens.

Regulatory Update (detailed summaries included in respective program sections)

Draft Proposed Rulemakings

- Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings (25 Pa. Code Chapter 129) – Tentatively planned for the *October 21* EQB meeting.
- Control of VOC Emissions from Industrial Cleaning Solvents (25 Pa. Code Chapters 121 and 129) – Tentatively planned for the *November 18* EQB meeting.
- Land Reclamation Financial Guarantees and Bioenergy Crop Bonding (25 Pa. Code Chapters 77, 86-90 and 211) – *Adopted as proposed by the EQB at its July 15 meeting*
- Automobile and Light Duty Truck Assembly Surface Coating Processes (25 Pa. Code Chapters 121 and 129) – Tentatively planned for the *November 18* EQB meeting
- *Security Rule for Radioactive Material (25 Pa. Code Chapter 215) – Tentatively planned for the October 21 EQB meeting*

Proposed Rulemakings

- Administration of Land Recycling Program (25 Pa. Code Chapter 250) – Public comment period closed June 17
- Additional RACT Requirements for Major Sources of NO_x and VOCs (25 Pa. Code Chapters 121 and 129) – Public comment period closed June 30
- Environmental Protection Performance Standards at Oil and Gas Well Sites (25 Pa. Code Chapter 78) – *Regulation will be split into two parts: Chapter 78 will apply to conventional wells and Chapter 78A will apply to unconventional wells. Comment/Response document under development*
- Control of VOC Emissions from Fiberglass Boat Manufacturing Materials (25 Pa. Code Chapter 129) – *Public comment period opened July 19 and closes September 22. Three hearings held August 19 (Pittsburgh), August 20 (Norristown), and August 21 (Harrisburg)*
- Standards for Surface Facilities (25 Pa. Code Chapter 208) – *Public comment period opened on August 2 and closes on September 2*

Draft Final Rulemakings

- *None to report*

Final Form Rulemakings

- *Regulated Medical and Chemotherapeutic Waste (25 Pa. Code Chapters 271-273, 284, 285, 287, 288 and 299) – Unanimously approved at the July 15 EQB meeting; scheduled for the September 18 IRRC meeting*

Petitions

- Stony Run Watershed – Accepted for study by EQB at its February 18 meeting; notice of acceptance of petition for further study published in May 3 Pennsylvania Bulletin
- Clearfield Creek Watershed (Three Petitions: Killbuck Run, Wyerough Run, and Beaverdam Run) – Approved for further evaluation by the EQB at its May 21 meeting
- Ashley Funk – *DEP recommendation to not pursue a rulemaking in response to the petition accepted by EQB at its August 19 meeting*
- Beaver Creek – *Accepted for study by EQB at its August 19 meeting; notice of acceptance of petition for further study published in August 30 Pennsylvania Bulletin*
- Upper Paradise Creek – *Accepted for study by EQB at its August 19 meeting; notice of acceptance of petition for further study published in August 30 Pennsylvania Bulletin*
- *Fluoride Petitions – Rulemaking petitions requesting a ban on fluoridation of water supplies as well as additional labeling requirements for the fluoride content in bottled water submitted July 8. Petitions anticipated for EQB consideration at the October 21 EQB meeting*

Proposals Open for Public Comment (July/August 2014)

- Federal Consistency Under the Coastal Zone Management Act – Installation of a Temporary Floating Park at the Marina at Penn’s Landing on the Delaware River in Philadelphia (Opened 7/19/14, Closed 8/4/14)
- Federal Consistency Under the Coastal Zone Management Act – Southeast Water Pollution Control Plant Sludge Force Main Pipe Replacement at Schuylkill River Crossing (Opened 7/19/14, Closed 8/4/14)
- Proposed Revision to the State Implementation Plan for Reasonably Available Control Technology – Delaware County Regional Water Quality Control Authority (Opened 7/19/14, Closed 8/22/14)
- Federal Consistency Under the Coastal Zone Management Act – PennDOT District 6-0 SR 0095 Section BR0 Project (Opened 8/9/14, Closed 8/25/14)
- Proposed State Implementation Plan Revision; Attainment Demonstration for the Lower Beaver Valley Nonattainment Area for the 2008 Lead National Ambient Air Quality Standard (Opened 7/26/14, Closes 9/5/14)
- Training Provider Manual for the Pennsylvania Water and Wastewater System Operator Training Program (383-2300-002) (Opened 8/23/14, Closes 9/22/14)
- Nutrient Credit Trading Program – Certification and Inter-basin Trading Requests (Opened 8/23/14, Closes 9/22/14)

Legislative Update

Senate Floor

SB 411—AMD for Frac—Kasunic—DEP SUPPORTS

- It is unclear if the full Senate will consider this legislation in the near future.

SB 1310—Penn Grade Crude Development Advisory Council—Hutchinson—DEP NEUTRAL

House Floor

HB 2354—GHG—Snyder—DEP NEUTRAL

- It is likely that the House will vote on this bill and send it to the Senate.

Senate Committee

HB 2264--Nuclear Fees—Miller—DEP SUPPORTS

- The bill was passed by the house and is now in Senate committee awaiting consideration.

HB 1699—Emergency Generators Registration—Ross—DEP SUPPORTS

- The bill was passed by the House and is now in Senate committee awaiting consideration.

HB 343—Water Well Construction Standards—Miller—DEP SUPPORTS

- The bill was passed by the House and is now in Senate committee awaiting consideration.

HB 2278—Non-Conventional Well Reporting Requirements—Pickett—DEP NEUTRAL

- The bill was passed by the House and is now in Senate committee awaiting consideration.

