

January 2017 Report to the Citizens Advisory Council
(New and updated information in italics)

DEP Highlights

Social Media Successes:

- DEP increases drought warning to eight counties: 233 engagements on Twitter and Facebook.
- Falcom Cam goes 360 degrees: Over 500 engagements on Twitter and Facebook.

Media Relations Outputs:

- DEP has responded to 124 media inquiries and sent out 13 press releases and advisories so far in December. Ten releases achieved an over 30% percent open rate.

EV Everywhere Planning and Coordination

DEP held three electric vehicle planning meetings at the PA Turnpike Commission headquarters during the month of December. There were on average about 40-50 attendees representing state agencies, electric utilities, academia, planning commissions, transit authorities, charging infrastructure companies, clean cities coalitions, auto manufacturers, infrastructure technology companies, and consultants. The first meeting focused on the development and implementation of a statewide education and communications strategy to support electric vehicles. The second meeting focused on ways to accelerate the adoption of electric vehicles in PA through fleet procurement. The third meeting focused on ways a statewide coalition can/should support EV planning and investment in charging infrastructure. Now that these three meetings have been completed, the EV steering committee (DEP, PADOT, Clean Cities, and Georgetown Climate Center) will discuss next steps. The goal is to keep the statewide participants active and engaged and select areas of interest that the group feels are the best items to be working on for 2017 that will help move the EV market.

Abandoned Mine Reclamation Project to Begin in Foster Township, Luzerne County

The project officially began November 17 at a site near several residences in Hazelbrook, five miles east of Hazelton. The work is to be completed by October 13, 2017. The project involves the reclaiming of 7.2 acres of pits and 1,892 feet of dangerous highwalls ranging in depth from 40 to 50 feet, as well as the reconstruction of 3,000 feet of stream channel. Approximately 376,000 cubic yards of on-site material will be excavated and graded. The project will construct a one-acre wetland and a two-acre water body. Fish will be transported from an existing water body to a newly constructed water body, and the project area will be seeded with grasses, legumes and tree seed mixes. Wetland plantings will also be added and a portion of the work will be seeded with milkweed to benefit the monarch butterfly. The site is located within the Hazel Creek watershed. Brdaric Excavating, Inc. of Luzerne, Pennsylvania is performing the work at the bid price of \$1,667,223.25. Financing for this project comes from the 2016 AML Economic Revitalization Pilot Program Grant and Pennsylvania's Federal Abandoned Mine Land Grant.

FY2017 Abandoned Mine Land Reclamation (AMLR)

The FY2017 AMLR award for grant period January 1, 2017–December 31, 2019, was received from the US Department of Interior on December 19, 2016. The award approves federal funding of \$13,500,000, with no state match requirement. This grant will fund the AML programs to eliminate health and safety hazards and correct environmental damage from past coal mining.

Federal Regulations

Recently Submitted DEP Comments

On June 30, 2016, EPA proposed design details of the Clean Energy Incentive Program (CEIP) under the Clean Power Plan (CPP). The CEIP is a program that states may use at their own option to incentivize early investments in renewable power generation, as well as measures in low-income communities that help reduce rate-payer burdens. On Feb. 9, 2016, the Supreme Court stayed implementation of the CPP pending judicial review. While the stay is in place, the CPP is unenforceable. DEP submitted written comments concerning the proposed CEIP on Nov. 1, 2016, the day the public comment period closed. DEP fully supported EPA's proposal, but recommended that EPA include eligible projects that meet verified lesser-emitting generation, such as Biogas or Combined Heat and Power and other energy savings projects. DEP also encouraged EPA to remain flexible in terms of allowance allocations to maximize participation and therefore the impacts of the CEIP.

Regulations Planned for DEP Comment

Nothing to report.

Regulatory Update (detailed summaries included in respective program sections)

Please refer to the [DEP Rolling Regulatory Agenda](#) for the Regulatory Update.

Proposals Open for Public Comment

- No items are currently open for public comment

Recently Closed Comment Periods

- Federal Consistency under the Coastal Zone Management Act; Delaware River Pipeline Relocation Project (Opened 12/17/16, Closed 1/3/2017)
- Environmental Assessment Approval for PENNVEST Funding Consideration (Opened 11/26/2016, Closed 12/26/2016)
- Federal Consistency under the Coastal Zone Management Act; Delaware River Pipeline Relocation Project (Opened 10/8/2016, Closed 12/5/2016)
- Interim Final –Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations (Opened 10/8/2016, Closed 12/7/2016)
- Interim Final – Guidelines for Implementing Area of Review (AOR) Regulatory Requirement for Unconventional Wells (Opened 10/8/2016, Closed 12/7/2016)

Communications Monthly Press Releases (All New, not Italicized)

Press Releases Issued

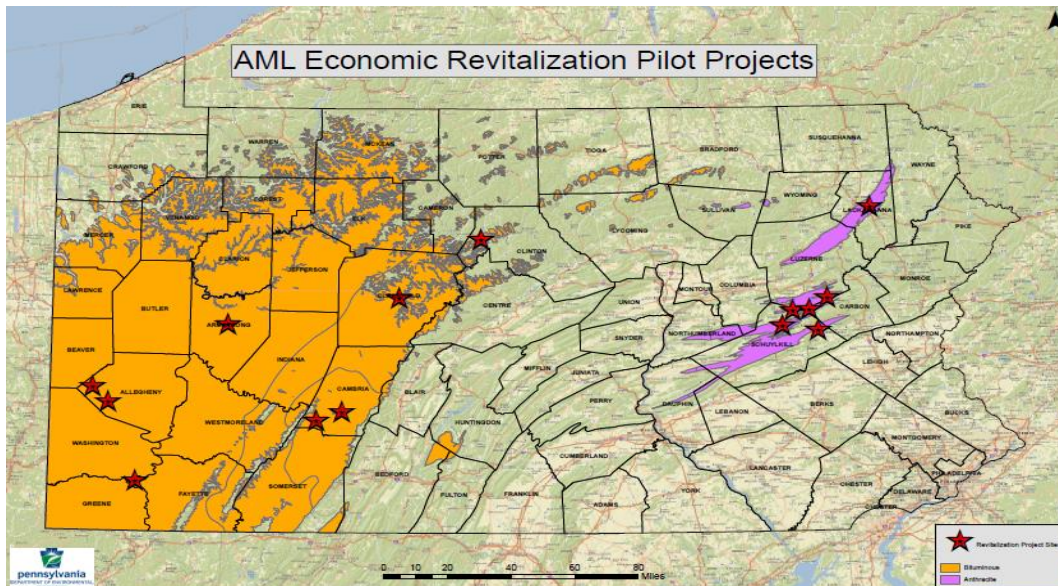
December 01 – DEP Final Report of Tenmile Creek Shows No Radioactivity Danger

- December 05** – ADVISORY – NEW HANOVER TOWNSHIP – TUESDAY – DEP to Host Public Hearing on Prompt Interim Response Actions in Montgomery County
- December 06** – UPDATE: State DEP to further investigate PFC contamination on Easton Road, Bucks County
- December 06** – Statement on DEP Appeal to PA Supreme Court
- December 07** – DEP Presents Mine Land Reclamation Award to Amerikohl
- December 07** – Rice Energy Subsidiaries Assessed Over \$3.5 Million in Penalties for Well Pad and Pipeline Violations
- December 09** – ADVISORY – Pennsylvania Lake Erie Environmental Forum (PA-LEEF) Meeting December 12
- December 12** – Reminder: DEP to Host Public Meeting and Hearing on Shell Chemical Appalachia Petrochemicals Complex Air and Water Discharge Permit Amendments
- December 13** – Year-In-Review: DEP Puts Miners Back to Work, Protects Air and Water and Kick-Starts Energy Economy in 2016
- December 14** – ADVISORY – Department of Environmental Protection to Hold Webinar on Chesapeake Bay Farm Survey Results
- December 16** – DEP Increases Drought Warning to Eight Counties, 26 Counties Remain on Drought Watch
- December 20** – ADVISORY - DEP to Host Public Hearing Regarding Northampton County Landfill Proposed Expansion
- December 28** – DEP Tips for the New Year

Active and Abandoned Mine Operations

Abandoned Mine Lands (AML) Pilot Program

The AML Economic Revitalization Pilot Program was authorized by Congress under the Consolidated Appropriations Act (signed by President Obama on December 18, 2015) and provides an additional \$30 million of US Treasury Funds to Pennsylvania's AML Program. At OSMRE's request this February, DEP developed a preliminary list of projects. Since this is a pilot program, DEP selected a wide variety of project types with a variety of possible economic or community development benefits and partners. DEP has targeted 14 AML Pilot Projects (8 Bituminous and 6 Anthracite) which are located in 10 coal field counties as shown in the map below. Additional Pilot Projects may be considered. An initial list of projects was sent to OSMRE in March resulting in questions and subsequent information sent to OSMRE in April. The AML Pilot Program Grant Application was approved by OSMRE on June 6 (effective June 1). Media events featuring several of the projects receiving some pilot project funding are being scheduled for different areas of the state. Four events have been completed; August 4, featuring the Ehrenfeld Coal Refuse Pile in Cambria County; September 7, for the Powderly Creek Underground Mine Fire just outside of Carbondale in Lackawanna County; October 24, the Pittsburgh Botanical Gardens in Allegheny County; and November 4, for the Eckley-Hazleton Rail Trail in Luzerne County.



E-Permitting Project

Earlier this year the Department launched an e-permitting project for the mining program starting with the bituminous surface permit. Future projects will move to other mining permits as well serve as the foundation for expanding to other areas of the Department. After considering leveraging other e-solutions - both DEP and other agencies - it was decided the best strategy for expanding the effort to other permits would be to develop the application in house from the ground up. A project manager was brought in and a work group was formed from staff from IT and the mining program. Once the project was formalized, requirements gathering began in late March. Development work *is* completed and testing *has begun*. The project plan provides for a live application by February 2017.

