

August 2019 Report to the Citizens Advisory Council
(New and updated information in italics)

DEP Highlights

DEP PFAS Update

On September 21, the Governor announced several actions to address growing concerns about PFAS contamination. Through an Executive Order, the Governor established a multi-agency PFAS Action Team. The team, led by DEP, will be responsible for developing a comprehensive response to identify and eliminate the sources of PFAS contamination, address strategies to deliver safe drinking water, manage environmental contamination, explore funding for remediation efforts, and increase public education. The Commonwealth will prioritize the hiring of state toxicologists. The Governor also sent a letter to the EPA to again urge the EPA to move forward with establishing MCLs for PFOA and PFOS. DEP believes that the EPA must take a leadership role and work with other states and federal agencies to address PFAS holistically. More information can be found on DEP's PFAS website: www.dep.pa.gov/pfcs.

DEP is coordinating with PennDOT, the State Fire Commissioner, the Turnpike Commission, and the Department of Veterans and Military Affairs to gather information about the use and storage of fluorinated firefighting foams. A workgroup has been created to discuss proper disposal of these foams, review federal and state requirements/authorities, and assess possible alternatives. The Bureau of Environmental Cleanup and Brownfields updated its cleanup standard for PFOA and PFOS. These regulatory amendments are expected to be presented to the Environmental Quality Board this fall. The Bureau of Safe Drinking Water's Sampling Plan is now in effect and will occur through quarter one 2020. The occurrence data gathered from this effort will be a key asset for developing regulatory standards for PFOA and PFOS in drinking water. DEP submitted its Request for Proposal to contract with a toxicologist who will evaluate the known health studies regarding PFAS and its impacts to human health. This research evaluation will assist DEP in its plan to establish a maximum contaminant level for drinking water.

Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP)

A final draft of the Phase 3 WIP was submitted to the EPA and the Chesapeake Bay Program Partnership (Partnership) on April 12, 2019. The Phase 3 WIP describes how Pennsylvania intends to move forward and accelerate progress towards meeting the nutrient reduction targets established by the Partnership for the improvement of local water quality and the restoration of the Chesapeake Bay with the goal of having all practices in place by 2025. The draft Phase 3 WIP was open for comment from April 12 through June 7, 2019. The WIP is accessible here: www.dep.pa.gov/chesapeakebay/phase3 Questions on the WIP or Pennsylvania's Chesapeake Bay Program can be submitted to RA-EPChesBay@pa.gov. *Comments were received from 40 commenters. The final Phase 3 WIP, along with a Comment and Response Document, is due to the EPA and the Chesapeake Bay Program Partnership on August 23, 2019.*

Regulatory Update (detailed summaries included in respective program sections)

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

- Water Supply Replacement for Surface Coal Mining: Adopted by the EQB as proposed on June 18, 2019.
- Revision of Sulfur Limits in No. 2 and Lighter Commercial Fuel Oil: Adopted by the EQB as proposed on April 16, 2019. Published in the Pennsylvania Bulletin on July 6, 2019, opening a 66-day public comment period. Three public hearings were held on August 6, 7, and 8, 2019, at DEP's Southwest, Southeast, and Southcentral Regional Offices, respectively. Public comment period closes on September 9, 2019. All comments, including testimony, can be accessed online on [eComment](#).
- Air Quality Fee Schedule Amendments: Adopted by the EQB as proposed on December 18, 2018. Published in the Pennsylvania Bulletin on April 13, 2019, opening a 66-day public comment period. Three public hearings were held on May 13, 15, and 16, 2019, at DEP's Southwest, Southeast, and Southcentral Regional Offices, respectively. One commenter provided verbal comment at the first hearing. No commenters attended the other hearings. Public comment period closed on June 17, 2019. All comments, including testimony, can be accessed online on [eComment](#). [IRRC comments](#) received on July 17, 2019.
- Water Quality Management (WQM) and National Pollution Discharge Elimination System (NPDES) Permit Application Fees and Annual Fees: Adopted by the EQB as proposed on December 18, 2018. Published in the Pennsylvania Bulletin on March 30, 2019, opening a 45-day public comment period. One public hearing was held on May 1, 2019, at 1pm at DEP's Southcentral Regional Office. One commenter provided verbal comment at the hearing. Public comment period closed on May 14, 2019. All comments, including testimony, can be accessed online on [eComment](#). [IRRC comments](#) received on June 13, 2019.
- Additional Requirements for Fine Particulate Matter in the Nonattainment New Source Review Program: Adopted by the EQB as proposed on December 18, 2018. Published on March 16, 2019, opening a 64-day public comment period. Three public hearings were held at 1pm on April 16 (DEP's Southcentral Regional Office), April 17 (DEP's Southwest Regional Office), and April 18 (DEP's Southeast Regional Office). No commenters provided verbal comment at any of the hearings. Public comment period closed on May 20, 2019. All comments can be accessed online on [eComment](#). [IRRC no comment letter](#) received on June 19, 2019.
- Water Quality Standards – Class A Stream Redesignations: Adopted by the EQB as proposed on December 18, 2018. Published on March 23, 2019, opening a 45-day public comment period. One public hearing was held on April 26, 2019, at 1pm at DEP's Southcentral Regional Office. Two commenters provided verbal comment at the hearing. Public comment period closed on May 7, 2019. All comments, including testimony, can be accessed online on [eComment](#). [IRRC comments](#) received on June 6, 2019.