House Committee

HB 1565—Riparian Buffers—Hahn—DEP SUPPORTS w/ amendments

- This legislation has not yet been considered by the House committee.

SB 1355--Nuclear Fees—Yaw—DEP SUPPORTS

- The bill was passed by the Senate and is now in House committee awaiting consideration.

SB 1155—Aggregate Advisory Board—Scarnati—DEP NEUTRAL

- This bill has been passed by the Senate and is now in House committee awaiting consideration.

Governor's Desk

Nothing to report

Monthly Press Releases

August 29th

- *Governor Corbett Announces Opening of Third Round Act 13 Natural Gas Vehicle Grants*
- *DEP New Stanton Office Opens*

August 27th

- *Mosquito Spraying Set for Delaware County on Sept. 3*

August 26th

- *DEP Issues Code Orange Air Quality Action Day Forecast for Southeastern Pennsylvania*
- *Hearing Again Rescheduled for Hilcorp Application for Gas Well Spacing Units*
- *Mosquito Spraying Set for Snyder County on Aug. 28*
- *DEP Announces Consent Order and Agreement with William C. Henderson*

August 20th

- *DEP Takes Action to Extinguish Coal Pile Fire Threatening Airport Radar Facility*

August 19th

- *DEP Fines Cabot Oil & Gas Corp. More Than \$76,000 for Susquehanna County Well Control Incident*

August 18th

- *Mosquito Spraying Set for Delaware County on Aug. 20*
- *DEP, DCNR to Hold Public Meeting, Hearing on Philipsburg Rod and Gun Club Trap Shooting Range in Centre County*

August 15th

- *Mosquito Spraying Set for Franklin County on Aug. 18*

August 14th

- *Mosquito Spraying Set for Bucks County on Aug. 19*

August 11th

- *Mosquito Spraying Set for Adams County on Aug. 13*
- *Mosquito Spraying Set for Delaware County on Aug. 13*
- *DEP Fines Southwestern Energy Production Co. for Unpermitted Gas Well Drilling*

August 8th

- *Mosquito Spraying set for Lycoming County on Aug. 11*
- *Mosquito Spraying Set for Delaware County on Aug. 11*
- *Department of Health Reports First West Nile Virus Human Case of 2014*
- *DEP Awards Grants to Restore, Protect Pennsylvania's Coastal Zones*

Energy Initiatives

Natural Gas Vehicles

Round three of the NGV program opened on August 30. The NGV program offers competitive grants for the incremental cost share for the purchase of vehicles over 14,000 pounds that operate using compressed natural gas (CNG) and liquefied natural gas (LNG). Grants are made from amounts deposited in the Marcellus Legacy Fund. Approximately \$6 million will be available for this solicitation. The purpose of this program is to provide funding to support the purchase or retrofit of natural gas vehicles that utilize new or existing natural gas fueling stations within this Commonwealth. Each project must propose to receive funding for five or more eligible vehicles. The vehicles utilizing incremental purchase or retrofit cost funding must be registered in Pennsylvania. Each grant will cover no more than 50% of the incremental purchase or retrofit cost of eligible vehicles. Grants will not provide more than \$25,000 for each eligible vehicle. Eligible vehicles include purchased or retrofitted new and used vehicles. Grantees may not receive incremental costs for a vehicle purchased or retrofitted prior to December 1. Grant funds awarded under this program may not be used in place of available Federal funds. Projects must be completed within the grant period of performance which will be 18 months from December 1. Guidelines will be posted on the NGV webpage and applications will be submitted through the eGrants system. A webinar to assist applicants will be provided on September 22.

Alternative Fuels Incentive Grant Program (AFIG)

The 2014 application period for the Alternative Fuels Incentive Grant Program (AFIG) closed on Friday, May 30 at 4 p.m. The program received a total of 44 applications submitted via the DEP/DCNR Environmental eGrants system. DEP is preparing to award approximately \$4 million in grants to 33 local governments, non-profit organizations and companies making the switch to CNG, propane, or electric, for medium- to light-weight fleet vehicles. The awarded AFIG grants will help pay for the conversion or purchase of 274 natural gas vehicles, 261 propane vehicles, and 23 plug-in hybrid or electric vehicles. An estimated 24 new fueling stations and 35 existing stations will be supported by these vehicles.

DEP is also preparing to award \$1.8 million in AFIG funding to four innovative alternative fuel technology projects that include research, training, development and demonstration of new applications or next phase technology related to alternative transportation fuels and alternative fuel vehicles.

Alternative Fuel Vehicle Rebate Program

As of December 31, 2013, the alternative fuel vehicle rebate program began offering rebates for EVs and PHEVs at \$2,000. The new commitment of 500 rebates at \$2,000 resulted in another \$1 million commitment in support of AFVs purchased and registered by Pennsylvania residents. As of August 25, 284 rebates at \$2,000

remain. The \$2,000 rebate level will remain available until December 31, or until 500 rebates are issued, whichever occurs first. The program and the rebate amounts offered will be reassessed at that time.

Promoting Energy Efficient Buildings

Five sessions of a fourth round of Building Retuning (BRT) training were held in July and August for school districts in south-central Pennsylvania. On July 1, the initial four-hour classroom session was held at James Buchanan Middle School in Tuscarora School District, followed by an afternoon walk-down of the building's envelope, heating ventilating & air conditioning (HVAC) equipment, and lighting systems. Walk-downs of Susquehanna Township Middle School in Susquehanna Township School District and Boiling Springs High School in South Middleton School District were conducted on July 17. On July 28, a walk-down of Paradise Elementary in Spring Grove Area School District was held. The final walk-down was conducted at Mt. Wolf Elementary in Northeastern School District on August 11. A total of twelve facility managers & HVAC technicians participated in these sessions, as well as two engineering consultants from the Department of Public Welfare. PennTAP (Pennsylvania Technical Assistance Program) continues to serve as instructors for this energy efficiency training. A fifth round of BRT will begin in southwest PA in October.