Federal Proposed Stream Protection Rulemaking

On July 27, 2015 the federal Office of Surface Mining published a substantial revision to the coal mining regulations relating to the protection of streams. The scope of the rule is extensive. Many new additional requirements are proposed, including, for example, site-specific continuous precipitation data for every mine site. The comment period for the proposed rulemaking was originally scheduled to end September 25, but was extended to October 26. The Department completed its evaluation of the rule and submitted comments on October 23. The Department's 17 pages of comments included specific recommendations for alternative approaches or revised language for purposes of improving the proposed regulations. In other instances, there were sections that were not clear and requests were made for clarification. Overall, two specific requests were made: to expand the preamble to comprehensively address each aspect of the proposed rule and the supporting science and to clarify the proposed regulatory language based on feedback received during the initial comment period. OSM has engaged with the states to discuss concerns about the rule. From this interaction it is clear that OSM is working to finalize the rule as quickly as it can. Indications are that the final rule will account for many of the comments made. The final Environmental Impact Statement was posted on OSM's webpage in mid-November. *The final rule was published December 20. Many revisions were made in response to comments. However, the fate of the rule is uncertain based on possible litigation or action by Congress.*

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. Discussions have identified a few categories of actions items. These include issues that have been addressed, but so recently that they could not be reflected in the Act 54 report, short-term actions, such as form revisions, and longer-term

actions including database enhancements. The Department has received the CAC comments and will work with the Council to address their concerns. The TGD Surface Water Protection-Underground Bituminous Coal Mining Operations will be revised to address some of the issues raised in the Act 54 report and in response to recent litigation. *Work has started on the scoping for the next report.*

Noncoal and Coal Mining Fees

The 3-year reports for noncoal mining fees in Chapter 77 and coal mining fees in Chapter 86 were due in October and November of this year. The draft report for coal mining fees was reviewed with the Mining and Reclamation Advisory Board (MRAB) on April 23, 2015, and the draft report for the noncoal mining fees was reviewed with the Aggregate Advisory Board (AAB) on May 13, 2015. The fee reports were presented to the EQB at its May 20 meeting. The Department met with the AAB Regulation, Technical and Legislation committee on September 22 and October 23, 2015, to review information that had been requested by the PA Aggregate and Concrete Association. A preliminary draft rule was provided to the AAB in February. The AAB recommended that the Department proceed with the rulemaking process at their August 2016 meeting. Their recommendation was linked to several initiatives they would like to explore through work groups. Similarly, a preliminary draft was presented to the MRAB in January, followed by a revised draft presented at the April MRAB meeting. A revised proposal has been prepared to present to the MRAB RLT committee. This proposal was discussed at the October 20 meeting of the MRAB where members passed a motion to approve the surface mining fee package. Since the underground coal industry is not represented on the MRAB, Bureau of Mining Program staff will work with underground coal mine trade groups to obtain input and comments to include with the fee package.

Final Rulemaking

Proposed Rulemaking – Areas Unsuitable for Surface Mining, Big Run and Willholm Run Watersheds, Clearfield County

Graham Township was the petitioner for the unsuitable for mining designation. As a result of the formal petition, a comprehensive technical evaluation of the area was done which yielded the result the area within the Big Run and Willholm drainage be designated as unsuitable for mining operations. The regulation proposes to amend 25 PA Code, Chapter 86, Section 86.130 to add paragraph (b) (19) to achieve the designation within the noted watersheds which includes the Mercer, Lower Kittanning, and Clarion #1, #2, and #3 coals. DEP does not anticipate any controversy or opposition with this proposal. This proposal was reviewed by the MRAB last April. It is expected to move forward to be presented to the EQB early next year.

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 EQB adopted the proposed remining rulemaking at its meeting on May 20, 2015. This proposed rulemaking was published with a 30-day comment period on October 3, 2015. The water supply replacement rulemaking will be deferred until the remining and program improvement packages are completed due to priorities identified by MRAB. One comment was received from the Pennsylvania Coal Alliance. IRRRC comments were received on December 2, 2015. Program staff developed a final regulation which was presented at the January 21, 2016, meeting of the MRAB. The remining rulemaking was approved by the EQB in May. IRRRC approved the rulemaking at its August 18 meeting. The rulemaking was delivered to the OGC on August 18 who tolled the regulation on September 3. The tolling response and edits were approved by OGC on September 12. The regulation was published in the Pennsylvania Bulletin on October 22.

The proposed rulemaking for the explosives program was reviewed with the MRAB and the Aggregate Advisory Board. Each recommended that the Department proceed with the rulemaking process. The EQB approved the package on September 15, 2015, but the Attorney General's Office tolled the regulation on November 10, 2015. Program staff and Regulatory Counsel developed a response which was submitted to the Attorney General's Office on December 29, 2015. This was published in the Pennsylvania Bulletin on February 27, 2016, opening the public comment period. Several comments were received by the close of the comment period on March 28 which are currently under review. The final form rulemaking was presented to the MRAB at their July meeting, resulting in a recommendation to proceed. This rulemaking was presented to the Aggregate Advisory Board at their November meeting which also resulted in a recommendation to proceed. It has been routed for approval for presentation to the EQB *which is expected at their first meeting of 2017.*

Proposed Rulemaking

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:

Bonding: Direct Submittal of Bonds (563-2504-407)

This draft guidance outlines the process operators should follow to submit their mine reclamation bonds directly to the Division of Contracts, Procurement and Bonding. The revisions incorporate changes that have occurred since the document was last published in 1997. The 30-day comment period on this draft TGD will run 1/14 – 2/13.

Board of Coal Mine Safety (BCMS)

Proposed Rulemaking: Proximity Detection Systems for Continuous Mining Machines

The Mine Safety and Health Administration (MSHA) issued a final rule on proximity detection systems for continuous mining machines in underground coal mines on January 15, 2015. The MSHA rule excludes full-face continuous mining machines. Miners working in the vicinity of continuous mining machines are at risk of pinning, crushing, and striking hazards. This rule provides for greater protection for miners regarding these hazards. The rule was distributed to the BCMS for review prior to their June meeting. At the June meeting the Board directed DEP to draft initial regulatory language to incorporate the MSHA rule on proximity detection systems for continuous mining machines in underground coal mines into PA mine safety regulations. The package was approved by the Board of Coal Mine Safety on December 8, 2015, and sent to Office of General Counsel and Budget for review. The rulemaking was signed off by the Office of General Counsel, the Governor's Budget Office, and the Office of Attorney General. This was published on March 19, 2016, opening

the 30-day public comment period. No comments were received. On May 18, 2016, a no comments letter was received from IRRC. If a final-form regulation is delivered without revisions and if the House and Senate Environmental Resources and Energy Committees do not take any action, it will be deemed approved. While implementation is proceeding, an issue has emerged concerning instances where a miner wearing a proximity pad is close to a source interfering with radio frequencies (RFI) (e.g., dust sampler, radio, energized cable), the proximity pad may be rendered inoperable. MSHA and equipment manufacturers are working on solutions including carriers that will keep the proximity pad separated from the RFI and developing software for the pads that will give the miner an audible and visual warning if RFI interference is causing a malfunction. *The Board tabled action on this rule at their December 13 meeting pending resolution of MSHA implementation issues.*

Pre-Draft Proposed Rulemaking: Performance Based Cable Safety

The Board undertook the issue of performance based cable standards to address both shielded cables and sensitive ground fault. Typical low and medium voltage systems use a 15 ampere grounding resistor with a ground fault relay that trips at no more than 50% of the resistor value. It was determined that sensitive ground fault protection, set at an appropriate level, would not only decrease the potential hazard of handling a damaged cable, thereby increasing cable safety, it would also afford protection from inadvertent contact with energized circuits while troubleshooting or performing maintenance. Since the 1980's some components, such as the shearer and face motors, of the high-voltage longwall systems have used a ground fault relay which trips at no more than 0.125 amperes. A similar protection scheme can be used on low- and medium-voltage systems and can increase the protection of miners. This has been under development for several years. Draft language was presented and discussed at the March 23, 2016, meeting of the Board. Based on the Board's review, final language was developed by Department staff and presented to the Board at their July 7 meeting. The draft was reviewed by the Board at their September 13 meeting where it was approved with some minor changes brought up by the Pennsylvania Coal Alliance. This will now continue with the regulatory review process. *This will be delivered to IRRC, the House and Senate Environmental Resources and Energy Committees, and Legislative Reference Bureau once the Committees are reestablished in 2017.*

Future regulatory issues that will be taken up by the Board include a better way to define what is considered to be a reportable accident and consolidating required ventilation plans into one package to simplify the entire plan approval process.

Air Quality

Climate Change Advisory Committee (CCAC)

The next CCAC meeting is scheduled for *March 14, 2017*, at 10:00 a.m. in Room 105, RCSOB.

Air Quality Technical Advisory Committee (AQTAC)

The next AQTAC meeting is scheduled for February 23, 2017, at 9:15 a.m. in Room 105, RCSOB.

Small Business Compliance Advisory Committee (SBCAC)

The next SBCAC meeting is scheduled for Jan. 25, 2017, at 10:00 a.m. in the 12th Floor Conference Room, RCSOB.

