

May 2015 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 90-day public comment period closed on March 14, 2014, and about 24,000 comments were received electronically and in hard copy. Of those comments, over 1,100 represented “individual” comments and the balance were submitted to DEP as form letters. IRRC 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 is available on the DEP YouTube Channel and the webinar is available on DEP’s webinar page.

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).

On September 25, DEP presented the two individual chapters of the bifurcated proposed rulemaking to the members of TAB and discussed the pertinent aspects proposed rulemaking. The TAB meeting was conducted via a Webinar in order to provide a greater opportunity for public participation and the webinar is available on DEP’s webinar page. The TAB accepted public comments and DEP responded as appropriate. The bifurcated rulemaking represents a first step toward placing the proposed regulatory language into a form that can be further adjusted to address public comments. A discussion of the changes made as a result of the public comment period will take place at the TAB meeting scheduled for March 20; the TAB meeting that was

originally scheduled for March 5, was rescheduled to March 20. DEP intends to utilize the Advanced Notice of Final Rulemaking process to take additional public comment on the draft changes included in the final rulemaking.

DEP presented an overview of the proposed rulemaking to TAB and the Conventional Oil and Gas Advisory Committee (COGAC) on March 20 and March 26, respectively.

On Saturday, April 4, DEP published notice of an Advance Notice of Final Rulemaking (ANFR) for revisions to the “Environmental Protection Performance Standards at Oil and Gas Well Sites” rulemaking in the *Pennsylvania Bulletin*, opening an additional 30-day public comment period.

On Friday, April 3, the ANFR notice was made available on the *Pennsylvania Bulletin* website and the ANFR document was made available on DEP’s Oil and Gas Rulemaking web page.

On April 6, DEP announced extension of the public comment period by an additional 15 days to close on May 19, and the addition of three public hearings. The three public hearings were held at 6 p.m. on the following dates:

- *April 29 – Washington and Jefferson College, Rossin Campus Center, Allen Ballroom, 60 S. Lincoln Street, Washington, PA 15301*
- *April 30 – Warren County Courthouse, 204 4th Avenue, Warren, PA 16365*
- *May 4 – Pennsylvania College of Technology’s Klump Academic Center, 1 College Avenue, Williamsport, PA 17701*

Federal Regulations

Recently Submitted DEP Comments

Nothing to report.

Regulations Planned for DEP Comment

Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements – EPA is proposing requirements that state, local and tribal air agencies would have to meet as they implement the current and future national ambient air quality standards (NAAQS) for fine particulate matter (PM_{2.5}). Specifically, this proposal details how the EPA proposes that air agencies meet the statutory state implementation plan (SIP) requirements that apply to areas designated nonattainment for any PM_{2.5} NAAQS, such as: general requirements for attainment plan due dates and attainment dates; emissions inventories; attainment demonstrations; provisions for demonstrating reasonable further progress; quantitative milestones; contingency measures; and nonattainment New Source Review (NSR) permitting programs, among other things. This proposed rule clarifies the specific attainment planning requirements that would apply to PM_{2.5} NAAQS nonattainment areas based on their classification (either Moderate or Serious), and the process for reclassifying Moderate areas to Serious. Additionally in this notice, EPA is proposing to revoke the 1997 primary annual standard because it revised the primary annual standard in 2012. EPA first established the PM_{2.5} NAAQS in 1997, completed a review of those standards in 2006, and most recently completed a review of the PM_{2.5} NAAQS on December 14, 2012. Comments for this proposed rule are due to EPA by May 29, 2015. DEP is planning to provide comments for this proposal.

Draft Proposed Rulemakings

- Control of VOC Emissions from Industrial Cleaning Solvents (25 Pa. Code Chapters 121 and 129) – Planned for EQB consideration in 2015.
- Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating *Operations and Heavier Vehicle Coating Operations* (25 Pa. Code Chapter 129) – *Adopted as proposed by the EQB at its April 21, 2015 meeting. Publication of the proposed rulemaking in the Pennsylvania Bulletin anticipated for the second quarter of 2015.*
- Revised Total Coliform Rule (25 Pa. Code Chapter 109) – *Adopted as modified by EQB its April 21 meeting. Rulemaking will be split into two parts: the first will cover the Federal Revised Total Coliform Rule and will move forward as modified; the second will be a general update to Chapter 109 and will move through the rulemaking process separately. Discussed with the Small Water Systems Technical Assistance Center (TAC) Board at its April 30 meeting.*
- Radiological Health (25 Pa. Code Chapters 215-230 and 240) – Planned for EQB consideration in 2015.
- Radiation Protection Program Fees (25 Pa. Code Chapter 215) – Planned for EQB consideration in 2015.
- Unsuitable for Mining; Big Run and Willholm Run Watersheds (25 Pa. Code, Chapter 86) – Planned for EQB consideration in late 2015/early 2016
- Environmental Laboratory Accreditation Fee Amendments (25 Pa. Code, Chapter 252) – Planned for EQB consideration in late 2015/early 2016.

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) – Adopted as proposed by the EQB at its October 21, 2014 meeting. Publication of the proposal in the Pennsylvania Bulletin anticipated for the second quarter of 2015.
- Security Rule for Radioactive Material (25 Pa. Code Chapter 215) – Adopted as proposed by the EQB at its October 21, 2014 meeting. Published in the Pennsylvania Bulletin on March 21. *Public comment period closed April 20; no comments received. IRRC comments due May 20.*
- Environmental Protection Performance Standards at Oil and Gas Well Sites (25 Pa. Code Chapter 78) – *Rulemaking has been split into two parts: Chapter 78 applies to conventional wells and Chapter 78A applies to unconventional wells. Advanced Notice of Final Rulemaking (ANFR) was developed for this rule. ANFR language discussed at the March 20, Oil and Gas Technical Advisory Board (TAB) meeting and the March 26, Conventional Oil and Gas Advisory Committee (COGAC) meeting. ANFR published in April 4, Pennsylvania Bulletin, opening 30-day public comment period. On April 18, published notice of 15-day public comment period extension (to close May 19) and addition of three public hearings: April 29 (Washington, PA), April 30 (Warren, PA), and May 4 (Williamsport, PA).*

Draft Final Rulemakings

- Administration of Land Recycling Program (25 Pa. Code Chapter 250) – *Published in the Pennsylvania Bulletin on May 17, 2014. Comment period closed June 17, 2014. Two comments received. IRRC comments received July 17, 2014. Draft final-form Annex presented to Cleanup Standards Scientific Advisory Board December 17, 2014. Scheduled for EQB consideration at its May 20 meeting.*
- Additional RACT Requirements for Major Sources of NO_x and VOCs (25 Pa. Code Chapters 121 and 129) – Public comment period closed June 30, 2014. IRRC comments received July 30, 2014; program is drafting the comment/response document and the final rulemaking package. A draft final-form Annex was presented to the Air Quality Technical Advisory Committee (AQTAC) for consideration at a special meeting held November 7, 2014, and to the Small Business Citizens Advisory Council (SBCAC) on January 28. *An update on the revised draft final-form RACT II rulemaking was provided to AQTAC at its April 16 meeting.*

- Standards for Surface Facilities (25 Pa. Code Chapter 208) – Public comment period closed on September 2, 2014. IRRC comments received October 2, 2014; the final rulemaking package is under review. Planned for consideration by the Board of Coal Mine Safety at its June 23 meeting.
- Control of VOC Emissions from Fiberglass Boat Manufacturing Materials (25 Pa. Code Chapter 129) – Public comment period closed September 22, 2014. Three hearings held August 19 (Pittsburgh), August 20 (Norristown), and August 21, 2014 (Harrisburg). IRRC comments received October 22, 2014; program is drafting the comment-response document and final rulemaking package. A draft final-form Annex was presented to the Air Quality Technical Advisory Committee (AQTAC) for consideration at a special meeting held November 7, 2014, and to the Small Business Citizens Advisory Council (SBCAC) on January 28, 2015. *Scheduled* for EQB consideration at its May 20 meeting.