Promoting an Energy Efficient Work Force

The first five sessions of a second round of Building Operator Certification (BOC) have been completed in the Southwest Region. A total of 19 people are participating in this course. Five school districts are participating, including Brownsville, Belle Vernon, Blackhawk, Steel Valley, and Karns City school districts. Local and county governments participating include Penns Manor, Cranberry Township, Hampton Township, Neshannock Township, Moon Township, Pine Township, the City of Pittsburgh, Allegheny Township, and Peters Township. Additional participants include two DEP staff, a facilities manager from the Pennsylvania Turnpike and a representative from International Union of Operating Engineers (IUOE) Local 95. Penn College of Technology continues to serve as instructors for this training. BOC classes, offered at the Penn State Cooperative Extension in Pittsburgh, began on June 25, and will continue through September 25.

Beginning on October 7, 2014, through February 10, 2015, BOC will be offered in south-central Pennsylvania in Mechanicsburg for facility managers of government and K-12 schools. By June 30, 2015, DEP plans to deliver BOC training to 40 government and K-12 school facility managers.

Energy Efficient Building Codes Training

Pennsylvania's acceptance of \$99.6 million dollars from the American Recovery and Reinvestment Act (ARRA) carries with it a number of obligations regarding enforcement of the 2009 International Energy Conservation Code (IECC) across the state. Specifically, DEP has provided assurance to the U.S. Department of Energy that it will develop and implement a program that will measure and ensure that DEP has achieved 90 percent statewide compliance with the code by 2017. While this initiative is expected to be carried out over several years, *for FY 2014/2015, there will be trainings and webinars, a code collaborative and benchmarking of current compliance.*

The Pennsylvania Energy Code Collaborative meeting was held at DEP on August 13. The meeting consisted of multi-disciplinary representatives from the contractor industry, municipalities, code officials, fire officials, PEMA, architects, building products industry and other not-for-profits concerned with building codes. Reports were provided from various partners and the meeting concluded with goals and outcomes for future activities of the group.

Civil Penalty Assessment Informal Hearing Procedure for the Office of Oil and Gas Management Technical Guidance Document

Section 3256 of the 2012 Oil and Gas Act (act) (58 Pa. C.S. § 3256) provides that the Department may assess a civil penalty for violations of the act or a regulation, order or permit issued by the Department under the act, after a hearing. Section 3256 of the act further provides that a person charged with a penalty must, within 30 days of notification, pay the penalty or file an appeal of the assessment with the Environmental Hearing Board. This document outlines the procedure for the conduct of the informal civil penalty assessment hearings.

The comment period for this proposed technical guidance closed on May 27. The Department received several unique comments from three commentators during the public comment period. The Department is considering the comments and will develop a draft final Technical Guidance with input from District and legal staff. A written comment and response document will accompany the final Technical Guidance. The Technical Guidance will be effective upon publication of notice as final in the Pennsylvania Bulletin.

Water Supply Determination Letters

On Thursday, August 28, DEP made available to the public a list that identifies cases where DEP determined that a private water supply was impacted by oil and gas activities. The list is available on the DEP website under the “Oil and Gas” tab (click on “Oil and Gas Reports”).

The oil and gas activities referenced in the list include operations associated with both conventional and unconventional drilling activities that either resulted in a water diminution event or an increase in constituents above background conditions. This list is intended to identify historic water supply impacts and does not necessarily represent ongoing impacts. Many of the water supply complaints included on the list have either returned to background conditions, have been mitigated through the installation of water treatment controls or have been addressed through the replacement of the original water supply. This list is dynamic in nature and will be updated to reflect new water supply impacts as they are reported to DEP and a determination is made; however, the list will retain cases of water supply impacts even after the impact has been resolved.

A redacted copy of the water supply determination letter/order can be viewed by clicking on the “Complaint #” or “ORDER” cell in the table. Each row on the list represents a single water supply determination. A single water supply determination may be represented by multiple “Complaint #s” (i.e., when more than one Complaint # is included in the same row) and, conversely, separate water supplies may be identified using the same “Complaint #” (i.e., when multiple rows list the same Complaint #). The list also identifies the municipality and county where each water supply is located along with the date of the water supply determination letter or the date the order was issued.

Special Caution Area Wells Report

The Office of Oil and Gas Management has made available to the public an enhanced report that lists special caution area wells that are reported to DEP by operators. Special caution areas may include areas where an oil and gas operator drills a well and encounters an area of high pressure or the presence of hydrogen sulfide gas. Pursuant to 25 Pa. Code Chapter 78.77(d) an operator is required to notify the department if the operator encounters a concentration of hydrogen sulfide equal or more than 20 parts per million during the drilling of a well. The purpose of this report is to identify areas where a special caution area is encountered while drilling so that other operators that intend to drill in the same area can be adequately prepared to deal with the conditions of the site, should they also encounter it during the drilling process.

This report replaces a previous static report that was manually updated on a regular basis with this report that pulls current data directly from the DEP’s eFACTS system. The report is available on the DEP website under the “Oil and Gas” tab (click on “Oil and Gas Reports”).

Oil and Gas Workload Report

Please see Attachment 2.