Public Comment Periods

Proposals Open for Public Comment

- Draft TGD: Storage Tank Modification and Maintenance Issues (Closes 9/9/2019)

- Draft TGD: Verification of Emergency Containment Structures for Aboveground Storage Tanks (Closes 9/9/2019)
- Draft TGD: Underground Storage Tank Class A and Class B Operator Training Courses (Closes 9/9/2019)
- Proposed Rulemaking: Revision of the Maximum Allowable Sulfur Content Limit for No. 2 and Lighter Commercial Fuel Oil (Closes 9/9/2019)

Recently Closed Comment Periods

- 2019 Annual Ambient Air Monitoring Network Plan (Closed 7/15/19)
- Draft Stream Evaluation Report: Tohickon Creek, Bucks County (Closed 7/11/19)
- Sewage Enforcement Officer Certification and Training Program Guidance (Closed 7/1/19)
- Proposed Rulemaking: Air Quality Fee Schedule Amendments (#7-536) (Closed 6/17/19)
- Clean Water and Drinking Water State Revolving Fund Programs: Federal Fiscal Year 2019 Intended Use Plans (Closed 6/17/19)
- Pennsylvania's Draft Phase 3 Chesapeake Bay Watershed Implementation Plan (Closed 6/7/19)
- Draft 2018 Integrated Water Quality Monitoring and Assessment Report (Closed 6/4/19)
- Draft TGD: Civil Penalty Assessments for Coal Mining Operations (Closed 6/3/19)

Communications Monthly Press Releases

Press Releases Issued

June 4 – ADVISORY – Wolf Administration to Tour Farm, Discuss How Restore Pennsylvania Could Prevent Erosion and Flooding

June 4 – ADVISORY – DEP, PGC to Tour Contrary Run AML Project, Discuss How Restore Pennsylvania Proposal Can Remediate Land and Water Resources

June 5 – ADVISORY – Wolf Administration to Tour Abandoned Mine Reclamation Site, Discuss How Restore Pennsylvania Plan Could Help Address Abandoned Mines

June 6 – Wolf Administration Tours Contrary Run AML Project, Discusses How Restore Pennsylvania Proposal Can Remediate Land and Water Resources

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June 7 – Wolf Administration Tours Abandoned Mine Reclamation Site, Discusses How Restore Pennsylvania Plan Could Help Address Abandoned Mines

June 19 – Mosquito Spraying Set for Beaver County for Wednesday, June 19

June 21 – Mosquito Spraying Set for Westmoreland County for Monday, June 24

June 26 – DEP Issues a Code Orange Air Quality Action Day Forecast for Southeastern Counties on June 27

June 27 – DEP to Hold Public Hearing on Consol's Bailey Mine Draft Discharge Permit

June 27 – DEP Issues a Code Orange Air Quality Action Day Forecast for Southcentral, Lehigh Valley, and Southeastern Counties on June 28, 2019

June 28 – Wolf Administration Awards Environmental Education Grants

June 28 – DEP Issues a Code Orange Air Quality Action Day Forecast for Southeastern Counties on June 29, 2019

July 1 – DEP Denies Erie Coke Operating Permit, Files for Injunction to Close Plant Following Numerous Violations

July 8 – ADVISORY – Wolf Administration to Tour Arch System, Discuss How Restore Pennsylvania Will Help Address Infrastructure Needs

July 8 – DEP Issues Environmental Assessment Letter to Keystone Landfill for Proposed Expansion in Lackawanna County