Final Form Rulemakings

- *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, 2014 meeting. Published in the Pennsylvania Bulletin on October 25, 2014, opening the 30-day comment period. Public comment period closed on November 24, 2014. A draft final-form Annex was presented to the Mining and Reclamation Advisory Board (MRAB) at its January 22 meeting. Approved by the EQB at its April 21 meeting.*

Petitions

- Hosensack Creek Watershed – Petition received February 4, 2015. Notification of receipt of petition sent to petitioner February 5, 2015. Determination of petition’s administrative completeness *sent March 13*. Several letters in support of this petition have been received. *Accepted for study by EQB at its April 21 meeting; notice of acceptance of petition for further study published in Pennsylvania Bulletin May 2. Currently under evaluation by DEP.*
- Browns Creek Watershed – Petition received December 17, 2014. Notification of receipt sent to petitioner December 18, 2014. Determination of petition’s administrative completeness sent January 16. *Accepted for study by EQB at its April 21 meeting; notice of acceptance of petition for further study published in Pennsylvania Bulletin May 2. Currently under evaluation by DEP.*
- Stony Run Watershed – Accepted for study by EQB at its February 18, 2014 meeting; notice of acceptance of petition for further study published in May 3, 2014 edition of the *Pennsylvania Bulletin*. Currently under evaluation.
- Clearfield Creek Watershed (Three Petitions: Killbuck Run, Weyerough Run, and Beaverdam Run) – Approved for further evaluation by the EQB at its May 21, 2014 meeting. Currently under evaluation.
- Beaver Creek – Accepted for study by EQB at its August 19, 2014 meeting; notice of acceptance of petition for further study published in August 30, 2014 edition of the *Pennsylvania Bulletin*. Currently under evaluation. Letter in support of Redesignation received January 27, 2015, from the Delaware Riverkeeper Network.
- Upper Paradise Creek – Accepted for study by EQB at its August 19, 2014 meeting; notice of acceptance of petition for further study published in August 30, 2014 edition of the *Pennsylvania Bulletin*. Currently under evaluation.

Proposals Open for Public Comment

- Riparian Buffer or Riparian Forest Buffer Equivalency Demonstration (DEP ID: 310-2135-002) (Opened 3/21/2015, Closes 5/20/2015)
- Riparian Buffer or Riparian Forest Buffer Offsetting (DEP ID: 310-2135-003) (Opened 3/21/2015, Closes 5/20/2015)
- Advanced Notice of Final Rulemaking (25 Pa. Code Chapters 78 and 78a, Environmental Protection Performance Standards at Oil and Gas Well Sites) (Opened 4/4/2015, Closes 5/19/2015)

- *Nutrient Credit Trading Program – Credit Certification Notice (Opened 4/18/2015, Closes 5/20/2015)*
- *Federal Consistency Under the Coastal Zone Management Act – Penn’s Landing Marina; Spruce Street Harbor Park (Opens 5/9/2015, Closes 5/26/2015)*

Recently Closed Comment Periods (April/May 2015)

- Interstate Pollution Transport Reduction – Proposed 2015 Ozone Season NO_x Emission Limits for Non-Electric Generating Units (Opened 3/21/2015, Closed 4/5/2015)
- *Draft NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10) (Opened 3/21/2015, Closed 4/20/2015)*
- *Pennsylvania’s Capability Enhancement Strategy (DEP ID: 383-0400-114) (Opened 4/4/2015, Closed 5/4/2015)*
- *Federal Consistency Under the Coastal Zone Management Act – Maintenance Dredging at Presque Isle and Erie Bluffs State Parks (Opened 4/18/2015, Closed 5/4/2015)*

Legislative Update

House Environmental Resources and Energy Committee Voting Meeting

The House Environmental Resources and Energy Committee met on April 23 to consider HB398, sponsored by Rep. Killion. HB398 provides that DEP may not prohibit the vehicular transportation of landfill leachate to an offsite facility for treatment. HB398 was referred from committee with a vote of 25-2 and now awaits consideration by the full House of Representatives.

Monthly Press Releases

April 1 – DEP Begins to Collect Monthly Natural Gas Production Data

April 2 – DEP to host Public Meeting and Public Hearing on PPL’s power line permit applications

April 3 – DEP to Hold Public Hearing on Cleanup of Hazardous Substances in Beaver County Landfill

April 6 – DEP Extends Public Comment Period, Schedules More Public Hearings to Review Revised Rulemaking Proposal for Environmental Protection Performance Standards at Oil and Gas Well Sites

April 7 – DEP Announces \$150,000 Settlement against Columbia Gas Transmission for Violations in Pipeline Construction

DEP renews Keystone Landfill’s Operating Permit

DEP’s Live Webcast of Peregrine Falcon Banding Set for May 21

DEP North-central Partners Prepare for Sixth Stream Restoration Project Construction Season

April 9 – DEP Denies PA Waste LLC’s Municipal Waste Landfill Application in Clearfield County

April 13 – DEP to hold open house regarding landfill expansion permit

DEP Announces Regional Keystone Energy Education Program Workshop in Slippery Rock

April 14 – DEP Encourages Pennsylvanians to Participate in Local Cleanups for Earth Month

April 15 – DEP Announces Dates and Locations for Public Hearings to Discuss Revisions to Chapter 78 and 78a

April 17 – DEP Honored for Clarion County Abandoned Mine Reclamation Project

April 20 – DEP Approves Air Quality Plan for Modifications at Easton Compressor Station

New Data Reveals Increase in Emissions from Natural Gas Drilling Operations as Activity Increases, Reporting Requirements Expand

DEP to Hold Public Hearing for Cleanup at a Beaver County Hazardous Waste Site

April 21 – DEP Study Reveals Lyme Disease Risk In All 67 Counties of Pennsylvania

Public Water Line Construction Begins Near Ivy Industrial Park

April 23 – DEP Awards 110 Grants for Environmental Education and Stewardship

April 27 – DEP Announces Air Quality Awareness Week

April 28 – Governor Wolf Announces 2015 Environmental Excellence Awards

Active and Abandoned Mine Operations

Act 54 Report Review

The Bureau of Mining Programs is working with the California District Mining Office to systematically review the Act 54 report. This process will involve review of the report and the comments relating to the report. The goal is to compile and evaluate all of the recommendations and identify action items.