Water Management

Chesapeake Bay Program

Pennsylvania is planning to be very active and work with Chesapeake Bay program partners in developing management strategies for the majority of the 31 outcomes in the new Chesapeake Bay Watershed Agreement. Management strategies will be developed for outcomes in the Agreement within a year. Regarding the Chesapeake Bay Total Maximum Daily Load (TMDL), EPA released its milestone evaluation for Pennsylvania's progress in June. EPA changed its oversight classification for the agricultural sector from "enhanced oversight" to "backstop". DEP disagreed with this change, and will continue to work closely with EPA to help improve data reported to the Watershed Model and working with partners to have more Best Management Practices installed on the ground.

Nutrient Trading Program

In early April, EPA began objecting to the issuance of NPDES *point source discharge* permit renewals (14 to date) within the Chesapeake Bay watershed for wastewater treatment systems, asking for the full 90-day review period provided for in the Memorandum of Agreement between EPA and DEP relative to the implementation of the NPDES Program. EPA cites the need to discuss and resolve issues with the definition of the non-point source agricultural baseline as the reason for the objection and the need for the extra time. Pursuant to 40 CFR Section 123.44(b)(2) and Section III.A.2 of the Memorandum of Agreement between EPA and DEP, DEP continues to receive specific objection letters from EPA at the end of the 90-day review period. These letters gave a more detailed explanation for EPA's objections to the re-issuance of two permits in the Chesapeake Bay Watershed. DEP is continuing to work with EPA to address their specific objections.

Water Resources Advisory Committee (WRAC)

The WRAC meeting scheduled for September 17, has been rescheduled to September 26. The rescheduled meeting will be held at 9:30 a.m. in room 105 of the Rachel Carson State Office Building.

State Board for Certification of Water and Wastewater Systems Operators

The State Board for the Certification of Water and Wastewater Systems Operators (Op Cert Board) met on August 13. The Op Cert Board considered the criminal history report and new, upgrade and reciprocity agreements for water and wastewater systems operators. The next meeting of the Op Cert Board is scheduled for October 16 at 10 a.m. in the 10th Floor Conference Room of Rachel Carson State Office Building.

Chesapeake Bay Management Team

The Chesapeake Bay Management Team is scheduled to meet at 9:30 a.m. on September 18, at the DEP Bureau of Laboratories building. Planned topics of discussion include updates on EPA Region III's evaluation of milestones related to the Chesapeake Bay Total Maximum Daily Load (TMDL), and the recently signed Chesapeake Bay Watershed Agreement. At the most recent meeting in May, some participants expressed an interest in using the upcoming meeting as an opportunity to discuss the development of management strategies intended to help achieve the goals and outcomes of the Watershed Agreement.

Agriculture Advisory Board (AAB)

The August 20 meeting of the AAB was cancelled. The next meeting of the AAB is scheduled for October 15, at 10 am in Susquehanna Room A of the DEP South-central Regional Office.

Waste Management

Solid Waste and Recycling Fund Advisory Committees

The annual joint meeting of the Solid Waste Advisory Committee (SWAC) and Recycling Fund Advisory Committee (RFAC) will be held on September 18 in room 105 of the Rachel Carson State Office Building. The purpose of the RFAC portion of the meeting is to present details of the Recycling Fund Expenditures and grants made in the prior fiscal year and to approve the Recycling Fund budget for FY 2015/2016. Presentations will also be made by staff from the Pennsylvania Department of Transportation and the Department of General Services, regarding the MOU's the DEP holds with these agencies. A presentation will be made by the Recycling Markets Center and Bureau staff will present information on its Recycling Convenience Center Grant Program. The purpose of the SWAC portion of the meeting is to provide an update on the proposed revisions to DEP's Management of Fill policy.

Regulated Medical and Chemotherapeutic Waste Regulation

The proposed Regulated Medical and Chemotherapeutic Waste rulemaking was published in the *Pennsylvania Bulletin* on August 24, 2013, and the 30-day public comment period ended on September 23, 2013. During the official public comment period, the EQB received comments from five commentators. DEP representatives met with the IRRC on October 9, 2013, to discuss IRRC's questions on the rulemaking prior to submitting their formal comments, which were due to the EQB by October 23, 2013. The Bureau of Waste Management (BWM) has reviewed and responded to all the public comments received and drafted the final-form rulemaking. BWM presented the final-form rulemaking to the SWAC on June 5. Although SWAC did not have a quorum, of the eight members in attendance, all supported BWM's recommendation to present the final-form rulemaking to the EQB for consideration at its July meeting. *The EQB unanimously approved the final-form rulemaking at its July 15 meeting; the rulemaking is scheduled for consideration at the September 18 IRRC meeting.*

Radiation Protection

Update on Comprehensive Oil and Gas Development Radiation (TENORM) Study

As indicated in previous reports to the CAC, DEP is currently engaged in the most extensive and comprehensive study ever undertaken to examine the levels of naturally occurring radiation in a variety of equipment, materials and media associated with the development of oil and gas resources, as well as the potential environmental impact and exposure to the public and workers. The Technologically Enhanced Naturally Occurring Radioactive Materials (TENORM) study has been ongoing with field activities including sample collection, radiation surveys, and data analysis since mid-April 2013.

As of August all field work is now complete. Various sections of the final report have been written and are going through internal review and comment. A "final" version should go out for comment to the peer review group in the fall of 2014.