Pennsylvania's Methane Reduction Strategy for the Oil and Natural Gas Industry

Methane is the primary component of natural gas and it has been identified by the EPA as the second most prevalent greenhouse gas emitted in this nation from human activities. Pennsylvania is the second largest producer of natural gas in the United States. On Jan. 19, 2016, Governor Tom Wolf announced a four-point methane emission reduction strategy for unconventional natural gas operations in Pennsylvania. This strategy includes the development of a general permit for new unconventional well pad operations and modifications to

the existing general permit (GP-5) for compressors and natural gas processing facilities by Oct. 2016. DEP will also develop a regulatory proposal to implement EPA's final Control Technique Guidelines for the Oil and Gas Industry. This rulemaking will be submitted to EPA as a SIP revision within two years following the issuance of the final guidelines. Additionally, DEP will also develop best management practices, including leak detection and repair programs to reduce methane emissions along production, gathering, transmission and distribution lines. The proposed general permits, including the new GP for well pads and GP-5 modifications, *were presented to the AQTAC and CCAC on Dec. 8, 2016 and Jan. 10, 2017, respectively, and will be presented to the CAC on Jan. 17, 2017.*

Ozone Designations

On Oct. 26, 2015, EPA reduced the ozone National Ambient Air Quality Standard (NAAQS) from 75 ppb to 70 ppb. Following promulgation of a new or revised air standard, states are given the opportunity to submit recommendations for the designation of attainment, unclassifiable and nonattainment areas. Using 2013, 2014, and 2015 ozone season data and EPA guidance, DEP proposed the following ozone nonattainment areas in the Aug. 20, 2016, Pa. Bulletin:

- A 7-county Pittsburgh-Beaver Valley Area;
- A 5-county Philadelphia Area;
- Indiana County; and
- Lebanon County.

The Department held public meetings in Harrisburg, Pittsburgh and Norristown on Aug. 24, 25, and 26, respectively. Twenty-four comments were received from five commentators. The Department submitted its final recommendations to EPA on Oct. 3, 2016. EPA will perform its own analysis to determine nonattainment areas, while taking the Commonwealth's recommendations into account. EPA will send a "120-day letter" (120 days before the final designations are due to be published by Oct. 1, 2017) to Pennsylvania by June 3, 2017, that will state whether EPA intends to modify the Commonwealth's recommendations. EPA will open a 30-day public comment period on approximately July 3, 2017. Under Section 107(d)(1)(B) of the CAA, Pennsylvania will have until Aug. 2, 2017, to submit additional information to EPA, including certified 2016 data, for EPA to consider in making final designations. EPA intends to publish the final designations on Oct. 1, 2017.

2010 SO₂ NAAQS Attainment Demonstration SIP Revisions

On March 18, 2016, effective April 18, 2016, the EPA published a final action to find that several states, including Pennsylvania, failed to submit SIPs to satisfy nonattainment area planning requirements of the Clean Air Act (CAA) for the 2010 1-Hour Primary SO₂ NAAQS. The four areas in Pennsylvania are Beaver, Indiana/Armstrong, Warren, and Allegheny Counties. The Pennsylvania SIPs, which were due by April 4, 2015, must describe how the areas will meet the SO₂ standard by the statutory attainment date of Oct. 4, 2018. EPA's findings of "failure to submit" triggered mandatory deadlines for EPA to impose sanctions if Pennsylvania does not submit SIPs addressing those requirements and for the EPA to promulgate a Federal Implementation Plan (FIP) to address any outstanding SIP requirements. EPA is obligated to apply offset sanctions within 18 months (Oct. 18, 2017) from the effective date of the findings and highway funding sanctions in 24 months (April 18, 2018) from the effective date of the findings if the state has not submitted the SIPs and EPA has not found them to be complete by the respective deadlines. The findings also trigger an obligation under the CAA for EPA to promulgate a FIP no later than 2 years from the finding of failure to submit, if the state has not submitted, and the EPA has not approved, the SIP. Work is in progress to deliver the attainment demonstration SIPs for the four Pennsylvania nonattainment areas prior to the sanction deadline. The Allegheny County SIP will be completed by the Allegheny County Health Department.

Air Quality Rulemaking Packages

Control of VOC Emissions from Industrial Cleaning Solvents

The proposed rulemaking would establish RACT requirements for industrial cleaning solvents as recommended in EPA's 2006 CTG for Industrial Cleaning Solvents. At its Feb. 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 SBCAC was briefed on the proposed rulemaking on April 23, 2014, and 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. However, in response to comments heard at the various committee meetings, substantive changes were made to the proposed rulemaking. A revised draft Annex A was presented to AQTAC and CAC on Feb. 11 and March 15, 2016, respectively. Both committees concurred with DEP's recommendation to submit the final rulemaking to the EQB for consideration. The proposed rulemaking was presented to the SBCAC on April 27, 2016. The SBCAC also concurred unanimously with DEP's recommendation to submit the proposed rulemaking to EQB for consideration. The proposed rulemaking is tentatively scheduled for EQB consideration in early 2017.

Additional RACT Requirements for Major Sources of NOx and VOCs

The Reasonably Available Control Technology (RACT) final rulemaking was approved by the EQB on Nov. 17, 2015. The final-form RACT regulation was unanimously approved by IRRC on March 10, 2016, and subsequently delivered, the same day, to the Attorney General's Office for approval as to "form and legality." The final-form RACT regulation was published in the Pennsylvania Bulletin on April 23, 2016 (46 Pa.B. 2036). The SIP revision was submitted to EPA for approval on May 16, 2016. Conditional approval is anticipated pending DEP submission of RACT case-by-case determinations.

Low Reid Vapor Pressure (RVP) Gasoline Repeal

The gasoline volatility regulation codified in 25 Pa. Code Chapter 126, Subchapter C, requires that summertime gasoline with a Reid vapor pressure (RVP) limit of 7.8 pounds per square inch (psi) or less per gallon be sold at the retail level in the Pittsburgh-Beaver Valley Area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland counties) between May 1 and September 1 of each calendar year by all refiners, importers, distributors, resellers, terminal owners and operators and carriers. The restrictions apply between June 1 and September 15 of each year for all wholesale purchaser-consumers and retailers of gasoline. The EQB adopted the regulation in Nov. 1997 to address a violation of the 1-hour ozone standard in the Pittsburgh-Beaver Valley Area; EPA approved the SIP revision on July 20, 1999. Given mandatory vapor recovery technology (carbon canister) requirements for all new vehicles since 2007, this regulation has had a diminishing effect on ozone precursor emissions.

In May 2014, the Pennsylvania General Assembly enacted legislation requiring DEP to develop a SIP revision for the removal of the low RVP fuel provisions from the SIP. The law also directs the EQB to promulgate regulation repealing the low RVP regulation (Act of May 14, 2014, P.L. 674, No. 50). On Dec. 10, 2015, the majority of AQTAC members concurred with DEP's recommendation to submit the proposed rulemaking to the EQB for consideration. The proposed repeal of this regulation was presented to the SBCAC and the CAC on Feb. 17 and March 15, 2016, respectively. Both committees unanimously concurred with the DEP's recommendation to submit the proposed rulemaking to the EQB for approval. On Oct. 18, 2016, the EQB voted 15-5-0 on DEP's recommendation to move the proposed rulemaking forward to be published in the Pennsylvania Bulletin for public comment. The Department will hold a 60-day public comment period on the proposed rulemaking and three public hearings at DEP regional offices in Norristown, Harrisburg, and Pittsburgh.

Air Program Fee Schedule for Emission, Plan Approval and Operating Permit Fees

A proposed rulemaking is under development that would amend existing requirements and fee schedules codified in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees) to ensure that fees are sufficient to cover the costs of administering the air program, as required by Section 502(b) of the Clean Air Act (CAA) and Section 6.3 of the Air Pollution Control Act (APCA). Existing fees for plan approval applications and operating permits would be increased and fees would be established for requests for determination (RFD) of whether a plan approval is required, risk assessment reviews, and asbestos notifications.

Energy Initiatives

Application to USDOE for Competitive Solar Energy Evolution and Diffusion Studies II – State Energy Strategies (SEEDSII-SES)

On Nov. 2, Governor Tom Wolf announced that a statewide planning project led by the Pennsylvania Department of Environmental Protection (DEP) called “Finding Pennsylvania’s Solar Future,” was selected for a [\\$550,000 grant from the U.S. Department of Energy](#). The project will help to equip Pennsylvania to produce more solar energy and increase solar-generated in-state electricity sales to at least 10 percent by 2030. The project is scheduled to begin in January 2017 with a kickoff meeting composed of experts from local and state government, the solar industry, the utilities and transmission sector, environmental organizations, low-income advocacy groups, consumer organizations, and the business and academic communities as well as others interested in solar development and deployment. The working groups will meet regularly throughout 2017 to envision, debate, and hammer out possible scenarios for solar development and deployment in the Commonwealth. The nonprofit organization [PennFuture](#) is partnering with the DEP [Office of Pollution Prevention and Energy Assistance](#) to coordinate the process. Results of the meetings will be publicly available on the DEP web site. The result will be Pennsylvania’s Solar Future Plan, presented in draft form for public comment in January 2018 and published in final form six months later for use by policy makers, regulators, industry, investors, and consumers. A cooperative agreement to be executed with DOE is still being developed and the project cannot start without both a cooperative agreements and agreements with DEP’s intended subcontractors.

2016 Alternative Fuel Incentive Grant (AFIG)

Award announcement for the 1st submission period was occurred on September 8, 2016. During the first submission period, a total of 30 applications were submitted via the DEP Environmental eGrants system. DEP awarded more than \$1.6 million to 10 applicants including Pennsylvania schools and businesses for projects using alternative fuels and infrastructure. The winning projects are estimated to eliminate from use an estimated 980,000 gallons of gasoline. The AFIG Program offers grant funding for clean, alternative fuel projects in Pennsylvania, and investment in Pennsylvania’s energy sector. The second submission period for the 2016 AFIG Grant closed on 4 PM on Friday, September 9th. 29 Applications were received requesting a combined total of \$4.8 million. *The application submission period for Round Three of the Alternative Fuels Incentive Grant Program closed at 4 p.m. on Friday, December 30, 2016. A total of 27 applications were submitted, including 15 applications for vehicle retrofit and/or purchase projects, 11 applications for refueling infrastructure projects, and one application for innovative technology projects. The 2017 AFIG program is currently under development.*

Alternative Fuel Fleet Vehicles

Since 2012, the Act 13 Natural Gas Energy Development Program has awarded \$20 million to 62 companies and organizations. To date, DEP has reimbursed grantees for the purchase or conversion of 624 heavy duty vehicles under the Act 13 program totaling more than \$12.5 million in program funds disbursed. The 624 vehicles supported to date with grant funds are estimated to be displacing over 8.1 million gasoline gallon

equivalents per year. Over \$33.1 million in actual incremental costs have been expended on alternative fuel vehicles due to this program.