Noncoal and Coal Mining Fees

The 3-year reports for noncoal mining fees in Chapter 77 and coal mining fees in Chapter 86 are due in October and November of this year. The draft three-year report for noncoal has been routed in anticipation of being presented to the EQB in May. The draft report for coal mining fees *was* reviewed with the Mining and Reclamation Advisory Board (MRAB) *on April 23. The fee reports will be presented to the EQB at its May 20 meeting.*

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 was prepared to review with the MRAB and a series of meetings with the Regulation, Legislative and Technical committee of the MRAB were held. The proposed rule was reviewed by the MRAB on October 24, 2013. The

MRAB recommended that DEP proceed to EQB with the rulemaking package. The proposed rulemaking was approved by EQB at its July 15, 2014 meeting and published for comment in the October 25, 2014 edition of the *Pennsylvania Bulletin*. Comments were received from three public commenters and the Independent Regulatory Review Commission. Minor revisions to the proposed rulemaking *were* required as a result of the comments. Draft final regulatory language *was* presented to the MRAB at its January 22 meeting. The MRAB recommended that DEP pursue the final rulemaking as quickly as possible. The rulemaking *was approved* at the April 21 EQB meeting.

Other Coal Mining Program Rulemakings

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's Regulation, Legislative and Technical Committee on November 25, 2014 to discuss the coal mining program improvements rulemaking. The MRAB committee expressed the concern that it may be premature to proceed, specifically relating to the definition of surface mining activities, since there is litigation related to this underway in the federal system. The proposed remining rulemaking was reviewed by the MRAB at their meeting on October 23, 2014. The MRAB recommended that DEP proceed with the rulemaking process for the remining regulations. The remining rulemaking is scheduled to be presented at the May EQB meeting. The water supply replacement rulemaking will be deferred until the remining and program improvement packages are completed due to priorities identified by MRAB.

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. A checklist that would eventually provide an alternative to submission of draft permits is under discussion; some progress has been made in identifying the content of the checklist, but a final draft has not yet been prepared. Monthly calls with EPA to discuss program issues have been reinstated. A number of workgroups are being established to address on-going issues. One of the workgroups will be evaluating the best way to integrate remining in TMDL watersheds. EPA has recently identified an example of a draft permit and fact sheet that provided them with the information they needed in a very clear and concise manner.

Guidance Document Revisions

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

Use of Reclamation Fill at Active Noncoal Sites (563-2000-301): This TGD describes the process of and conditions in which DEP may permit the use of certain fill materials (deemed "Reclamation Fill") obtained from an off-site source in the reclamation plan of an active noncoal mine site. It was originally 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 actively engaged PACA to address their concerns, *resulting* in a major revision to the guidance. This revision was published in the *Pennsylvania Bulletin* on December 27, 2014 and DEP accepted comments on the revision until January 26. This guidance will replace the existing qualifications for reclamation fill to be consistent with the environmental clean-up standards of Chapter 250. As a result of the comments minor revisions will be made to the guidance.

Guidelines for the Beneficial Use of Coal Ash at Coal Mines (563-2112-228): This guidance explains new requirements for the beneficial use of coal ash under the provisions of Chapter 290, including clarification of the implementation of new requirements in the areas of water monitoring, ash quality monitoring and certification of coal ash sources. Revisions to this TGD were published in the *Pennsylvania Bulletin* on

December 13, 2014; the comment period closed on January 13. Comments were received from one commenter. No substantial changes will result from the comments.

Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities (563-2112-115): This guidance provides direction in establishing effluent limits for NPDES permits associated with mining activities to ensure timely and compliant point source permitting. It was revised in consultation with US EPA. The revisions were published in the *Pennsylvania Bulletin* on December 27, 2014 and DEP accepted comments until January 26. No changes are necessary as a result of the comments.

Blaster's License Suspension and Revocation Procedure (562-2402-501): This TGD describes the procedures for the suspension, modification or revocation of blaster's licenses and/or penalty assessment actions; it was substantially revised to be more transparent and provide new procedures for these actions. The substantive revisions were published in the *Pennsylvania Bulletin* on May 5, 2014 and DEP accepted comments until July 7, 2014. Comments are being reviewed, a comment response document is being developed and changes will be made to the TGD where necessary.

In addition, the Engineering Manual for mining has been revised with input from PACA and the Pennsylvania Coal Alliance. It is anticipated that the Engineering manual will be published for comment in *August*.

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, 2014, meeting. It was published for comment in the *August 2 Pennsylvania Bulletin*. No public comments were received. Two comments were received from IRRC on October 2, 2014, asking for language clarification. DEP legal staff addressed these points and the final regulation package is completed. The final rulemaking will be voted on by the Board at the June 23 meeting.

Air Quality

Climate Change Advisory Committee

The Climate Change Advisory Committee (CCAC) met in Harrisburg on April 21. The meeting focused on the approval and discussion of work plans for the 2015 Pennsylvania Climate Change Action Plan Update. Three work plans were voted on and approved for inclusion in the Update including Semi-Truck Freight Transportation, High Performance Building Codes, and Energy Codes. Five other work plans were brought to the floor for discussion. These five work plans will be edited per the recommendations of the CCAC and brought to the floor for an approval vote at the next CCAC meeting. The next meeting of the CCAC is scheduled for June 9.

Air Quality Technical Advisory Committee

The Air Quality Technical Advisory Committee (AQTAC) met on April 16. The AQTAC received several reports and updates including: DEP annual ambient air quality monitoring network plan, ambient air quality update, the draft final-form RACT II rulemaking, implementation of EPA's Mercury and Air Toxics Standards for electric generating units, DEP's comments on EPA's proposed revision to the ozone National Ambient Air

Quality Standard, and the Regulatory and State Implementation Plan Revisions update. The next AQTAC meeting is scheduled for June 11.

Air Quality Rulemaking Packages

Control of VOC Emissions from Fiberglass Boat Manufacturing Materials –The proposed rulemaking for fiberglass boat manufacturing materials would establish RACT as recommended in the applicable EPA Control Technique Guidelines (CTG) document. The EQB approved the proposed rulemaking for public comment at its May 21, 2014 meeting. The proposed rulemaking was published in the *Pennsylvania Bulletin* on July 19, 2014 (44 Pa.B. 4502). The public comment period closed September 22, 2014. The IRRC comment period closed October 22, 2014. On November 7, 2014, the AQTAC voted to support DEP’s recommendation to forward the draft final-form Annex to the EQB for consideration. The draft final-form Annex was discussed with members of the CAC Policy and Regulatory Oversight Committee on December 15, 2014. On January 28, the Small Business Compliance Advisory Committee voted to support DEP’s recommendation to forward the draft final-form Annex to the EQB for consideration. A follow-up conference call with CAC’s Policy and Regulatory Oversight Committee was held on February 20. The CAC endorsed the regulation during the March 17 meeting. *The EQB will consider the final-form rulemaking at its May 20 meeting.*

Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Coating Processes and Pleasure Craft Surface Coatings – At the AQTAC meeting on February 20, 2014, the committee unanimously concurred with DEP’s recommendation 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. On March 18, 2014, the CAC concurred with DEP’s recommendation to forward the proposed rulemaking to the EQB. The Small Business Compliance Advisory Committee (SBCAC) was briefed on the proposed rulemaking on April 23, 2014. The SBCAC voted unanimously to concur with DEP’s recommendation to forward the proposed rulemaking to the EQB for consideration with a recommendation that DEP consider flexibility for small businesses during the development of the proposed rulemaking. The EQB approved the proposed rulemaking for public review and comment at its October 21, 2014 meeting. Publication of the proposal in the *Pennsylvania Bulletin*, opening the public comment period, is anticipated for the second quarter of 2015.