July 9 – DEP Issues a Code Orange Air Quality Action Day Forecast for the Lehigh Valley and Southeastern Counties on July 10, 2019

July 10 – DEP’s Oil and Gas Annual Report Details Increased Permitting and Inspection Efficiency

July 10 – Wolf Administration Tours Pottstown Arch System to Discuss How Restore Pennsylvania Plan Could Address Infrastructure Needs

July 11 – ADVISORY – DEP to Host Open House on Stream Maintenance to Outline How Restore Pennsylvania Proposal Will Help

July 12 – DEP to Host Public Hearing Regarding Proposed Heat Recovery Center in Northampton County

July 15 – ADVISORY – DEP to Host Information Session and Hearing for Specialty Granules’ Pitts Quarry Discharge Permit Renewal Application

July 15 – DEP Issues a Code Orange Air Quality Action Day Forecast for Southeastern Counties on July 16, 2019

July 15 – Wolf Administration Hosts Open House to Outline How Restore Pennsylvania Can Address Stream and Flooding Needs

July 18 – DEP Issues a Code Orange Air Quality Action Day Forecast for the Lehigh Valley and Southeastern Counties on July 19, 2019

July 19 – DEP Issues a Code Orange Air Quality Action Day Forecast for Southeastern Counties on July 20, 2019

July 22 – ADVISORY – Wolf Administration to Tour Community Park, Discuss How Restore Pennsylvania Could Protect Stream, Community Activities

July 22 – DEP to Conduct Air Quality Sampling Plan Around Erie Coke

July 23 – Mosquito Spraying Set for Beaver County for Wednesday, July 24, 2019

July 24 – Wolf Administration Outlines Benefits of Restore Pennsylvania for Erosion Prevention, Community Outdoor Activities in Franklin County

July 26 – ADVISORY – DEP to Hold Informal Public Meeting on Allegheny Mineral Corporation’s Surface Mine Permit Application

Active and Abandoned Mine Operations

Proposed Rulemakings

OSM Program Consistency

This proposed rulemaking would amend Pennsylvania’s coal mining regulations to achieve consistency with federal requirements. On April 6, 2017, the Mining and Reclamation Advisory Board (MRAB) recommended that the rulemaking should proceed to the EQB as proposed. The EQB considered and adopted the proposed rulemaking at its May 16, 2018, meeting. The rule was published in the Pennsylvania Bulletin on October 27, 2018, opening a 30-day public comment period. The public comment period closed on November 26, 2018. IRRC comments were received on December 24, 2018. The final rulemaking was reviewed with the MRAB at the April 2019 meeting *where the MRAB members recommended that the Department proceed in the final rulemaking process. The anticipated EQB meeting for finalizing these regulations is in the 4th quarter of 2019.*

Water Supply Replacement

This proposed rulemaking (25 Pa. Code Chapters 87 and 88) would update the regulations for water supply replacement for coal mining to achieve consistency with federal requirements and provide additional clarity. The MRAB’s Regulatory, Legislative and Technical Committee met on April 19, 2018, to discuss the preliminary draft of proposed changes. The draft was discussed at the MRAB meeting of July 19, 2018. At their October 25, 2018, meeting, the MRAB recommended that the rulemaking proceed into the formal process. The EQB considered and approved proceeding with the rulemaking as proposed at their June 18, 2019, meeting. Publication of the draft is anticipated for the 4th quarter of 2019 with a 30-day public comment period following.

Guidance Document Revisions

The Bureau of Mining Programs is systematically reviewing the library of Technical Guidance Documents (TGDs) to identify which documents require changes. This process is ongoing. For details, see the Department’s Non-Regulatory Agenda. Notably, the TGD relating to Liners (563-2112-656) requires substantial reworking to reflect its applicability to capping of coal refuse disposal sites, *and the TGD relating to Surface Water Protection – Underground Bituminous Coal Mining Operations (563-2000-655) will require a workgroup with industry representatives to draft the necessary revisions. Civil Penalties Assessment (562-4180-306) was published as draft in the 2nd quarter of 2019, but additional discussions are anticipated with coal industry representatives and the MRAB prior to proceeding with the final version. Beneficial Use of Biosolids and Residential Septage at Active Mine Sites (563-2000-602) was published as final in July. Alkaline Addition for Surface Coal Mines (563-2112-217) was published as draft in May and is being finalized for publication in the 1st quarter of 2020.*

Act 54 Effects of Underground Mining Report

The Bureau of Mining Programs contracted again with the University of Pittsburgh to complete this 5-year assessment of underground coal mining effects as required by the Bituminous Mine Subsidence and Land Conservation Act (Act 54) of 1994. BMP commented on the preliminary draft in June, and the University will deliver the report and associated documentation to the DEP by the end of August. The report will subsequently be delivered to the Governor, the General Assembly, the Secretary, and the CAC. Anticipated delivery to the CAC is during the 4th quarter of 2019.