Since 2013, the Alternative Fuel Incentive Grant Program has provided \$7 million to 66 awardees to support the purchase or conversion 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 453 vehicles totaling over \$2.6 million in program funds disbursed. The 453 vehicles are estimated to be displacing over 1.1 million gasoline gallon equivalents per year. Over \$5.3 million in actual incremental costs have been expended on alternative fuel vehicles due to this program.

Alternative Fuel Vehicle Rebate Program

The alternative fuel vehicle rebate program provides rebates to PA residents for large battery EVs and PHEVs at \$2,000 and small battery EV and PHEVs at \$1,000. DEP committed to provide 250 rebates at \$2,000 resulting in \$500,000 of pledged support to the purchase of large battery storage alternative fueled vehicles. The \$2,000 rebate level will remain available until December 30, 2016, or until 250 rebates are issued, whichever occurs first. As of November 1, 2016, 100 rebates remain at \$2,000.

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. As of May 31st, Car Charging Group, Inc. (CCGI), the technology provider for the Turnpike project, has installed one level III DC fast charging station and one Level II charging station each at 5 service plazas along the Main Line of the PA Turnpike. DEP anticipates construction at the North & South Somerset in the fall of 2016. North & South Midway plazas will be installed in the winter of 2016/2017. Eventually, Sideling Hill, Blue Mountain, Cumberland Valley, Highspire, Lawn, and Valley Forge will have Level II chargers as well as Level III DC fast chargers installed capable of fully charging an electric vehicle in 30 minutes. CCGI is attempting to resolve issues which have caused delays in the project. A call will be held in November to determine whether this project will continue to move forward.

Green Energy Revolving Loan Fund (GELF)

Since inception of the loan program in 2010, As of June 30, 2016, GELF has closed a total of \$14,827,001 of loans supporting the deployment of energy efficiency and alternative energy measures in Pennsylvania. These loans have leveraged nearly \$283 million in total project activities in Pennsylvania. GELF currently has available for lending \$2,523,880, consisting of \$1,137,841 revolved ARRA funding and \$1,386,039 additional State Energy Program (SEP) funding provided in 2015. GELF's loan program has expanded since inception as the program has transferred a total of \$1,167,767 of income, interest and fees into the capital available for lending. GELF has identified two additional potential candidates that focus solely on energy, one at a school in Montgomery County and another at multiple health care facilities in Philadelphia and Bucks counties. DEP and GELF are working to further develop the marketing of successes of completed projects by developing outreach tools designed to attract projects which can utilize the funds revolving back in to the loan fund.

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

The Climate Change Action Plan Update contains a work plan that recommends increasing deployment of CHP systems in PA and recently the PUC has proposed a policy statement intended to promote CHP investments; encourage electric distribution companies (EDCs) and natural gas distribution companies (NGDCs) to make CHP an integral part of their energy efficiency and resiliency plans.

The project is to demonstrate the use of natural gas and solar energy in a hybrid, CHP-Enabled Renewable Energy distributed energy configuration at the newly constructed Building 7R facility at the microgrid within the Philadelphia Navy Yard. This demonstration will establish a path to a more pervasive use of renewable

energy technology by the application of hybrid (CHP + Solar Photovoltaic + Electric and Thermal Energy Storage combinations) systems that enable a resilient, low carbon footprint path that rationally incorporates cost-effective advances in solar cells, energy storage and distributed energy based electric grid designs. The project will provide the data and system operation experience for a transferrable design guide to enable interested municipal, industrial and rural co-op organizations to assess implementation feasibility for particular applications.

PA DEP hosted a meeting between DEP and representatives of the US DOE Mid-Atlantic CHP Applications Center, DOE NETL, Penn State, PUC, and DCED on October 12 to discuss opportunities for collaboration to advance microgrid projects which include CHP, renewables, and storage in PA. The benefits to PA were discussed: use of indigenous shale gas and renewables for economic development, environmental improvement, and increased resiliency. There are several sites that are currently planning or considering microgrids with solar PV and energy storage, including the Philadelphia Navy Yard, Reading Airport, a municipal electric utility grid cluster in SE PA, and Pittsburgh. The group is collaborating on a document that includes definitions and a set of recommendations for next steps to encourage these systems. The group is planning to hold a meeting in January for all potential state project partners, state and federal government agencies, and industry actors with the interest in and capacity to advance these projects.

Industrial Energy Efficiency Assistance

The Climate Change Action Plan Update contains a work plan that calls for greatly increasing the number of energy assessments for the manufacturing sector and this proposal directly coincides with that recommendation. 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. DEP and PennTAP entered into a new contract for FY 2016 – 2017 to provide 70-75 energy efficiency assessments for small to mid-sized manufacturers. The project will also educate the next generation of engineering students at Penn State University by including them in site visits and writing assessment reports. Funding is provided by EPA's Pollution Prevention Incentives for States and the DOE's State Energy Program.

PennTAP's technical staff provided two energy assessments for metals and metal fabrication manufacturing companies in Clearfield and Lancaster County during October.

Energy Assessments and Retrofits for Restaurants and Corner Stores

DEP contracted with the Energy Outreach and Assessment Center (EOAC) at the Philadelphia Navy Yard to design and demonstrate a scalable approach to facilitating building energy assessments that will lead to energy retrofits in small and medium sized facilities. This demonstration will focus initially on the Philadelphia PA region as a model for broader statewide applications and specifically on convenience stores and restaurants which are the most energy intensive type of commercial building (3 to 5 times higher than office buildings). These types of facilities have also been targeted by the Philadelphia Energy Authority, who will be a key partner in this project.

This initiative will draw from recent investments by Penn State, the U.S. Department of Energy (DOE) and the DEP in Building Operator Certification and Building Retuning Training designed to engage entry-level workers in building energy assessments. It will also include market partners that will execute retrofit implementations through innovative methods that overcome many barriers currently impeding progress in building energy efficiency. Key innovations include:

- (1) **Lowering the cost of energy retrofit customer acquisition** through low cost energy assessment conducted by education and training program integration and community outreach,
- (2) **Supply chain integration** of retrofit design, pricing, product procurement, and construction, and
- (3) **Aggregation of small projects** into portfolios

In Q1, a total of 30 businesses had a walk-through energy assessment conducted. Three were in State College and 27 were in Philadelphia. A standard assessment report template and format was in development during this period. As of September 30, 2016, three retrofit proposals were developed by PEP and submitted to the business owner. Several more proposals are in development.

Building Operator Certification (BOC) Outreach and BOC/Building Re-tuning (BRT) Workshop

DEP has contracted with PennTAP to create and deliver a well-structured statewide workshop to showcase DEP's Building Construction Technology Extension Program and to provide BRT training and BOC required maintenance points for re-certification. The workshop will highlight DEP's Scope of Work on the BRT projects that have been implemented over the past several years. Program participants will discuss BRT at their facilities and lessons learned of executing projects. BRT training will be provided to participants at the workshop interested in the hands-on training. BOC training modules will be provided to past participants of the Building Operator Certification Program to provide them an opportunity to obtain their required re-certification BOC maintenance points. PennTAP Technical Advisors and instructors from the Penn College National Sustainable Structures Center (NSSC) will present training sessions that are competency-based and offer facility personnel the improved job skills and knowledge needed to transform their workplaces to be more energy-efficient and environmentally friendly. In addition PennTAP is subcontracting with Penn College's National Sustainable Structures Center will deliver BOC training to 20 government, community colleges and K-12 school participants in 1 or 2 sessions (Statewide).

BOC/BRT Workshop;

The BOC/BRT Facility Operations Workshop date has been set for March 14, 2017. This date was chosen to avoid potential conflicts with other events and also to occur prior to a BOC certification expiry deadline at the end of March. The event will be held at the Penn Stater Conference Hotel Center. Continuing education credits (CEU) certificates will serve as the proof of participation required to qualify for BOC points. Targeted enrollment is 100. The workshop will consist of two parallel tracks that focus on a) BRT principles and the practical application in building walkthroughs, and b) a variety of BOC topics (earning certification points).

BOC Q1 Activities

The location, subjects, dates, and logistics for the BOC training sessions have been determined and are being promoted through Penn College. An initiative to align the BOC program with the international ISO standard will be incorporated in these new training sessions. The activity to date has primarily been planning. NSSC staff will conduct outreach at the upcoming Pennsylvania Association of School Business Officials (PASBO) Facilities Management and Transportation Conference.

Energy Efficient Building Codes Outreach and Education

OPPEA staff has been preparing for the upcoming voting sessions for the 2018 International Energy Construction Code (2018 IECC, the national model code). This year is particularly important after various energy efficiency professionals did an analysis of the proposed codes and found that the 2018 IECC, as proposed, will roll back energy efficiency requirements pre-dating 2009 IECC. The National Association of State Energy Officials and Institute for Market Transformation are providing webinars to State Energy Offices and local governments across the country to educate them about the voting process and the technical issues involved the proposed 2018 IECC.

OPPEA staff will complete online voting on the 2018 International Energy Construction Code (the national model code) the month of November. These votes are crucial to advancing energy efficiency in buildings. The goal is to see about a 5% increase in energy efficiency improvements when triennial energy codes are proposed.

Energy Financing Gap Analysis

DEP issued a Notice to Proceed to Harcourt, Brown & Carey (HBC), a consultant who provides advisory services to various state entities on constructing innovative energy financing programs. HBC will be reviewing all of the alternative energy financing programs provided by PA Commonwealth agencies, and will conduct a gap analysis to determine who and what types of projects are not being adequately served by these programs. The outcome of this analysis will give us information to help determine whether PA should establish new energy funding programs, such as developing a Green Bank, or establishing loan loss reserves, buy-downs, or other credit enhancement mechanisms to accomplish deployment of energy projects. We expect to use this information to inform our annual State Energy Plan submission to DOE, the Pennsylvania Climate Change Action Plan and PEDAs' 2017 Energy Development Plan. The analysis, funded by the 2016/17 DOE State Energy Program, should be completed by the first quarter of 2017.