Control of VOC Emissions from Industrial Cleaning Solvents – At its February 20, 2014 meeting, the AQTAC concurred with DEP’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. The SBCAC was briefed on the proposed rulemaking on April 23, 2014. The SBCAC voted unanimously to concur with DEP’s recommendation to forward the proposed rulemaking to the EQB for consideration with a recommendation that DEP consider flexibility for small businesses during the development of the proposed rulemaking. The CAC Policy and Regulatory Oversight Committee discussed this rulemaking during a conference call on May 6, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, on June 17, 2014, the CAC concurred with DEP’s recommendation to forward the proposed rulemaking to the EQB. It is anticipated that the EQB will consider the proposed rulemaking in 2015.

Additional RACT Requirements for Major Sources of NO_x and VOCs – The proposed Reasonably Available Control Technology (RACT) rulemaking was approved by the EQB on November 19, 2013, and published for public comment in the *Pennsylvania Bulletin* (44 Pa.B. 2392) on April 19, 2014. Three public hearings were held May 27, 28 and 29, 2014. The public comment period closed on June 30, 2014. IRRC comments were received July 30, 2014. The total number of commentators is 134, including IRRC. By a vote of 11 to 5, the AQTAC voted to move to the EQB for consideration the RACT requirements at its November 7, 2014 meeting. The draft final-form Annex was discussed with the CAC Policy and Regulatory Oversight Committee on

December 15, 2014, and the SBCAC on January 28. A follow-up conference call with the CAC's Policy and Regulatory Oversight Committee was held on February 20; the Committee voted unanimously to recommend EQB consideration of the RACT regulation by the full CAC on March 17. CAC tabled action on this proposal at the March 17 meeting. *The draft final-form Annex was again discussed with AQTAC at its April 16 meeting.*

Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations – At its April 3, 2014 meeting, the AQTAC concurred with DEP's recommendation to submit the draft proposed rulemaking to EQB for consideration. The proposed rulemaking would establish RACT as recommended in EPA's CTG. The CAC's Policy and Regulatory Oversight Committee discussed this rulemaking with staff during a conference call on May 6, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, the CAC concurred with DEP's recommendation to forward the proposed rulemaking to the EQB on June 17, 2014. *The EQB approved unanimously the proposed rulemaking for public comment and review at its April 21, 2015 meeting.*

Implementation of the PM2.5 National Ambient Air Quality Standards

EPA's Designations for the 2012 National Ambient Air Quality Standard – On December 14, 2012, the EPA promulgated a new annual fine particulate matter (PM2.5) National Ambient Air Quality Standard (NAAQS), lowering the annual PM2.5 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, 2014, based on certified 2011-2013 monitoring data. Pennsylvania's PM2.5 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 December 18, 2014, EPA advised Governor Corbett of the final designations for the 2012 PM2.5 NAAQS, which are consistent with EPA's proposed designations. The designations were to become effective April 15, 2015. Based on preliminary 2012-2014 ambient PM2.5 monitoring data, several nonattainment areas including the Cambria (including portions of Indiana County), Lehigh and Northampton nonattainment areas are monitoring attainment of the 2012 PM2.5 standard. On February 18, 2015, DEP submitted documentation to EPA certifying the ambient monitoring data and requesting the designations for these counties be changed to attainment. *On April 7, the EPA Administrator published in the Federal Register a final rule designating Cambria (including portions of Indiana County), Lehigh and Northampton Counties as attainment areas for the 2012 PM2.5 annual standard, based on 2012-2014 ambient PM2.5 monitoring data.* Therefore, the final nonattainment areas in Pennsylvania for the 2012 annual PM2.5 standard are Allegheny, Delaware and Lebanon Counties. Attainment demonstrations will be due to EPA as revisions to the State Implementation Plan within 18 months after the *April 15, 2015*, effective date of the final designations.

EPA Actions on Redesignation Requests and Maintenance Plans for the 1997 and 2006 PM2.5 National Ambient Air Quality Standards

Redesignation of the Johnstown Area to Attainment of the 1997 and 2006 PM2.5 Standards – *On April 23, EPA proposed to approve DEP's request for the redesignation of the Johnstown Area to Attainment of the 1997 annual and 2006 24-hour PM2.5 standards. EPA also proposed to approve as a revision to the Pennsylvania State Implementation Plan (SIP), the associated maintenance plan which demonstrates maintenance of the 1997 annual and 2006 24-hour PM2.5 NAAQS through 2025. The maintenance plan includes the 2017 and 2025 PM2.5 and nitrogen oxides (NOx) motor vehicle emissions budgets (MVEBs), which EPA is proposing to approve for transportation conformity purposes. Additionally, EPA is proposing to approve as a revision to the Pennsylvania SIP the 2007 emissions inventory that is also included in the maintenance plan. The comment period on the proposal will end on May 26, 2015.*

Redesignation of the Philadelphia Area to Attainment of the 1997 and 2006 PM_{2.5} Standards -On April 21, 2015, EPA published a final notice in the Federal Register approving DEP's request to redesignate the 5-county Philadelphia Area to attainment of the 1997 annual and 2006 24-hour fine particulate matter PM_{2.5} NAAQS. Additionally, EPA approved as a revision to the Pennsylvania State Implementation Plan (SIP) the associated maintenance plan to show maintenance of the 1997 annual and 2006 24-hour PM_{2.5} NAAQS through 2025 for the Pennsylvania portion of the Philadelphia-Wilmington, PA-NJ-DE Nonattainment Area. The maintenance plan includes the 2017 and 2025 PM_{2.5} and nitrogen oxides (NO_x) mobile vehicle emissions budgets (MVEBs) for the Pennsylvania portion of the Area for the 1997 annual and 2006 24-hour PM_{2.5} NAAQS, which EPA is approving for transportation conformity purposes. EPA also approved the 2007 base year emissions inventory included in the maintenance plan for the 2006 24-hour PM_{2.5} NAAQS.

Redesignation of the Allentown Area to Attainment of the 2006 PM_{2.5} Standard – On April 13, EPA published a final notice in the Federal Register approving DEP's request to redesignate the Allentown Area to attainment of the 2006 24-hour PM_{2.5} NAAQS. In addition, EPA approved the Allentown Area maintenance plan, as a revision to the Pennsylvania State Implementation Plan (SIP). This SIP revision demonstrates that the Allentown Area will maintain the 2006 24-hour PM_{2.5} NAAQS through 2025.

EPA Proposes a Clean Data Determination for the Liberty-Clairton 2006 PM_{2.5} Nonattainment Area — On April 23, 2015, EPA proposed to determine that the Liberty-Clairton in Allegheny County has attained the 2006 24-hour PM_{2.5} National Ambient Air Quality Standard, based upon quality-assured, quality controlled and certified ambient air monitoring data for the calendar years 2012-2014. A final "clean data determination," for the Liberty-Clairton Area will suspend certain Clean Air Act requirements including the submission of an attainment demonstration, reasonably available control measures (RACM), reasonable further progress (RFP), and contingency measures related to attainment of the 2006 24-hour PM_{2.5} NAAQS; these requirements would be suspended for so long as the Area continues to attain the 2006 24-hour PM_{2.5} NAAQS.