Environmental Cleanup and Brownfields

Administration of Land Recycling Program – Chapter 250 Cleanup Standards Revisions

This proposed rulemaking updates the Statewide health standard Medium-Specific Concentrations (MSCs) based on current science. The amendments are authorized under section 303(a) of the Land Recycling and Environmental Remediation Standards Act, which directs the Environmental Quality Board to promulgate Statewide health standards for regulated substances for each environmental medium and also the methods used to calculate the standards. This will avoid unnecessary expense for those remediating contaminated property for redevelopment where it has been determined that higher MSCs for regulated substances are protective and meet the standards established by the statute. These technical amendments to the Land Recycling regulations will affect owners, operators and purchasers of properties and facilities who volunteer or are required to perform

remediation of contaminated sites. The public comment period ended on June 17. Two comments were received on the proposal.

Cleanup Standards Scientific Advisory Board

DEP held a meeting of the Cleanup Standards Scientific Advisory Board (CSSAB) on July 24. DEP presented concepts for revisions to the technical guidance documents on addressing vapor intrusion and evaluating the removal of light non-aqueous phase liquids. The CSSAB supported the concepts presented by DEP. Actual revisions to the guidance documents are still in development. The next CSSAB meeting is scheduled for October 15.

Storage Tank Advisory Committee

DEP has scheduled a meeting of the Storage Tank Advisory Committee for September 9 at 10 a.m. in Room 105 of the Rachel Carson State Office Building. Steve Harman, Executive Director, Underground Storage Tank Indemnification Board, will provide an Underground Storage Tank Indemnification Fund update. DEP staff will update the committee on the status of the Federal underground storage tank (UST) regulations, implementation of the Alternative Fuel Storage Tank Installation/Conversion Form, and development of the "Guidelines for the Evaluation of UST Cathodic Protection Systems" draft technical guidance. DEP staff will also discuss the removal of separate phase liquids at storage tank corrective action sites, report on the comments received on the proposed revisions to Chapter 250 (Administration of the Land Recycling Program), and provide an update on the revisions to the Land Recycling Program's vapor intrusion guidance and technical guidance manual.

Air Quality

Climate Change Advisory Committee

The Climate Change Advisory Committee (CCAC) is scheduled to meet on September 16.

Section 111(d) Emission Guidelines to Reduce Carbon Pollution from Existing Power Plants

EPA was directed by President Obama to address carbon pollution from existing power plants under Section 111(d) of the federal CAA. The department convened two "listening sessions" to receive input from the public prior to discussions with EPA. On December 9 and 16, 2013, the department held listening sessions to collect information from environmental and industrial organizations, unions, individual electrical generating companies and the general public. The December 9 meeting was held with the environmental and local government organizations and the December 16 meeting with industry-related organizations. Attendees at both meetings were appreciative of the opportunity to provide input to the department. The public was invited to submit written information to the DEP; Krishnan Ramamurthy is the main contact. The department considered the public comments and developed a white paper outlining recommended principles to EPA for consideration in the development of federal emissions guidelines for existing power plants. The department issued the white paper on April 10; a copy was distributed to the CAC members and other DEP advisory committees including the Air Quality Technical Advisory Committee and other interested parties including the Electric Power Generation Association and environmental groups (i.e., PennFuture and the Sierra Club). EPA issued the proposed rule for public review and comment on June 2. The proposed rule was published in the Federal Register on June 18. The public comment period will close on October 16. EPA held four public hearings. DEP provided testimony at the July 31, public hearing held in Pittsburgh.

Ashley Funk and Kids vs. Global Warming

On September 6, 2013, the EQB received a petition to promulgate a rule to regulate fossil fuel carbon dioxide (CO₂) emissions and to establish an effective emissions reduction strategy that will achieve safe atmospheric concentrations of CO₂ by 2100. The petition was submitted by Kenneth T. Kristil, Esq., Widener Environmental and Natural Resources Law Clinic, on behalf of Ashley Funk. The petition was submitted to the EQB as provided in 25 Pa. Code Chapter 23 (relating to Policy for Processing Petitions – Statement of Policy).

On October 10, 2013, the department sent a letter to Ms. Funk notifying her that the petition met the established criteria in Section 23.2 of the EQB's petition policy. The letter also set November 19, 2013, as the date the EQB would consider the petition. At the November 19, 2013, EQB meeting, Attorney Kristil, representing Ms. Funk, made a brief presentation as to why the EQB should accept the petition for further study. The department recommended that the EQB accept the petition for further study. The EQB voted unanimously to accept the petition for further study. On December 7, 2013, the department published a notice of acceptance of the petition in the Pennsylvania Bulletin (43 Pa.B. 7095).

A draft report on the petition was prepared and sent to the petitioner for review and comment on April 16. An accompanying letter to the petitioner requested written response no later than May 16. The petitioner requested additional time, which the department granted. The petitioner submitted comments on the report on May 30. *DEP prepared a response and presented the petition to the EQB on August 19. The EQB denied the petition for rulemaking.*

Air Quality Technical Advisory Committee (AQTAC)

The AQTAC meeting was held on August 7. *The AQTAC approved, with amendments, the minutes of the April 3 meeting. Tentative meeting dates for 2015 were distributed for consideration. The department provided reports on EPA's Proposed Carbon Pollution Emission Guidelines for Existing Electric Generating Units, Implementation of the 1-hour SO₂ National Ambient Air Quality Standard (NAAQS), EPA's Proposed Data Requirements Rule for the primary 1-hour SO₂ NAAQS, U.S. Supreme Court Decision on the Cross-State Air Pollution Rule, Final 2014 Air Quality Monitoring Network Plan, Compliance Extensions for EPA's Mercury and Air Toxics Standards for Power Plants, U.S. Supreme Court Decision on EPA's "Tailoring Rule", Attainment Demonstration for the Lower Beaver Valley Nonattainment Area for the Lead NAAQS, and Update on PM_{2.5} Redesignation Requests and Maintenance Plans. The next meeting is scheduled for October 9.*