EV Everywhere

On September 22, 2016, DEP's Energy Office held a meeting with representatives from various state agencies, the Governor's Office, USDOE's Clean Cities, and the Georgetown Climate Center to discuss "statewide" planning and strategy for electric vehicles (EVs) and electric vehicle Infrastructure. A general outcome of the meeting was to continue efforts around creating a statewide planning effort for further adoption of EVs. DEP is convening three meetings, each held at the Pennsylvania Turnpike Commission Headquarters:

An EV Statewide Education & Outreach Committee met on Wednesday, December 7, 2016 from 10-12P to focus on Statewide consumer engagement and education, comprehensive web resources and marketing plan, and incentives and taxation. An EV Statewide Procurement Committee met on Wednesday, December 14, 2016 from 10-12P to focus on state and local government vehicle procurement, regional and national commitments to procure EVs, procurement evaluation tools and resources for PA businesses and residents. An EV Charging Infrastructure Committee on Wednesday, December 21, 2016 from 10-12P to focus on EV Charging types, user fees, and refueling payment options, deployment of public charging along highway corridors, employer and workplace charging and discussion of electric grid opportunities and challenges.

Alternative Fuels Technical Assistance (AFTA)

The AFTA Program was recently designed and developed by OPPEA to provide professional consulting assistance to PA municipalities and school districts interested in adopting alternative fuel strategies for their fleet vehicles. The AFTA Program is being planned to be formally announced in early 2017. Once fully available, the plan is for eligible entities to apply for technical assistance through OPPEA, and, if accepted into the program, OPPEA would then assign a contracted service provider with relevant experience and expertise. The contractor will work with the eligible organization to evaluate alternative fueling alternatives, vehicle options, and operational strategies, and then provide with a final report with recommendations based on economic and operational considerations specific to the entities involved. OPPEA is currently in the process of soliciting for the services of a qualified alternative fuels consultant for AFTA. AFTA is to be funded through use of a limited portion of funds (max \$50k), from the Alternative Fuels Incentive Fund.

National Energy Efficiency Registry

OPPEA has been partnering with six states along with The Climate Registry and the National Association of State Energy Officials (NASEO) to develop a strategy to help create a NEER. Tennessee is the prime recipient of a competitive grant from the Department of Energy for this project. NEER will allow states to track initiatives within their own programs as well as demonstrate progress towards energy goals and potential compliance with existing and future state and federal environmental regulations. NEER will also allow the public and private sectors to transparently track attributes associated with energy efficiency initiatives. This will help states reduce emissions cost-effectively and will support using energy efficiency investments to improve economic competitiveness and environmental quality. OPPEA held a planning call with the Keystone Energy Efficiency Alliance (KEEA) and NEER partners to plan a webinar for Pennsylvania stakeholders to inform them of NEER progress and invite them to participate in development of the NEER. The webinar, led by KEEA, will be held December 13.

Environmental Cleanup and Brownfields

Cleanup Standards Scientific Advisory Board (CSSAB)

The next CSSAB meeting is scheduled for March 15, 2017, at 9 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg.

Storage Tank Advisory Committee (STAC)

The STAC held its final meeting of calendar year 2016 on December 6 in Room 105 in RCSOB, 400 Market Street, Harrisburg. A brief summary of revisions made on DEP Technical Guidance Documents “Closure Requirements for Aboveground Storage Tank Systems” and “Closure Requirements for Underground Storage Tank Systems” was presented to the committee members. In addition, draft proposed rulemaking to amend Chapter 245 (Administration of the Storage Tank and Spill Prevention Program) was presented and discussed. The next STAC meeting is scheduled for March 7, 2017, at 10 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg.

Environmental Education

Environmental Education Grants Program (EEGP)

For the 2017 grant round, organizations applied for mini-grants of up to \$3,000 or general grants up to \$50,000. General grants will be awarded to organizations implementing large scale regional or statewide environmental education projects. Mini-grant applicants may apply for local environmental education projects. All applicants were encouraged to undertake projects that address DEP’s priority topics of climate change, water education and environmental justice.

Applications were submitted electronically through a new online system. The grant raters will be using a new online program to score the applications.

The 2017 grant round opened October 3, 2016 and closed December 16, 2016. DEP received 204 grant applications totaling \$2,978,531, including 142 mini-grant applications and 62 general grant applications. The grant awards will be announced on or around April 22, 2017, in conjunction with Earth Day.

PA Falcon Reintroduction Program

The peregrine falcon fledglings have become completely independent and have dispersed from the area. The adults will remain in the area, defending the nest site. The 2017 breeding season will begin in late January when the adults are expected to renew their pair-bond.

Ongoing, active components of this program include: email interaction with web viewers, Falcon Wire and Twitter postings and school/youth programming on endangered species and adaptations.

For the 2017 nesting season, the PA Falcon Cam will feature new, high definition cameras with infrared technology where falcon cam viewers can select individual camera views for day or night time watching.

Oil and Gas

TAB Meeting – Cancellation

The TAB meeting that was originally scheduled for Thursday, February 16 is intended to be cancelled due to lack of agenda items. Arrangements are being made to publish the meeting cancellation in the PA Bulletin and a sunshine notice will also be published. An alternate TAB meeting will be added to the 2017 meeting schedule sometime in late March or early April at which point a full agenda will be available. When a specific meeting

date is established, a formal meeting notice will be published. As a result of adding the March/April meeting to the 2017 meeting schedule, the TAB meeting originally scheduled for Thursday, May 18 will also be cancelled.

DCNR and DEP Collaboration Relating to Legacy Well Management on State-owned Lands

DEP and DCNR recently finalized a Memorandum of Understanding (MOU) to manage abandoned oil and gas wells on state forest and parklands, and facilitate the development of well plugging contracts on such lands. The first project being targeted under this agreement will address a single abandoned well leaking oil along Cooks Run, East Keating Twp., Clinton Co. in Sproul State Forest. This project will be specifically tailored to qualify for reimbursement from the Oil Spill Liability Trust Fund (OSLTF) under the direction of EPA. DEP's contributions to the project will include conducting oil and gas well inspections; writing plugging contracts; conducting pre-bid conferences, bid openings and awarding the contract to a qualified plugging contractor; providing operational oversight to assure adherence to DEP's plugging regulations; and overseeing site restoration activities referencing DCNR's criteria in the contract's technical specifications.

Monthly Webinar with Oil and Gas Industry (Chapter 78a)

On Tuesday, December 6 at 1:00 pm staff from the Bureau of Oil and Gas Planning and Program Management and the Bureau of Regulatory Counsel hosted a webinar call with oil and gas operators and industry representatives to respond to questions that have emerged since the publication of the Chapter 78a surface activities rulemaking. The webinar was productive and this is another example of how DEP promotes greater transparency and accessibility.

Public Search tool for Electronic Oil and Gas Document Submissions

Chapter 78a requires the electronic submission of various forms, requests and reports from unconventional operators. Enhancements were made to the Office of Oil & Gas Management (OOGM) current Greenport applications in order to receive the above information electronically. DEP's BIT is in the process of developing a public search tool to view the electronic submissions. When released, the public will have an ability to access unconventional operator reports, forms and requests that DEP receives electronically. The public search tool is currently in the testing phase of development with an estimated release date sometime in early 2017.

EQT Well Plugging Consent Order

On November 23, the SWDO executed a Plugging Consent Order and Agreement with EQT Production Company. This was a significant effort, including all three of DEP's oil and gas districts, and in return, there are 595 wells that will be brought back into compliance across the Commonwealth. There are at least 250 wells to be plugged at a rate of at least 40 wells per year. EQT will also be responsible for executing a performance bond in the amount of \$3,000,000, which will remain in effect for the life of the COA. At least 20 of the wells on this list have already been plugged by EQT while the document was being prepared. EQT will have until December 31, 2017 to investigate all 595 wells and identify a plan for each well to be brought into compliance.

Coal-Gas Industry-Agency Committee Meeting, December 7, DEP California District Office, Coal Center, Washington County

DEP oil and gas program, mining program, Mine Safety and Health Administration (MSHA), and National Institute for Occupational Safety and Health (NIOSH) technical staff met with coal and gas industry representatives on December 7 in Coal Center as part of the Coal-Gas Committee assembled to discuss critical matters relating to coordination between the two industries. Significant progress continues to be made at the stakeholder meetings. The group reviewed final draft detailed plans for isolating the shallower sections of a partially-cemented unconventional well production annulus and temporarily plugging the lower sections of an unconventional well in advance of longwall mining. Technical details relating to the use of fluids as pressure barriers and well logging tools were also discussed. Dr. Christopher Mark from MSHA introduced a draft guidance document addressing the subject of long term chain pillar stability in association with active mines in both sealed and unsealed sections. The meeting concluded with a brief discussion pertaining to process and permitting issues. The next committee meeting is being planned for New Stanton on January 11.

Draft Technical Guidance Documents (Environmental Protection Performance Standards at Oil and Gas Well Sites)

Notice of availability of two guidance documents was published as interim final with a 60-day comment period on October 8, 2016. The two technical guidance documents [Guidelines for Implementing “Area of Review Regulatory Requirement” (AOR Guidelines) and the “Policy for the Replacement or Restoration of Private Water Supplies” (Water Supply Policy)] have been developed to assist DEP and industry in implementing the final-form rulemaking. Both guidance documents have been the subject of workgroup meetings dating back to last November with a wide range of stakeholders as well as formal consideration by the Oil and Gas Technical Advisory Board (TAB) and the Conventional Oil and Gas Advisory Committee (COGAC). Edits have been made in the wake of Act 52 to remove all references in the documents to the conventional oil and gas industry.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Advisory Committee (RPAC)

The next RPAC meeting is scheduled for April 6, 2017, at 9:00 a.m. in the 14th Floor Conference Room, RCSOB.