Implementation of the 1-hour SO₂ National Ambient Air Quality Standard

Additional Designations for the 1-Hour SO₂ Standard – On March 31, the Regional Administrator for the U.S. Environmental Protection Agency's (EPA) Region III Office, Shawn Garvin, sent a letter to the Honorable Acting DEP Secretary, John Quigley, indicating that no additional areas in Pennsylvania will be designated nonattainment for the 1-hour sulfur dioxide (SO₂) National Ambient Air Quality Standard (NAAQS) by July 2, 2016. The SO₂ NAAQS promulgated in 2010 is 75 parts per billion. In 2013, EPA promulgated 1-hour SO₂ NAAQS designations for 29 areas in 16 states including Pennsylvania (Allegheny, Beaver, Indiana, and Warren Counties were designated nonattainment areas). The Natural Resources Defense Council and Sierra Club filed a complaint to compel the EPA Administrator to issue designations for other areas across the country. On March 2, the U.S. District Court, Northern District of California (Court) granted a joint motion approving a Consent Decree ordering EPA to issue three additional rounds of designations for the 1-hour SO₂ NAAQS by July 2, 2016, December 31, 2017 and December 31, 2020.

Energy Initiatives

Pennsylvania Energy Development Authority (PEDA)

PEDA continues to finalize grant contracts with the 28 awardees announced at the October 2014 PEDA Board meeting. Nearly one-half of the projects have begun. It is expected that the final awards will be executed into grant agreement in May. One project, Advanced Technologies and Land Services, requested to surrender their grant award. Outreach to both ex-officio Board members and appointed Board members occurred in April to determine both participation and a date for a May 2015 Board meeting. It is expected that the annual PEDA Board meeting will be held on May 18, 2015, to elect officers, designate a chairperson, and discuss activities for calendar year 2015. Additional awards to replace any surrendered award may also be considered at the Board meeting.

Alternative Fuel Fleet Vehicles

On January 14, \$7.3 million in Act 13 funding was awarded to 18 companies, organizations and partnerships making the switch to natural gas for their heavy-duty fleet vehicles. DEP is currently executing grant agreement contracts with the awardees. The first two rounds of Act 13 funding awarded a total \$14.4 million to 43 companies and organizations. So far, DEP has reimbursed grantees for the purchase or conversion of 148 heavy duty vehicles totaling more than \$3.2 million in program funds disbursed. The 148 vehicles are estimated to be displacing over 1.8 million gasoline gallon equivalents per year. Additionally, the Alternative Fuel Incentive Grant Program has been providing grant support for light and medium duty natural gas vehicles as well as propane and electric fleet vehicles of any size. So far, DEP has reimbursed grantees for the purchase or conversion of 132 vehicles totaling more than \$738,000 in program funds disbursed. The 132 vehicles are estimated to be displacing approximately 294,000 gasoline gallon equivalents per year.

Alternative Fuel Vehicle Rebate Program

On December 31, 2013, the alternative fuel vehicle rebate program began offering rebates for EVs and PHEVs at \$2,000. This commitment of 500 rebates at \$2,000 resulted in another \$1 million pledged to support alternative fueled vehicles purchased and registered by Pennsylvania residents. On December 29, 2014, DEP announced that funding remained and the program would be extended. *As of April 23, 2015, 26 rebates at \$2,000 remain. The \$2,000 rebate level will remain available until June 30, 2015, or until 500 rebates are issued, whichever occurs first. The program and the rebate amounts offered are currently being assessed so that if continued, the availability of the rebates would be constant.*

PA Turnpike Electric Vehicle Charging

DEP has been working with the PA Turnpike on the deployment of direct current (DC) fast charging stations on the PA Turnpike. At the last update meeting, Car Charging Group, Inc. (CCGI), the technology provider for the Turnpike project, reported that the DC Fast Chargers for the King of Prussia, Peter J. Camiel, and Bowmansville service plazas were shipped the end of April to contractor Clark Construction for installation at the service plazas. It is anticipated that these chargers should be operational within 30 days. The chargers will be the first DC Level III chargers capable of fully charging an electric vehicle in 20 minutes on the Turnpike. Additionally, CCGI is continuing to work on preparing the western plaza group (Oakmont, New Stanton, North & South Somerset, and North & South Midway) for bid. CCGI has indicated that bids should be ready to go out for response by the end of April. The Turnpike is concurrently working with Penn State University Facility Engineering to finalize electrical evaluations on the central plazas (Sideling Hill, Blue Mountain, Cumberland Valley, Highspire, and Lawn). Once these evaluations are completed, CCGI will bid out the install of Level III charging stations for the central plazas. It is anticipated that the Turnpike mainline will be fully electrified by the end of the year

Green Energy Loan Fund

The Green Energy Loan Fund (GELF) is a third-party managed revolving loan fund supporting energy efficiency and renewable energy projects. GELF was capitalized in 2010 with \$12 million of ARRA funds. Since 2010, GELF has provided funds for 10 projects utilizing a total of \$12.3 million in energy loan funds. To date, 8 projects have been completed with one project fully repaying the loan. The 10th project utilized funds from the repaid loan completing the first revolution of the loan program. The total project budget for the 10 projects undertaken has exceeded \$250 million, resulting in significant projects deployed in Pennsylvania. Several projects are currently being underwritten and may be candidates for the use of available funding. DEP is working with the GELF contractor to add approximately \$1.4 million in additional Federal funding to the program from the Fiscal Year 2014 State Energy Program (SEP) allocation. *DEP is planning a site visit in the next month to conduct an onsite review of GELF's project files.*

Promoting an Energy Efficient Work Force

Building Operator Certification (BOC) Training: Building Operator Certification (BOC) is a national, competency-based training program that empowers facilities personnel with the job skills and knowledge to transform workplaces into more comfortable and energy-efficient spaces. A variety of building management topics including lighting systems, heating ventilation & air conditioning (HVAC), indoor air quality, sustainability, and energy conservation are addressed. State Energy Program (SEP) funds are being used to pay for the BOC tuition of twenty-eight facility managers from K-12 schools, local governments, and state agencies. *Two separate BOC classes* for SEP-funded facility managers in Mechanicsburg wrapped up in February *and March*. Another BOC class with several SEP-funded participants continued in *April* in Williamsport. That class will end on May 14.

BOC/BRT Class at Penn State University: Throughout the fall semester 2014, a course entitled Building Retuning Design for Energy Efficiency Leadership was offered for the first time to 8 undergraduate and graduate students at Penn State's University Park campus. This course, focused on energy efficient building operations, was based on the training materials from Building Operator Certification (BOC) and Building Retuning (BRT) programs, which had previously only been offered to facility managers of K-12 schools and local/state government agencies throughout the Commonwealth. As part of the course, students conducted walk-downs of 5 on-campus buildings, during which they identified low-to-no cost measures for saving energy, and then wrote follow-up reports. Bill Paletski from PennTAP served as the course instructor. The course instruction and curriculum development were paid for with SEP funds. Three of the students will be continuing on in an independent study course in the spring 2015 semester, which began on January 12. During this semester, the students will conduct walk-downs of five buildings, including: two on-campus, College Township, State College Area School District, and DEP Cambria office. SEP funds will pay for the instruction of this independent study course and further curriculum development during the spring semester.

Industrial Energy Efficiency Assistance

DEP contracts with the Pennsylvania State University's Technical Assistance Program (PennTAP) to help Pennsylvania companies improve their competitiveness by providing technical assistance and information. Funding is provided by EPA's Pollution Prevention Incentives for States and *the U.S. Department of Energy's (DOE) State Energy Program*.