Air Quality Regulatory Packages

Control of VOC Emissions from Fiberglass Boat Manufacturing Materials – At its December 12, 2013, meeting, the Air Quality Technical Advisory Committee (AQTAC) unanimously concurred with DEP's recommendation to move the draft proposed rulemaking for fiberglass boat manufacturing materials to the EQB for consideration. The proposed rulemaking was submitted for approval by the EQB at its May 2014 meeting. The CAC Policy and Regulatory Oversight Committee voted to support moving this rulemaking to the EQB during a conference call on March 12. The EQB approved the proposed rulemaking for public comment at its May 21 meeting. *The proposed rulemaking was published in the Pa. Bulletin on July 19 (44 Pa. B. 4502). The public comment period closes September 22.*

Miscellaneous Metal and Plastic Parts Coatings – At the February 20 meeting, AQTAC concurred with the Department to submit the proposed Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Coating Processes and Pleasure Craft Surface Coatings rulemaking to the EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA Control Technique Guideline (CTG) documents. The CAC Policy and Regulatory Oversight Committee voted to support moving this rulemaking to the EQB during a conference call on March 12. *The proposed rulemaking has been forwarded to the DEP Office of Policy with a request to be considered by the EQB at its October 21, meeting.*

Control of VOC Emissions from Industrial Cleaning Solvents – At the February 20 meeting, the AQTAC concurred with the department's recommendation to submit the proposed Control of VOC Emissions from Industrial Cleaning Solvents rulemaking to the EQB for consideration. The proposed rulemaking would establish RACT requirements for industrial cleaning solvents as recommended in the EPA CTG documents. It is anticipated that the EQB will consider the proposed rulemaking *this autumn*. The CAC and the Small Business Compliance Advisory Committee (SBCAC) concurred with DEP's recommendation to submit the proposed rulemaking to the EQB for consideration.

Additional RACT Requirements for Major Sources of NO_x and VOCs – The proposed RACT rulemaking was approved by the EQB on November 19, 2013, and published for public comment on April 19, in the Pennsylvania Bulletin (44 Pa.B. 2392). Three public hearings were held May 27, 28, and 29. The public comment period closed on June 30. *DEP is reviewing the comments.*

Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations – At the April 3 meeting, the AQTAC concurred with the department’s recommendation to submit the draft proposed rulemaking to EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA’s CTG. It is anticipated that EQB will consider the proposed rulemaking this *fall*. The CAC Policy and Regulatory Oversight Committee voted to concur with the DEP’s recommendation to submit the proposed rulemaking to the EQB for consideration.

EPA’s Proposed Designations for the 2012 National Ambient Air Quality Standard – *On December 14, 2012, the EPA promulgated a new annual fine particulate matter (PM_{2.5}) National Ambient Air Quality Standard (NAAQS), lowering the annual PM_{2.5} standard from 15 to 12 micrograms per cubic meter. DEP submitted Pennsylvania’s designation recommendations to EPA in December 2013 and revised its recommendations on July 30, based on certified 2011-2013 monitoring data. Pennsylvania’s PM_{2.5} designation recommendations included the following nonattainment areas: Cambria, Delaware, Lebanon and Northampton Counties—a partial county nonattainment area was recommended for the Liberty-Clairton Area (City of Clairton and the Boroughs of Glassport, Liberty, Lincoln and Port View). The other areas of the Commonwealth were recommended as “unclassifiable/attainment” areas.*

On August 19, EPA notified Governor Corbett of proposed modifications to Pennsylvania’s designation recommendations for the 2012 annual PM_{2.5} NAAQS. EPA intends to designate the following areas as nonattainment areas: Allegheny County, Cambria County and portions of Indiana County (Center, East and West Wheatfield Townships, the boroughs of Armagh and Homer City); Delaware, Lebanon, Lehigh and Northampton Counties. EPA intends to designate the remainder of the Commonwealth as “unclassifiable/attainment” based on 2011-2013 air monitoring data. On August 29, EPA announced in the Federal Register a 30-day public comment period on EPA’s intended area designations for the 2012 PM_{2.5} NAAQS, to close September 29; this comment period is solely for the general public. DEP is reviewing the proposed designations and will submit its response to EPA by October 29.

Active and Abandoned Mine Operations

Proposed Rulemaking – Land Reclamation Financial Guarantees and Bioenergy Crop Bonding

This rulemaking will implement Acts 95 and 157 of 2012 which provide an incentive for the reclamation of coal mine sites with bioenergy crops and establish the Land Reclamation Financial Guarantee Program, respectively. The rulemaking will provide the ground rules for implementing the biofuels incentive. Act 95 allows for reclamation bond coverage for operators who re-mine and reclaim the area with biofuel crops for no cost. The regulation also will provide the framework for bonding assistance underwritten by existing Commonwealth funds and premiums paid by the operators. Act 157 specifically requires that EQB promulgate regulations to implement the Land Reclamation Financial Guarantee program. The regulations will establish eligibility requirements, program limits and operational standards. The rulemaking also includes amendments to Chapters 77, 87, 88, 89, 90 and 211 that are exclusively related to the correction of the citation for the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1- 1396.19b) due to the addition of section 19.2 in Act 157. Numerous corrections are also included in Chapter 86.

Approval to initiate the rulemaking process was received in April 2013. An initial draft of the rulemaking has been prepared to review with the MRAB. A series of meetings with the Regulation, Legislative and Technical committee of the MRAB have been held. The proposed rule was reviewed by the MRAB on October 24, 2013. The MRAB recommended that the department proceed to EQB with the rulemaking package. The rulemaking

package has been assembled and is in the process of internal routing. This proposed *was approved* by EQB at its July 15 meeting. The MRAB field trip *in* July included visits to 4 recently completed treatment systems on ABS sites in Clearfield County.