Radiation Protection Rulemaking Packages

Radiation Protection Program Fees

This proposed rulemaking will amend Chapters 218 and 240 relating to fees. DEP must review the adequacy of established fees every three years, and the current fee review indicates the need for a fee increase in two program areas. The fees for Radioactive Materials and Decommissioning Program and the Radon Program are insufficient to cover program costs. This information was presented in a 3-year Fee Report to the RPAC and EQB in 2014 meetings of these bodies. RPAC has endorsed the increases. The proposed rulemaking was approved by the EQB on April 19, 2016, and published in the Pennsylvania Bulletin on July 2, with a 60-day public comment period that closed Aug. 30, 2016. A comment/response document and final rulemaking package are in development. The draft final annex was reviewed and endorsed by the RPAC on Nov. 17, 2016.

Radiological Health

This proposed rulemaking is diverse in scope and will amend 25 Pa. Code Chapters 215-240 to establish and maintain adequate radiation protection standards and oversight due to significant technological advances in the use of radiation sources. The revisions will delete Agreement State transitional language and outdated requirements as well as add definitions for clarity of new and existing regulatory provisions. The amendments also contain comprehensive amendments for radon testing, mitigation, and laboratory analysis that largely reflect current practice. This rulemaking has been reviewed at length with RPAC at its meetings in 2014 and 2015. DEP received the Committee’s endorsement of the package in July 2015. The proposed rulemaking was presented to and unanimously approved by the EQB on Oct. 18, 2016. *It is currently under review by the Office of Attorney General, which sent a ‘tolling memo’ in December with several questions. The Program is currently reviewing and preparing a response. Pennsylvania Bulletin publication is anticipated in late February 2017 with a 45-day public comment period.*

Waste Management

Solid Waste Advisory Committee (SWAC)

The annual meeting of the SWAC and Recycling Fund Advisory Committee (RFAC) was held on Thursday, Sept. 22, at 10:00 a.m. in Room 105, RCSOB. The 2017 meetings have been scheduled for March 16, June 29,

jointly with RFAC Sept. 21, and Dec. 6. All meetings will be held beginning at 10 a.m. in Room 105 of the RCSOB. The process of re-appointing and appointing members and convening a nominating committee for election of officers (Chair and Vice-Chair) is ongoing. Current members' terms expire Dec. 31, 2016, and election of officers will take place at the March 16, 2017, meeting.

Water Programs

New Chapter 102 and 105 Delegation Agreements

The Department of Environmental Protection has revised the delegation agreements with county conservation districts for both the Water Obstruction and Encroachments Permitting Program (WEOP Program, Chapter 105) and the Erosion and Sediment Pollution Control (E&S) and National Pollutant Discharge Elimination System (NPDES) Permitting Program for the discharge of stormwater from construction activities (Chapter 102). The key changes to the delegation agreements include the following:

- Permit Decision Guarantee/Permit Review Process (PDG/PRP) SOPs have been developed for each permit type and the timeframes in those SOPs are reflected in the delegation agreements and required output measures (ROMs).
- Post Construction Stormwater Management (PCSM) delegation has been developed in a stand-alone agreement, along with associated ROMs.
- The PCSM delegation provides for both completeness and engineering review of the PCSM plans; what was previously known as the "technical review" will be terminated. Districts who do not assume the PCSM delegation will still remain required to execute completeness reviews of PCSM plans and to make note of PCSM practices during site inspections.
- Agriculture E&S is specifically identified in the base and PCSM delegation agreements and ROMs.

Key Changes to the Chapter 105 Agreement:

- General Permit transfers and Submerged Lands License Agreement transfers will be added to the responsibilities of the delegated conservation districts.
- Customized agreements will no longer be issued. Every conservation district will be provided the same agreement with the same delegated responsibilities.
- Permit Decision Guarantee/Permit Review Process (PDG/PRP) SOPs have been developed for each permit type and the timeframes in those SOPs are reflected in the delegation agreements and ROMs.

The revised delegation agreements were approved by the State Conservation Commission at its September 19, 2015 meeting, and were sent to all conservation districts for review and signature. The districts could opt to maintain their current levels and programs of delegation agreement, add a new level or agreement, or drop a level or agreement. A letter of Intent was requested from each conservation district by February 26, 2016 indicating their choice. *The revised delegation agreements were executed and issued to the Districts in December 2016.*

Technical Guidance Documents

The Bureau of Waterways Engineering and Wetlands is in the process of finalizing three technical guidance documents previously published for public comment. The technical guidance documents set to be finalized are the Pennsylvania Wetland Condition Level 2 Rapid Assessment (Doc Id: 310-2137-002), Pennsylvania Riverine Condition Level 2 Rapid Assessment (Doc Id: 310-2137-003), and Pennsylvania Lacustrine Condition Level 2 Rapid Assessment (Doc Id: 310-2137-004). These technical guidance documents provide standard guidelines for evaluating the condition of palustrine wetlands, riverine and lacustrine aquatic resources for the purposes of meeting regulatory requirements contained in 25 Pa. Code Chapter 105. The technical guidance outlines how to conduct assessments, the factors to consider when doing so and establishes a scoring system based upon condition categories. Program staff presented an overview of the three proposed Aquatic Resource Condition Level 2 Rapid Assessment final technical guidance documents to the Water Resources Advisory

Committee at their September 21, 2016 meeting. The WRAC members approved these technical guidance documents with a unanimous vote. The final technical guidance documents will be published in the PA Bulletin in early 2017 *with an effective implementation date of January 1, 2017*. Bureau staff is also currently developing a roll out plan for these technical guidance documents.

Sewage Sludge Land Application Permitting

The Bureau of Clean Water (BCW) is currently re-writing the three sewage sludge land application general permits numbers PAG-07, 08 and 09. These permits initially expired in April 2014. These general permits have been administratively extended since that time and will continue to be extended until new permits are issued on a statewide basis by the BCW staff. The draft revised permits will be published for public information and comment.

Stormwater BMP Grant Program

DEP has announced the availability of approximately \$1.1 million in grant funding for urban stormwater BMPs in the Chesapeake Bay watershed for communities with municipal separate storm sewer systems (MS4s). The BMPs must be constructed within an urbanized area in one of ten counties: Blair, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Luzerne, Lycoming and York. The deadline for submission of grant applications is March 3, 2017, and projects must be completed by March 31, 2019. This is the second round of grant funding for MS4s; the first round of applications were received in 2015 and involved the selection of 19 urban stormwater BMPs, totaling \$2.28 million.

Triennial Review of Water Quality Standards

Section 303(c)(1) of the Clean Water Act and Federal regulations at 40 CFR Section 131.20 require that states periodically, but at least once every 3 years, review and revise as necessary, their water quality standards. Pennsylvania's Water Quality Standards are set forth in 25 Pa Code Chapter 93 (Water Quality Standards) and Chapter 16 (Water Quality Toxics Management Strategy – Statement of Policy).

DEP is currently drafting proposed rulemaking and related documentation to support recommended revisions to Pennsylvania's Water Quality Standards (Chapter 93), for consideration by the Environmental Quality Board (EQB). In addition, DEP is recommending related amendments to the Water Quality Toxics Management Strategy – Statement of Policy (Chapter 16). Water quality standards include designated uses, numeric and narrative criteria and antidegradation requirements for surface waters. The regulatory changes in this proposed rulemaking are the result of on-going reviews and evaluations of the water quality standards conducted by DEP. This proposed rulemaking fulfills the federally required triennial review of water quality standards as mandated by the federal Clean Water Act.

The triennial review of water quality standards proposed rulemaking (TR17) was presented to the Water Resources Advisory Committee at the March 24, 2016 meeting. The final rulemaking is anticipated in 2017, which will be submitted to the U.S. Environmental Protection Agency for formal review and approval in accordance with the Federal Clean Water Act.

Stream Redesignations – Sobers Run, et al. Proposed Rulemaking

As part of its continuing water quality management program and ongoing review of water quality standards, DEP is currently drafting proposed rulemaking and related documentation to support recommended revisions to stream redesignations in Pennsylvania's Water Quality Standards (Chapter 93), for consideration by the Environmental Quality Board (EQB). The recommended amendments are to revise 25 Pa. Code Chapter 93, §§93.9c, 93.9f, and 93.9i.

Section 303(c)(1) of the federal Clean Water Act requires states to periodically review and revise, as necessary, water quality standards. This proposed rulemaking contains waterbodies that are candidates for redesignation.

Stream evaluations were conducted by DEP to determine the appropriate designated use of the candidate waterbodies. The streams in this proposed rulemaking were all evaluated in response to petitions as follows:

Stream	County	Petitioner
Swiftwater Creek	Monroe	Brodhead Creek Watershed Association
Sobers Run	Northampton	Bushkill Township
Mill Creek	Berks, Chester	Delaware Riverkeeper Network
Silver Creek	Susquehanna	Silver Lake Association

Additionally, the Department is recommending corrections to some stream names as they appear in §93.9c. The United States Geologic Survey (USGS) maintains the National Hydrography Dataset (NHD) Flowline. These corrections are being proposed to maintain consistency between the Pennsylvania Code and the NHD Flowline. The proposed rulemaking was presented to the EQB at their April 19, 2016 meeting.

Final Rulemaking

Revised Total Coliform Rule (RTCR)

The final RTCR was published in the PA Bulletin on September 24, 2016. The purpose of the RTCR Chapter 109 rulemaking is to incorporate necessary federal requirements needed to obtain primacy and to provide for the increased protection of public health. The RTCR 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.