The Pennsylvania Strategic Energy Management Showcase *was held on April 7* at the Penn Stater Conference Center Hotel in State College. Approximately 85 industrial manufacturing companies, *electric and natural gas utilities, and consultants attended. DOE, DEP and PennTAP recognized Curtiss-Wright, Electro-Mechanical Division, General Dynamics, Land O' Lakes, Inc., and Mack Trucks for their successful efforts in achieving ISO 50001 and DOE's Superior Energy Performance certification. PennTAP staff provided a Gap Analysis, a component of the ISO 50001 process, for three companies in Dauphin, York and Lycoming counties.*

PennTAP staff also provided energy efficiency assessments for a metals fabrication company, an advanced and diversified materials manufacturing company, and a transportation equipment company in Crawford, Centre and Lycoming counties respectively.

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 *DOE* 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.

In April, the Pennsylvania Construction Codes Academy (PCCA) held commercial energy plan review and inspection trainings in Butler County, and residential building envelope design and IECC code compliance trainings in Luzerne and Butler counties.

Environmental Cleanup and Brownfields

Cleanup Standards Scientific Advisory Board

The Cleanup Standards Scientific Advisory Board held a meeting on April 22, at 9 a.m. in Room 105 of the Rachel Carson State Office Building. The meeting included an update from DEP on pending membership expirations, the status of the Chapter 250 amendment, and the status of the revisions to the Act 2 Technical Guidance Manual. DEP gave a presentation of the draft Vapor Intrusion Guidance Document, followed by discussion among board members. There was a general discussion of how TENORM-containing constituents can be addressed under the cleanup standards. The next CSSAB meeting is scheduled for August 26, 2015, at 9 a.m. in Room 105 of the Rachel Carson State Office Building.

Storage Tank Advisory Committee

The next Storage Tank Advisory Committee meeting is scheduled for June 2, at 10 a.m. in the 14th Floor Conference Room of the Rachel Carson State Office Building.

Environmental Education

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 2015 grant round opened October 6, 2014 and closed December 19, 2014. There were 180 applications approved and accepted by the program; the total requested amount was just under \$500,000. *The awards recommendation was submitted and approved. Grants totaling \$304,137 will be awarded to 110 schools, universities, non-profit organizations, and conservation districts across Pennsylvania. Funded projects include: farm field days, summer camps, inquiry-based learning activities, professional development, and interpretive watershed signage. Through these initiatives, students, teachers, farmers, and others will learn about a variety of environmental topics ranging from pollination, storm-water management, and hydroponics in agriculture, to Marcellus Shale and the Chesapeake Bay, among other topics.*

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 was 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.

Because of the modular design of the exhibit, many different themes can be integrated. *The sustainable building materials corner exhibit from our 2013-2014 display was featured at the Phillies Red Goes Green event on Earth Day, April 22nd.* For the Capitol Complex exhibit, the theme will be Clean Watersheds, Clean Water, featuring a rain barrel, permeable pavers, green wall, green roof, integrated pest management, native plants, household hazardous waste disposal and trout in the classroom. Live brook trout will be the centerpiece of the exhibit.

Remaining Show Schedule for 2015:

- Phillies Red Goes Green event – around Earth Day (date TBD); Philadelphia
- Capitol Complex – April 27- May 1 (Earth Week); Harrisburg Capitol Complex
- State Envirothon – May 20th; University of Pittsburgh Johnstown
- Sustainable Energy Fund’s annual EnergyPath Conference & Expo – July 23-24; University of Scranton
- Ag Progress Days – August 18-20; PSU Ag Research Grounds, Rock Springs (near State College)

Keystone Energy Education Program (KEEP)

KEEP focuses on teaching about and tracking energy efficiency in school buildings and homes. Interested schools may attend workshops as a “building team.” Each building team may include any or all of the following:

- Teachers in grades 4-8
- School administrator or designee
- Building maintenance or facility manager or designee

Workshop participants learn about and explore energy conservation, efficiency, energy basics, student energy teams, benchmarking the school building using the free Energy Star Portfolio Manager program, and more. *On April 7th, the first KEEP workshop of 2015 was held at Westtown School in Chester County. Three additional workshops are scheduled for the following dates and locations:*

- May 12, 2015 Harmony House at The Macoskey Center, Slippery Rock University, 247 Harmony Road, Slippery Rock, PA (Register by May 5, 2015). To register, visit: <https://eventbrite.com/event/15100213144/>
- May 28, 2015 Springside Chestnut Hill Academy, 500 West Willow Grove Avenue, Philadelphia, PA (Register by May 21, 2015). To register, visit: <https://eventbrite.com/event/15879264307/>
- June 17, 2015 Ferguson Township Elementary School, 215 W Pine St, Pine Grove Mills, PA (Register by June 10, 2015). To register, visit: <https://eventbrite.com/event/15097830016/>

PA Falcon Cam Program

The live stream webcast began March 2. The female laid eggs on March 14, 16, 19 and 21. The female will do most of the incubation, and the male will increase his hunting efforts to provide food for both of them. *The banding event is set for May 21, 2015, in the RCSOB Auditorium. In attendance will be 150 students, teachers, and program volunteers for the live webcast event.*

Oil and Gas

Oil and Gas Technical Advisory Board

The Oil and Gas Technical Advisory Board (TAB) met on April 23 in Room 105 of the Rachel Carson State Office Building. The Board established bylaws and DEP presented an overview of the draft final Chapter 78a Subchapter C (related to unconventional wells) rulemaking to the board members. The Board accepted public comment during the meeting.

Mechanical Integrity Assessment Program

To ensure well construction materials are functioning as intended over the life of a gas well, Pennsylvania’s Oil and Gas Regulations include requirements for regular inspections of the well components accessible to the

surface. Specifically, operators are required to conduct quarterly inspections to ensure all operating wells are in compliance with well construction and operating standards described in the regulations. During 2013, DEP developed the Mechanical Integrity Assessment an inspection form and instructions along with supporting guidance. The Office of Oil and Gas Management subsequently conducted multiple training sessions throughout the state, with over 300 operators in attendance. The quarterly inspection program began in the fourth quarter of 2013. The deadline for the first annual inspection report, consisting of quarterly inspection data for the 2014 calendar year, was February 15, 2015. DEP is currently reviewing inspection report data and plans to release a report that summarizes the information that was submitted during this reporting period.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Advisory Committee (RPAC)

RPAC met on April 2, at 9 a.m. in the 14th floor conference room of the Rachel Carson State Office Building. The meeting *was* dedicated to final discussions and solicitation of a recommendation from the Committee on the Radiological Health rulemaking package (see below). *The next RPAC meeting is scheduled for June 4, at 9 a.m. in the 14th Floor Conference Room of the RCSOB.*

Radiation Protection Rulemaking Packages

Security Rule for Radioactive Material – This rulemaking incorporates by reference selected regulations from Title 10, Chapter I, of the U.S. Nuclear Regulatory Commission (NRC) Code of Federal Regulations (CFR) relating to radiation protection and control of radioactive materials. Recently NRC implemented new security-related regulations, known as 10 CFR Part 37, which Pennsylvania is required to adopt by March 2016. The purpose of this amendment is to reference the new Part 37, except for those subsections which only apply to the NRC. The rulemaking was recommended as proposed for presentation to EQB by the Radiation Protection Advisory Committee (RPAC) at its June 2014 meeting. The EQB accepted the proposed rulemaking at its October 21, 2014, meeting. It was published in the Pennsylvania Bulletin on March 21, opening a 30-day public comment period *that ended* April 20. *No comments were received. This proposed rulemaking is now under review by the Independent Regulatory Review Commission (IRRC) with a 30-day comment period.*

Radiation Protection Program Fees – This rulemaking amends Chapters 218 and 240 relating to fees. DEP must review the adequacy of established fees every three years. Current fee review indicates the need for a fee increase in two program areas. The Radiation Protection Program found the fees for Radioactive Materials and Decommissioning Program and Radon Program are insufficient to cover program costs. This information was presented to the EQB at its August 2014 meeting in a 3-year Fee Report. Specific fee amounts and regulatory language is still under development. The rulemaking was last discussed with RPAC at its October 2014 meeting and is anticipated for EQB consideration as a proposed rulemaking this summer.