Other Coal Mining Program Rulemaking

Preliminary discussion is underway for rulemaking packages relating to surface coal mining water supply replacement, remining and water quality, and general coal mining program improvements. Staff met with the MRAB, Regulation, Legislative and Technical Committee in February and April. A Preliminary draft of the remining regulation language has been shared with the Regulation, Legislative and Technical Committee for their review. *A meeting is scheduled in September to review the final draft of the proposed rulemaking.* The water supply replacement rulemaking will be deferred until the remining and program improvement packages are completed due to priorities identified by MRAB.

Explosives Program Rulemaking

Outreach in advance of the formal rulemaking process is underway for Chapter 211, Storage, Handling and Use of Explosives. There are two primary new explosive regulation areas anticipated to be included in the rulemaking. First, a section for performance standards for the use of explosives for seismic exploration for oil and gas reserves will be developed. This will deal with the issues that are unique to this specific application of explosives. Second, the regulation will, for the first time, impose permitting fees for the non-mining use of explosives (mining use is already subject to fees). Other minor issues are expected to be included in the regulation, including the elimination of Permits to Purchase and Permits to Sell, allowance for authorization expiration dates to be staggered in order to manage the workload, and various clarifications. Outreach will be done with industry trade groups, explosives professional organization chapters and individual stakeholders over the next few months.

NPDES Permitting for Mine Sites

The Mining Program continues to work with EPA to implement NPDES permitting and compliance improvements. The focus has shifted from developing tools (e.g. TGD, SOP, Permit Document and Inspection Report) to deploying the tools. EPA is working with the Mining Program to identify the parameters of further interaction between the agencies. A two-year work plan has been drafted. Industry outreach was completed during the last week of February. Review of the Standard Operating Procedures for implementing NPDES permits with the compliance staff is underway. EPA has indicated interest in a collaborative review of the process of reviewing draft NPDES permits for mining. DEP *has* engaged with EPA on *this in an effort to focus on the Central Tenets of NPDES Permitting.* Revisions to the NPDES application form for mine site and the Effluent Characterization data submission form are underway to address chronic comments from EPA on draft permits.

Guidance Document Revisions

As a result of the implementation of PDG a few Technical Guidance Documents need to be updated. For example, pre-applications have taken on a more prominent role under PDG. Therefore, the mining program's guidance, Coal Surface Mining Activity Permit Pre-application Review (563-2112-214), requires substantial revision. It is expected that a preliminary draft of the revised document will be shared with the industry trade groups in July. The Bureau of Mining Programs is systematically reviewing the library of Technical Guidance Documents to identify all of the documents which require changes. The mining program engineering manual has been redrafted and sent to the mining industry trade groups for their review. Finally, the guidance for the use of Reclamation Fill at Non-coal Mine Sites was published as final at the end of 2013. The PA Aggregates and Concrete Association (PACA) pointed out some discrepancies after this final publication. The Mining Program is actively engaged with PACA to address their concerns which will result in a major revision to the guidance. The Bureau of Mining Programs has evaluated the necessity for minor revisions for all of the Guidance Documents for the program resulting from the reorganization of the Department. More than 90 Guidance Documents will be revised to correct the Bureau name reference. This *was* finalized in early July.

Act 54 Report Progress

DEP received the final report from the contractor on September 2. DEP will proceed with its final review and approval in preparation to submit the report to the Legislature in accordance with Act 54.

Board of Coal Mine Safety (BCMS)

Proposed Rulemaking: Standards for Surface Facilities – This proposed rulemaking will allow for the implementation of existing federal regulations that broadly relate to the surface work areas of underground bituminous coal mines and govern surface installations, thermal dryers, safeguards for mechanical equipment, electrical equipment, trailing cables, grounding, surface high-voltage distribution, low- and medium-voltage alternating currents, ground control, fire protection, maps, personnel hoisting, wire ropes, trolley wires and trolley feeder wires, and slope and shaft sinking. As a result, the existing federal regulations will become independently enforceable by the Commonwealth. Adopting these proposed regulations will ensure that surface operations at underground bituminous coal mine sites are safely conducted and maintained. Although underground bituminous coal mine operators are already required to comply with these regulations, implementing this proposed rulemaking will provide DEP with the independent authority to enforce the federal requirements. This will result in improved efficiency and enhanced autonomy for the Commonwealth. The rulemaking was adopted by the BCMS at its June 10 meeting. It was published for comment in the *August 2, PA Bulletin*.

Attachment 1

2014 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 Center on the DEP website. Click on “Public Participation Center;” “News and Events.”