Proposed Requirements Rule

Disinfection Requirements Rule

The purpose of the proposed Disinfection Requirements Rule Chapter 109 rulemaking package is to strengthen requirements relating to microbial protection and disinfection by ensuring the adequacy of treatment designed to inactivate microbial pathogens and by ensuring the integrity of drinking water distribution systems. The amendments include:

- New monitoring and reporting requirements to ensure compliance with existing treatment techniques regarding log inactivation and CT requirements. Without this data, there is no way to determine compliance with the existing requirement.
- Increasing the minimum disinfectant residual requirements in the distribution system to 0.2 mg/L free or total chlorine. The Department’s existing disinfectant residual requirements for the distribution system have not been substantially updated since 1992 and require the maintenance of a detectable residual that is defined as 0.02 mg/L. This is not protective of public health because a residual of 0.02 mg/L does not represent a true detectable residual and the level is inadequate to protect against microbial growth within the distribution system.
- The amendments also include minor clarifications to the Stage 2 Disinfectants/Disinfection Byproducts Rule (Stage 2 DBPR), Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Lead and Copper Rule Short-Term Revisions (LCRSTR) in order to obtain or maintain primacy.

The proposed rulemaking was approved by EQB on Nov 17, 2015 and was published in the PA Bulletin on February 20, 2016. Three hearings were held on March 28 (Harrisburg), April 5 (Norristown), and April 7

(Pittsburgh). The public comment period closed on April 19, 2016. IRRCs comment period closed on May 19, 2016. The draft final rulemaking should be presented to the TAC Board in mid-2017.

Safe Drinking Water General Update

There are three main purposes for this rulemaking. The first is to incorporate the remaining general update provisions that were separated from the proposed RTCR as directed by the EQB on April 21, 2015. These general updates are intended to:

- Clarify the source water assessment, source water protection area, and source water protection program elements and requirements.
- Revise the treatment technique requirements for pathogenic bacteria, viruses and protozoan cysts by adding specific turbidity performance requirements for membrane filtration.
- Revise the disinfection profiling and benchmarking requirements to clarify that public water systems that did not previously conduct these activities must now conduct them.
- Revise the permit requirements to clarify the components that must be included in a permit application for a new source, including a source water assessment, pre-drilling plan, evaluation of water quantity and quality, and hydrogeologic report.
- Revise the design and construction standards to require public water systems (PWS) using surface water or groundwater under the direct influence of surface water (GUDI) sources to be equipped with alarm and shutdown capabilities. These provisions would be required for plants that are not staffed continuously while the plant is in operation.
- Update the system management requirements for community water systems (CWSs) to strengthen system service and resiliency by requiring auxiliary power or an alternate provision such as finished water storage or interconnections.
- Revise the corrective action timeframes in response to a significant deficiency for PWSs using groundwater and surface water sources to be consistent.
- Delete the provision that allows a PWS to avoid the requirement for a corrective action by collecting five additional source water samples after an E. coli-positive triggered source water sample.

The second purpose is to include additional general update provisions that will:

- Establish the regulatory basis for the issuance of general permits for high volume, low risk modifications or activities to streamline the permitting process.
- Clarify that noncommunity water systems (NCWS) require a permit or approval from the Department of Environmental Protection (DEP) prior to construction and operation.
- Address concerns related to gaps in the monitoring, reporting and tracking of back-up water sources and entry points. As per state and federal regulations, all sources and entry points must be included in routine compliance monitoring to ensure water quality meets safe drinking water standards. Sources and entry points that do not provide water continuously are required to be monitored when used. However, monitoring requirements for back-up sources are not currently tracked, which means there are no verifiable controls in place to ensure that all sources and entry points meet safe drinking water standards.

The third purpose is to add new annual fees and amend (update) permit fees. Pennsylvania is ranked 4th in the nation in terms of the number of PWSs, with nearly 9,000 water systems across the Commonwealth. The DEP is responsible for regulating all PWSs and ensuring that safe and potable drinking water is continuously

supplied to the 10.7 million customers they serve. In order to carry out these responsibilities, the DEP must ensure adequate funding for the Safe Drinking Water Program. The proposed rulemaking is necessary in order to fulfill the DEP's fiscal responsibility to cover most, if not all, of its state program costs. Program costs are directly tied to the resources needed to meet federal and state mandates for minimum program elements and for the administration of an effective State Drinking Water Program. Failure to meet minimum program elements may result in increased risk to public health as well as the loss of primacy for the Safe Drinking Water Program.

The proposed rulemaking was presented to the Small Water Systems Technical Assistance Center (TAC) Advisory Board in November. A webinar was held in December to reach additional stakeholders. All proposed rulemaking documents and webinar materials can be found on the Department's General Update and Fees webpage at the following link: <http://tinyurl.com/109update>. It is anticipated that final comments will be received by TAC at their January 5, 2017 meeting. The proposed rulemaking is tentatively scheduled for presentation to the EQB in early 2017.

Draft 2016 Pennsylvania Integrated Water Quality Monitoring and Assessment Report (Integrated Report)

The Department published the Draft 2016 Pennsylvania Integrated Report in the Pennsylvania Bulletin on July 30, 2016 for a 45-day comment period. The comment period closes September 12, 2016. The Integrated Report satisfies the federal Clean Water Act (CWA) Section 303(d) requirement that every two years on even numbered years submit the list of waters (flowing and lakes) that will not meet water standards following the application of technology due to a pollutant and require the development of a Total Maximum Daily Load (TMDL) to USEPA. The report also satisfies the CWA Section 305(b) requirement that states report the water quality status of all surface waters from time to time to USEPA. The list is composed of surface waters assessed for at least one of the four protected uses of aquatic life, fish consumption, potable water supply and recreation. The report is available on the Department's website at: <http://www.dep.pa.gov/Business/Water/PointNonPointMgmt/WaterQuality/Pages/Integrated-Water-Quality-Report---2016.aspx>. The report consists of five categories, waters that are attaining all four uses, waters attaining at least one use, waters not assessed, waters impaired but don't require a TMDL and waters impaired by a pollutant that require a TMDL. In addition, the report identifies the waters selected as high priorities for TMDL development and those waters that will be restored through an alternative to a TMDL, waters restored to water quality standards since the previous integrated report and other details and statistics of the water quality management program.

Chesapeake Bay Initial Ag Inspection

As part of the January 2016 Chesapeake Bay Restoration Strategy, DEP and County Conservation District staff are conducting inspections of farm operations to ensure compliance with existing Pennsylvania regulatory requirements. This element of the "reboot" is addressing pollutant reduction deficiencies by meeting the EPA goals of inspecting 10 percent of farms in the Bay watershed annually, with increased inspection and compliance efforts in the agriculture sector using existing DEP and Conservation District staff, *DEP staff completed training sessions for the Chesapeake Bay Initial Ag Inspection program summer of 2016*. DEP and conservation districts have begun conducting inspections, *completing about 250 inspections thru December 2016*, with a majority of these inspections to be conducted in 2017.

Chesapeake Bay Program

In January 2016, Governor Wolf announced a change in direction to address Pennsylvania's lack of progress in the implementation of its Chesapeake Bay Phase 2 Watershed Implementation Plan to achieve the nutrient and sediment reduction goals established by the US Environmental Protection Agency within a Total Maximum Daily Load (TMDL). This Chesapeake Bay Restoration Strategy has six recommendations. They are, in priority order:

1. *Addressing pollutant reduction deficiencies by meeting the EPA goals of inspecting 10 percent of farms in the Chesapeake Bay watershed annually, with increased inspection and compliance efforts in the agriculture sector using existing Department of Environmental Protection (DEP) and conservation district staff and with continued DEP outreach and program development for urban stormwater systems.*
2. *Focusing on local water quality improvement and protection by locating and quantifying previously undocumented Best Management Practices (BMPs), and putting new high-impact, low-cost BMP projects on the ground in watersheds that are currently impaired by agriculture or stormwater by shifting an additional 15 percent of available statewide water quality funding to Bay work.*
3. *Improving reporting, record keeping and data systems to provide better and more accessible documentation of progress made toward Pennsylvania's restoration effort, including consideration of establishing mandatory reporting requirements for the agriculture sector in place of so-far unsuccessful voluntary reporting measures.*
4. *Identifying strategic, legislative, programmatic or regulatory changes that will give Pennsylvania the additional tools and resources necessary to meet the 2025 Total Maximum Daily Load (TMDL) reduction goals.*
5. *Establishing a new Chesapeake Bay Office within DEP to assure the proper development, implementation and coordination of the Commonwealth's efforts for restoration of the Chesapeake Bay, and administering DEP's Chesapeake Bay Program grants. (The Chesapeake Bay Program Office (CBPO) has been established.)*

Obtaining additional resources for water quality improvement by seeking new sources of funding, which will make Bay compliance as a primary goal, potentially making several hundred million dollars to devote to local water quality issues and ultimately Bay compliance.

Outreach to Municipal Separate Storm Sewer Systems (MS4s)

- *DEP has completed the two rounds of training for MS4s. The first round provided training on how to prepare for the next submission of the Notice of Intent for PAG-13 General Permit coverage or an individual permit application. The second round of training focuses on the development of PRPs and TMDL Plans.*
- *On July 12, 2016, DEP announced awards to municipalities totaling approximately \$2.3 million for 19 urban stormwater BMP projects within the Chesapeake Bay watershed. Another \$1.9 million is budgeted in the FY16 Chesapeake Bay Implementation Grant for these type of projects. The Department expects to announce the request for project proposals for this additional funding in December.*

Quantifying Undocumented Best Management Practices

Penn State Conservation Practice Survey

Penn State developed and sent out a survey to roughly 22,000 Pennsylvania Chesapeake Bay watershed farmers requesting that they voluntarily report non-cost share BMPs in January. Of this, 6,751 completed questionnaires were returned (30%, a notably good response); Penn State Extension staff have now completed verification of 10% of the surveys received across the watershed of voluntary practices installed. The results of this survey have been compiled. Penn State presented the initial findings of this survey to the partners that helped design the survey on Wednesday October 19 before presenting them to the Chesapeake Bay Program Agricultural Workgroup (Ag Workgroup) on Thursday October 20. Additional statistical analysis by an EPA contractor was completed and presented to the Ag Workgroup on Monday, November 21. Final approval of the protocols and process for using this type of data collection effort for the purpose of BMP verification in the future is expected at the December meeting of the Ag Workgroup.