Radiological Health – This draft proposed rulemaking will amend 25 Pa. Code Chapters 215-240 to update Computed Tomography and Fluoroscopic regulations; to address new x-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section. This rulemaking has been discussed *at length* with RPAC in 2014 and at the April 2, 2015, meeting; DEP will seek the Committee's final recommendation on the package at RPAC's June 4 meeting.

Waste Management

Solid Waste Advisory Committee (SWAC)

The next SWAC meeting is scheduled for June 4, at 10 a.m. in Room 105 of the RCSOB.

Host Municipality Inspector (HMI) Reimbursement Applications

Host Municipalities are eligible to receive reimbursement from DEP for authorized costs incurred from the salary and expenses of employing up to two Certified Host Municipality Inspectors. The deadline for submitting HMI reimbursement applications was March 31, 2015. In total, 31 HMI reimbursement applications were submitted for costs incurred by Host Municipalities during the 2014 calendar year:

- *28 applications have undergone technical review and have been routed for payment approval;*
- *2 applications are currently undergoing technical review; and*
- *1 application requires additional supporting documentation before technical review can be completed.*

The total reimbursement amount for the 2014 calendar year is anticipated to be approximately \$350,000.

Water Management

Chesapeake Bay Program

Pennsylvania continues work supporting the development of management strategies for the Chesapeake Bay Watershed Agreement outcomes that it has been working on with Chesapeake Bay Program (CBP) partners. *The CBP's comment period for draft management strategies closed on April 30. Work on the strategies will continue into the spring in preparation for Management Board, Principal Staff Committee, and then Executive Council approval in late July. The CBP has posted each draft management strategy on its website, and continues to provide online avenues for individuals, watershed organizations, community groups and other interested parties to stay informed about what is being done, what needs to be done and have the opportunity to offer their input in these plans for supporting thriving landscapes and clean waters throughout the region. The online resources can be viewed on the CBP website at www.chesapeakebay.net.*

Nutrient Trading Program

DEP has been working diligently, both internally and with EPA, on a number of enhancements to the Nutrient Trading Program. A meeting of the Nutrient Trading Stakeholder Workgroup was held Monday, March 2, at 1 p.m. in Room 105 of the RCSOB to share the plan to move forward with the implementation of these program modifications. Many of these modifications *were* designed to address the EPA objections to the issuance of NPDES point source discharge permit renewals within the Chesapeake Bay watershed for wastewater treatment systems that started *in* April 2014. EPA cited the need to discuss and resolve issues with the definition of the non-point source agricultural baseline as the reason for the objections. Minor modifications to the original proposal submitted to EPA were made based on input from the Stakeholder Workgroup. *DEP has reached agreement with EPA concerning objections to significant NPDES permits located in the Bay watershed. DEP has posted all of these changes to the nutrient trading website and will be re-drafting the permits where specific objections were made by EPA.*

NPDES Permitting

The master NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10) expired on December 20, 2014. DEP administratively extended the currently issued authorizations until December 2015 on November 15, 2014 (44 Pa.B. 7242); however, new authorizations for this general permit cannot be entertained until *DEP issues* a new master general permit. A draft of the new general permit was published in the *Pennsylvania Bulletin* for public comment on March 21, 2015 (45 Pa.B. 1454). *The comment period closed on April 24. DEP received official comments from federal and state agencies, and industrial and*

public entities. DEP staff will review the comments, make any necessary changes to the proposed draft permit in response to those comments, and then publish a Pennsylvania Bulletin notice issuing the permit and announcing availability of the comment response document.

Proposed Rulemaking: Revised Total Coliform Rule

The purpose of the proposed RTCR Chapter 109 rulemaking package is to incorporate necessary federal requirements needed to obtain primacy and to provide for the increased protection of public health. The proposal does the following:

- Strengthens public health protection by ensuring the integrity of drinking water distribution systems and monitoring for the presence of microbial contamination.
- Establishes a Maximum Contaminant Level (MCL) for *E.coli*.
- Creates a treatment technique for coliforms that requires public water supplies (PWSs) to assess their system and correct any problems that have been identified.

The Bureau of Safe Drinking Water presented the *draft* proposed Revised Total Coliform Rule (RTCR) rulemaking package to the EQB at its April 21 meeting. *The EQB approved the RTCR rulemaking as proposed with modifications. The modifications included separating the rulemaking into 2 parts: the proposed RTCR provisions, which were approved for publication for a 60-day public comment period; and the non-RTCR provisions, which will undergo additional stakeholder input.*

The proposed rulemaking package *was* discussed at the April 30 Small Water Systems Technical Assistance Center (TAC) Board meeting, *where the Board was apprised of the modifications made by EQB. At the meeting, the TAC Board voted to recommend that DEP further break down the general Chapter 109 rulemaking into two parts: the first dealing solely with the disinfectant residuals provisions required for primacy; and the second with the remaining portions of the general update. DEP will be soliciting input from the larger water systems on the rulemaking at two additional TAC Board meetings scheduled for May 18 and 26, 2015, in Harrisburg.*

Attachment 1

2015 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.”