September	
Sept. 10	<i>Mine Families First Response and Communications Advisory Council: 1 pm, Marion Center Mine Rescue Facility, Home</i>
Sept. 15	South-central Regional Roundtable: 10 am, Harrisburg Regional Office Susquehanna A
Sept. 16	Citizens Advisory Council: 10 am, Room 105, RCSOB
Sept. 16	<i>Rescheduled Climate Change Advisory Committee: 10 am, 12th Floor Conference Room, RCSOB</i>
Sept. 18	Joint Recycling Fund and Solid Waste Advisory Committee: 10 am, Room 105, RCSOB
Sept. 23	Small Water Systems Technical Assistance Center Board: 10 am, Room 105, RCSOB
Sept. 24	State Board for Certification of Sewage Enforcement Operators: 10 am, 11 th Floor Conference Room B, RCSOB
Sept. 25	Rescheduled Board of Coal Mine Safety: 10 am, DEP Cambria Office, Ebensburg
Sept. 25	Oil and Gas Technical Advisory Board: 10 am, Room 105, RCSOB
Sept. 26	<i>Rescheduled Water Resources Advisory Committee: 9:30 am, Room 105, RCSOB</i>
October	
Oct. 2	Low-level Radioactive Waste Advisory Committee: 10 am, Room 105, RCSOB
Oct. 9	Air Quality Technical Advisory Committee: 9:15 am, Room 105, RCSOB
Oct. 15	Agricultural Advisory Board Committee Meeting: 10 am, Room 105, RCSOB
Oct. 15	Cleanup Standards Scientific Advisory Committee: 9 am, Room 105, RCSOB
Oct. 15	<i>Rescheduled Technical Advisory Committee on Diesel-Powered Equipment: 10 am, New Stanton District Mining Office</i>
Oct. 16	State Board for Certification of Water and Wastewater Systems Operators: 10 am, 10 th Floor Conference Room, RCSOB
Oct. 16	Radiation Protection Advisory Committee: 9 am, Room 105, RCSOB
Oct. 16	Southwest Regional Roundtable: 10:30 am, Southwest Regional Office, Waterfront A&B, Pittsburgh
Oct. 21	Environmental Quality Board: 9 am, Room 105, RCSOB
Oct. 21	Citizens Advisory Board: 11 am, Room 105, RCSOB
Oct. 22	Small Business Compliance Advisory Committee: 10 am, 12 th Floor Conference Room, RCSOB
Oct. 23	Mining and Reclamation Advisory Committee: 10 am, Room 105, RCSOB
Oct. 28	Climate Change Advisory Committee: 10 am, Room 105, RCSOB
November	
Nov. 5	Environmental Justice Advisory Board: 8:30 am, 16 th Floor Delaware Room, RCSOB
Nov. 5	Sewage Advisory Committee: 10:30 am, Room 105, RCSOB
Nov. 12	Water Resources Advisory Committee: 9:30 am, Room 105, RCSOB
Nov. 13	Northwest Regional Roundtable: 10 am, location TBA
Nov. 18	Environmental Quality Board: 9 am, Room 105, RCSOB

Nov. 18	Citizens Advisory Council: 11 am, Room 105, RCSOB
December	
Dec. 2	Storage Tank Advisory Committee: Room 105, RCSOB
Dec. 9	Climate Change Advisory Committee: Room 105, RCSOB
Dec. 9	Board of Coal Mine Safety: DEP Cambria Office, Ebensburg
Dec. 10	Coal and Clay Mine Subsidence Insurance Fund Board Annual Meeting: 12 th Floor Conference Room, RCSOB
Dec. 10	State Board for Certification of Water and Wastewater Systems Operators: 10 th Floor Conference Room, RCSOB
Dec. 11	Air Quality Technical Advisory Committee: Room 105, RCSOB
Dec. 16	Environmental Quality Board: Room 105, RCSOB
Dec. 17	Agricultural Advisory Board Committee: South-central Regional Office
Dec. 18	Small Water Systems Technical Assistance Center Board: Room 105, RCSOB
Dec. 22	State Board for Certification of Water and Wastewater Systems Operators: 10 th Floor Conference Room, RCSOB

Attachment 2

Oil and Gas Workload Report – Week Ending 8/22/2014

YTD WELL PERMIT APPLICATIONS - 1/1/2014 to 8/22/2014						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	693	142	753	745	745	8
UNCONVENTIONAL	2,137	264	2,197	2,173	2,091	24
Sub Total	2,830	406	2,950	2,918	2,836	32
AUTHORIZATIONS	325	70	334	299	N/A	35
Total	3,155	476	3,284	3,217	3,116	67

WEEKLY WELL PERMIT APPLICATIONS - 8/16/2014 to 8/22/2014						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	3	3	25	25	25	0
UNCONVENTIONAL	9	9	85	85	85	0
Sub Total	12	12	110	110	110	0
AUTHORIZATIONS	4	4	5	4	N/A	1
Total	16	16	115	114	114	1

HISTORICAL WELL PERMIT APPLICATIONS AS OF 8/22/2014						
	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	196,330	196,187	194,978	189,101	1,209	106,496
UNCONVENTIONAL	18,244	17,965	17,586	15,081	379	9,616
Sub Total	214,574	214,152	212,564	204,182	1,588	116,112
AUTHORIZATIONS	40,562	40,474	40,228	N/A	246	18,553
Total	255,136	254,626	252,792	244,106	1,834	134,665

YTD INSPECTIONS - 1/1/2014 to 8/22/2014				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	7,311	4,940	936	234
UNCONVENTIONAL	7,249	3,720	273	112
CLIENT/SITE	1,800	0	404	166
Total	16,360	8,660	1,613	512

WEEKLY INSPECTIONS - 8/16/2014 to 8/22/2014				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	121	118	11	2
UNCONVENTIONAL	123	102	2	2
CLIENT/SITE	44	0	12	16
Total	288	220	25	20

WELLS DRILLED					
	Two Years Prior 1/1/2012 to 8/22/2012	One Year Prior 1/1/2013 to 8/22/2013	Year To Date 1/1/2014 to 8/22/2014	Week of 8/16/2014 to 8/22/2014	As of 8/22/2014
CONVENTIONAL	742	557	497	19	194,905
UNCONVENTIONAL	939	776	893	27	8,347
Total	1,681	1,333	1,390	46	203,252

This report was prepared by Laura Henry, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email lahenry@pa.gov or call (717) 705-3769.