Remote Sensing Project

A statistical analysis of this data was completed at the request of the Ag Workgroup. Additional documentation on the process used by the Natural Resource Conservation Service to field verify the results of the remote

sensing effort is being compiled for review to satisfy gaps found in this statistical analysis. The final results of this analysis will be submitted at the December meeting of Ag Workgroup for approval of the process and protocols for use of this data for verification and documentation of best management practices. Once approved, this process and the protocols can be applied to other counties in the watershed.

Targeted BMP Installation

Request for proposals for agriculture and urban stormwater BMP installation projects by municipalities and conservation districts using EPA Chesapeake Bay grant funds will be released sometime before the end of the year. Agriculture BMP funds will be targeted to watersheds where agriculture inspections are starting. The urban stormwater BMP funds will be targeted to those municipalities having to complete and implement Pollutant Reduction Plans for Municipal Separate Storm Sewer Systems (MS4s).

New Funding Initiatives

On October 4, 2016, at the Chesapeake Bay Executive Council Meeting Governor Wolf announced a new state and federal funding strategy to accelerate implementation of Pennsylvania's Restoration Strategy. The funding strategy was developed in partnership between the state departments of Environmental Protection, Conservation and Natural Resources and Agriculture and the United States Department of Agriculture (USDA) and Environmental Protection Agency (EPA). Between all partners, an additional \$28.8 million in funding was provided to support targeted activities in the Chesapeake Bay watershed in Pennsylvania. The state agency investment was \$11.8 million. EPA provided an additional \$4.2 million and USDA provided \$12.7 million.

In addition, the Chesapeake Bay Program is now in the midst of the Midpoint Assessment of the TMDL. This midpoint assessment must be completed by December 2018. Key milestones in the completion of that assessment are:

January 1, 2017 – EPA releases draft expectations for completion of revised Phase 3 Watershed Implementation Plans to be developed by the states.

June 1, 2017 – EPA releases draft Phase 3 planning targets. These are revised nutrient and sediment reduction goals for each state by major basin.

August 18, 2018 – States must submit draft Phase 3 Watershed Implementation Plans to EPA for review and approval. These plans must be developed in concert with stakeholders and include a public outreach and comment process.

Key issues of interest to Pennsylvania now under review as part of this assessment include:

Conowingo Dam – This dam is no longer serving as a trap of nutrients and sediment. This reduction in trapping capacity is having an impact on the water quality of the Chesapeake Bay.

Climate Change – Increases in flow and temperature by 2025 due to climate change are being analyzed as to their potential impact on future water quality and living resources habitat. Several options as to how to deal with this change in climate are being reviewed.

Sector Allocations and Sector Growth – The wastewater systems, or point source sector, have all reached their targeted allocations. Agriculture and Urban stormwater have not. Additional work needs to be done here to reach the allocation goals and to account for population growth and change in land use. The question now becomes how much should each sector do, how should they get it done, and where in the watershed is the most impact on water quality achieved.

Local Planning Goals – It is likely criteria for local planning goals will be established to more effectively target resources and achieve success. How, where and in what format those goals are defined are all items up for discussion.

DEP plans to establish a steering committee before the end of the year to start soliciting input on the development of Pennsylvania's Phase 3 Watershed Implementation Plan.

Water Resources Planning

DRBC Draft Regulatory Meeting

Staff from Water Resources Planning and Oil and Gas Management attended a special meeting of the Delaware River Basin Commission (DRBC) on November 29 to discuss draft regulatory language related to oil and gas management in the basin. All jurisdictions reviewed draft regulatory language for oil and gas management and provided direction to the Commission related to the next steps for regulatory actions. DRBC will be providing additional edited language for certain sections of the proposed regulations to the jurisdictions as follow up actions. Commissioners from all the jurisdictions will continue to discuss future actions concerning oil and gas activities in the basin.

Completion of Mid-Atlantic Regional Planning Body's Ocean Action Plan

On December 7, the Mid-Atlantic Regional Planning Body (MA-RPB) received notice that its Ocean Action Plan (OAP) was fully certified by the National Ocean Council. The Mid-Atlantic Ocean Action Plan promotes the collaborative use of integrated ocean data and best practices for informed and efficient management of the Nation's shared marine resources. The MA-RPB leadership stated its appreciation of Pennsylvania as well as all partner agencies for three years of work toward this accomplishment. On December 8, the MA-RPB held a public webinar for all stakeholders to provide additional updates and to discuss the future of ocean planning. The final plan is now available on the host federal agency website at <http://www.boem.gov/Ocean-Action-Plan/>.

Moving forward, the MA-RPB will continue its work into 2017, with the intention of forming a new work plan while addressing ocean-based performance monitoring. The MA-RPB recognizes the uncertainty regarding ocean planning, funding, and continued support in the new administration. Nonetheless, the MA-RPB plans to continue efforts of meeting its goals of improving healthy ocean ecosystems, sustainable ocean uses, and inter-jurisdictional coordination. At this time, all participating federal agencies have submitted letters of support. In addition to federal support and the newly-certified OAP, the MA-RPB requests that all state agencies also provide signed letters of support for the Plan.

Attachment 1

2016 Events Calendar

Please consult the DEP Calendar of Events for a comprehensive listing of upcoming events. The Calendar can be accessed in the Public Participation Tab on the DEP website. Click on “Public Participation;” “Calendar of Events.”

January	
10	Climate Change Advisory Committee, 10:00 a.m., Room 105, RCSOB
12	Coal and Clay Mine Subsidence Insurance Board, 10:00 a.m., 12 th Floor Conference Room, RCSOB
18	Technical Advisory Committee on Diesel Powered Equipment, 10:00 a.m., Greene Room, DEP New Stanton Office, New Stanton, PA
18	Coastal Zone Advisory Committee, 9:30 a.m., 10 th floor Conference Room RCSOB
19	Mining and Reclamation Advisory Board, 10:00 a.m., 14 th Floor Conference Room, RCSOB
25	Small Business Compliance Advisory Committee, 10:00 a.m., 12 th floor conference room, RCSOB
February	
1	Aggregate Advisory Board, 10:00 a.m., Susquehanna Room, SCRO, 909 Elmerton Avenue, Harrisburg, PA
8	State Board for Certification of Water and Wastewater Operators Meeting
23	Air Quality Technical Advisory Committee, 9:15 a.m., Room 105, RCSOB
March	
7	Board of Coal Mine Safety, 10:00 a.m., Conference Room 1A and 1B, DEP Cambria Office, Ebensburg, PA
7	Storage Tank Advisory Committee, 10:00 a.m., Room 105, RCSOB
9	Small Water Systems Technical Assistance Center (TAC) Advisory Board, 9:00 a.m., Room 105, RCSOB
14	Climate Change Advisory Committee, 10:00 a.m., Room 105, RCSOB
15	Cleanup Standards Scientific Advisory Committee, 9:00 a.m., Room 105, RCSOB
16	Solid Waste Advisory Committee, 10:00 a.m., Room 105, RCSOB
April	
12	Technical Advisory Committee on Diesel Powered Equipment, 10:00 a.m., Greene Room, DEP New Stanton Office, New Stanton, PA
20	Mining and Reclamation Advisory Board, 10:00 a.m., 4 th Floor Conference Room, RCSOB
May	
10	Aggregate Advisory Board, 10:00 a.m., Susquehanna Room, SCRO, 909 Elmerton Avenue, Harrisburg, PA

Attachment 2

Oil and Gas Workload Report

YTD WELL PERMIT APPLICATIONS - 1/1/2016 to 12/23/2016

	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	202	47	163	162	162	1
UNCONVENTIONAL	1,447	379	1,304	1,283	1,230	21
Sub Total	1,649	426	1,467	1,445	1,392	22
AUTHORIZATIONS	740	250	753	697	N/A	56
Total	2,389	676	2,220	2,142	1,836	78

WEEKLY WELL PERMIT APPLICATIONS – 12/17/2016 to 12/23/2016

	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	0	0	0	0	0	0
UNCONVENTIONAL	43	43	12	12	12	0
Sub Total	43	43	12	12	12	0
AUTHORIZATIONS	0	0	13	13	N/A	0
Total	43	43	25	25	25	5

HISTORICAL WELL PERMIT APPLICATIONS AS OF 12/23/2016

	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,380	197,326	196,103	189,990	1,223	103,379
UNCONVENTIONAL	22,810	22,410	21,953	17,938	457	10,215
Sub Total	220,190	219,736	218,056	207,928	1,680	113,594
AUTHORIZATIONS	42,310	42,014	41,654	N/A	360	18,683
Total	262,264	261,750	259,710	248,929	2,040	132,277

YTD INSPECTIONS - 1/1/2016 to 12/23/2016

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	15,619	12,040	1,765	373
UNCONVENTIONAL	14,702	6,487	348	106
CLIENT/SITE	4,239	0	759	227
Total	34,560	18,527	2,872	706

WEEKLY INSPECTIONS - 12/17/2016 to 12/23/2016

	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	175	153	6	0
UNCONVENTIONAL	124	121	7	3
CLIENT/SITE	47	0	6	5
Total	328	274	19	8

WELLS DRILLED

	Two Years Prior 1/1/2014 to 12/23/2014	One Year Prior 1/1/2015 to 12/23/2015	Year To Date 1/1/2016 to 12/23/2016	Week of 12/17/2016 to 12/23/2016	As of 12/23/2016
CONVENTIONAL	787	285	93	1	193,647
UNCONVENTIONAL	1,364	782	486	8	10,093
Total	2,151	1,067	579	9	203,740

This report was prepared by Abbey Cadden, Policy Aide, DEP Policy Office. For questions or requests, please email acadden@pa.gov or call (717) 705-3769.