May	
6	Mine Families First Response & Communications Advisory Council; 10 a.m., Fayette Room, New Stanton Office
13	Aggregate Advisory Board; 10 a.m., 6 th Floor Conference Room, RCSOB
18	<i>Small Water Systems Technical Assistance Center Board, 9 a.m., Susquehanna Rooms A & B, SCRO</i>
19	Environmental Justice Advisory Board; 8:30 a.m., Delaware Room, RCSOB
20	Environmental Quality Board; 9 a.m., Room 105, RCSOB
26	<i>Small Water Systems Technical Assistance Center Board, 9 a.m., Room 105, RCSOB</i>
28	Certification Program Advisory Committee; 9 a.m., Room 105, RCSOB
June	
2	Storage Tank Advisory Committee; 10 a.m., Room 105, RCSOB
3	Coastal Zone Advisory Committee; 9:30 a.m., 10 th floor Conference Room, RCSOB
4	Radiation Protection Advisory Committee; 9 a.m., 14 th floor Conference Room, RCSOB
4	Solid Waste Advisory Committee; 10 a.m., Room 105, RCSOB
11	Air Quality Technical Advisory Committee; 9:15 a.m., Room 105, RCSOB
16	Environmental Quality Board; 9 a.m., Room 105, RCSOB
17	State Board for Certification of Water and Wastewater Systems Operators; 10 a.m., 10 th floor Conference Room, RCSOB
18	Agricultural Advisory Board; 9 a.m., Susquehanna Room A, SCRO
23	Board of Coal Mine Safety; 10 a.m., Cambria Office, Ebensburg
24	Laboratory Accreditation Advisory Committee; 9 a.m., Bureau of Laboratories, Harrisburg
24	State Board for Certification of Sewage Enforcement Officers; 10 a.m., Conference Room 11B, RCSOB
29	Small Water Systems Technical Assistance Center Board; 9 a.m., Room 105, RCSOB
July	
8	Technical Advisory Committee on Diesel-Powered Equipment; 10 a.m., Westmoreland Room, New Stanton Office
9	Mining and Reclamation Advisory Board; 10 a.m., <i>TBD</i>
21	Environmental Quality Board; 9 a.m., Room 105, RCSOB
22	Certification Program Advisory Committee; 9 a.m., 14 th Floor Conference Room, RCSOB
22	Small Business Compliance Advisory Committee; 10 a.m., 12 th floor Conference Room, RCSOB
August	
4	Environmental Justice Advisory Board; 8:30 a.m., Delaware Room, RCSOB
6	Air Quality Technical Advisory Committee; 9:15 a.m., Room 105, RCSOB
12	State Board for Certification of Water and Wastewater Systems Operators; 10 a.m., 10th floor Conference Room, RCSOB

12	Water Resources Advisory Committee; 9:30 a.m., Room 105, RCSOB
18	Climate Change Advisory Committee; 10 a.m., 12 th floor Conference Room, RCSOB
18	Environmental Quality Board; 9 a.m., Room 105, RCSOB
19	Agricultural Advisory Board; 9 a.m., Susquehanna Room A, SCRO
25	Oil and Gas Technical Advisory Board; 10 a.m., Room 105, RCSOB
26	Cleanup Standards Scientific Advisory Board; 9 a.m., Room 105, RCSOB
September	
1	Storage Tank Advisory Committee; 10 a.m., Room 105, RCSOB
8	Board of Coal Mine Safety; 10 a.m., Cambria Office, Ebensburg
15	Environmental Quality Board, 9 a.m., Room 105, RCSOB
17	Small Water Systems Technical Assistance Center Board, 9 a.m., Room 105, RCSOB
22	Sewage Advisory Committee; 10:30 a.m., Room 105, RCSOB
23	State Board for Certification of Sewage Enforcement Officers; 10 a.m., Conference Room 11B, RCSOB
24	Radiation Protection Advisory Committee; 9 a.m., 14 th floor Conference Room, RCSOB
24	Solid Waste Advisory Committee/Recycling Fund Advisory Committee; 10 a.m., Room 105, RCSOB
30	Laboratory Accreditation Advisory Committee; 9 a.m., Bureau of Laboratories Building, Harrisburg
October	
2	Climate Change Advisory Committee; 10 a.m., 12 th floor Conference Room, RCSOB
2	Low-Level Waste Advisory Committee; 10 a.m., Room 105, RCSOB
8	Air Quality Technical Advisory Committee; 9:15 a.m., Room 105, RCSOB
14	Technical Advisory Committee on Diesel-Powered Equipment; 10 a.m., Westmoreland Room, New Stanton Office
20	Environmental Quality Board, 9 a.m., Room 105, RCSOB
21	Agricultural Advisory Board; 9 a.m., Susquehanna Room A, SCRO
22	Mining and Reclamation Advisory Board; 10 a.m., Room 105, RCSOB
27	Oil and Gas Technical Advisory Board; 10 a.m., Room 105, RCSOB
28	Small Business Compliance Advisory Committee; 10 a.m., 12 th floor Conference Room, RCSOB
29	State Board for Certification of Water and Wastewater Systems Operators, 10 a.m., 10 th floor Conference Room, RCSOB
November	
5	Environmental Justice Advisory Board; 8:30 a.m., Delaware Room, RCSOB
17	Environmental Quality Board, 9 a.m., Room 105, RCSOB
December	
2	Laboratory Accreditation Advisory Committee; 9 a.m., Bureau of Laboratories Building, Harrisburg
4	Climate Change Advisory Committee; 10 a.m., Room 105, RCSOB
8	Board of Coal Mine Safety; 10 a.m., Cambria Office, Ebensburg
8	Storage Tank Advisory Committee; 10 a.m., Room 105, RCSOB
10	Air Quality Technical Advisory Committee; 9:15 a.m., Room 105, RCSOB
10	State Board for Certification of Water and Wastewater Systems Operators, 10 a.m., 10 th floor Conference Room, RCSOB
15	Environmental Quality Board, 9 a.m., Room 105, RCSOB
16	Agricultural Advisory Board; 9 a.m., Susquehanna Room A, SCRO

16	Cleanup Standards Scientific Advisory Board, 9 a.m., Room 105, RCSOB
16	State Board for Certification of Sewage Enforcement Officers; 10 a.m., Conference Room 11B, RCSOB
17	Small Water Systems Technical Assistance Center Board, 9 a.m., Room 105, RCSOB

Attachment 2

Oil and Gas Workload Report – Week Ending 4/24/2015

YTD WELL PERMIT APPLICATIONS - 1/1/2015 to 4/24/2015						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	159	20	205	203	203	2
UNCONVENTIONAL	680	152	782	769	767	13
Sub Total	839	172	987	972	970	15
AUTHORIZATIONS	183	89	116	104	N/A	12
Total	1,022	261	1,103	1,076	1,071	27

WEEKLY WELL PERMIT APPLICATIONS - 4/18/2015 to 4/24/2015						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	3	2	8	8	8	0
UNCONVENTIONAL	21	16	40	38	38	2
Sub Total	24	18	48	46	46	2
AUTHORIZATIONS	9	7	19	11	N/A	8
Total	33	25	67	57	57	10

HISTORICAL WELL PERMIT APPLICATIONS AS OF 4/24/2015						
	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	196,955	196,922	195,706	189,747	1,216	106,157
UNCONVENTIONAL	19,954	19,764	19,363	16,202	401	10,115
Sub Total	216,909	216,686	215,069	205,949	1,617	116,272
AUTHORIZATIONS	40,930	40,782	40,514	N/A	268	18,573
Total	257,839	257,468	255,583	246,116	1,885	134,845

YTD INSPECTIONS - 1/1/2015 to 4/24/2015				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	2,891	2,223	266	61
UNCONVENTIONAL	4,375	2,734	83	31
CLIENT/SITE	966	0	207	89
Total	8,232	4,957	556	181

WEEKLY INSPECTIONS - 4/18/2015 to 4/24/2015				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	132	124	26	2
UNCONVENTIONAL	233	228	0	1
CLIENT/SITE	75	0	46	7
Total	440	352	72	10

WELLS DRILLED					
	Two Years Prior 1/1/2013 to 4/24/2013	One Year Prior 1/1/2014 to 4/24/2014	Year To Date 1/1/2015 to 4/24/2015	Week of 4/18/2015 to 4/24/2015	As of 4/24/2015
CONVENTIONAL	281	227	101	2	194,999
UNCONVENTIONAL	373	387	291	35	9,120
Total	654	614	392	37	204,119

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.