2010 Sulfur Dioxide (SO₂) NAAQS Attainment Demonstration SIP Revisions

DEP submitted the required SIP revisions for Beaver and Allegheny Counties on October 2, 2017, and for Indiana/Armstrong County on October 11, 2017. Completeness letters for these SIPs were received from the EPA on October 5 and 13, 2017, respectively.

The EPA published its intent to approve the Indiana/Armstrong SIP on July 13, 2018, with the public comment period closing on August 13, 2018. EPA received seven comments. On October 5, 2018, EPA published its intent to approve the Beaver County SIP; the public comment period closed on November 5. EPA received comments from one commentator.

2012 Fine Particulate Matter (PM_{2.5}) NAAQS SIP Revisions

On January 23 and February 11, 2019, DEP submitted to the EPA Maintenance Plan SIP revisions and Redesignation Requests for the Delaware County and Lebanon County 2012 annual PM_{2.5} NAAQS nonattainment areas. *On July 16, 2019, the EPA proposed approval of these SIP revisions including: that the areas are attaining the 2012 annual PM_{2.5} NAAQS; approval of the maintenance plans; redesignation of the areas from nonattainment to attainment; and approval of the motor vehicle emissions budgets for transportation conformity purposes. The public comment period closes on August 15, 2019.*

Rulemaking Petition: Program to Limit Greenhouse Gas Emissions

On April 16, 2019, the EQB considered a rulemaking petition requesting a program to reduce greenhouse gas emissions. The petition was accepted for further study with 14 members voting in favor and five opposed. The rulemaking was submitted to the Office of General Counsel and the Governor's Budget Office for formal review and approval and issuance of a fiscal note, respectively. A notice of the petition acceptance was published in the Pennsylvania Bulletin on April 27, 2019. *DEP is in the process of evaluating the petition. Upon conclusion of that review, DEP will prepare a report evaluating the petition, including a recommendation.*

Driving PA Forward Grants and Rebates

- The Onroad Rebate Program is currently closed and will reopen in early 2020 *with approximately \$6 million available for funding. The Driving PA Forward website will be updated with approved voucher redemptions on an ongoing basis as replacement projects are completed.*
- The \$6.4 million Class 8 Truck and Transit Bus Grant Program remains open for applications until 4:00 p.m. on September 23, 2019. *This is the second and final application submission round for 2019. Funding recommendations from the first round have been approved and will be announced.*
- The \$3 million DC Fast Charging and Hydrogen Fueling Grant Program remains open for applications until 4:00 p.m. on October 11, 2019. *This is the second and final application submission round for 2019. Funding recommendations from the first round have been approved and will be announced.*
- The \$3 million Level 2 EV Charging Rebate Program remains open. The application submission period is continuous until December 31, 2019, or until funds are exhausted on a first-come, first-served basis.
- The \$2.6 million FY2018 PA State Clean Diesel Grant Program is currently closed. *Funding recommendations from the first round have been approved and will be announced.*
- *The Ocean-Going Vessel Shorepower Grant Program opened for applications on June 12, 2019. Under this new grant program, \$3 million will be available for calendar years 2019-2020 for the purchase and installation of eligible dock-mounted, containerized, or barge-mounted marine shore power systems at eligible ports in Pennsylvania. The application deadline is 4:00 p.m. on October 30, 2019.*
- *The Electric Cargo Handling Grant Program opened for applications on June 21, 2019. Under this new grant program, \$3 million will be available for calendar years 2019-2020 for the repower or replacement of eligible diesel-powered forklifts, airport ground support equipment, and port cargo*

handling equipment to all-electric versions. The application deadline is 4:00 p.m. on November 15, 2019.

Businesses, nonprofits, government agencies, and other organizations are eligible to apply for all programs. More information is available at www.dep.pa.gov/DrivingPAForward.

Air Quality Rulemakings

Air Quality Fees

The Clean Air Fund constitutes approximately 60% of the Air Quality Program's budget and is comprised of two accounts: Major Emission Facilities (Title V), and Mobile and Area Facilities (Non-Title V). The Non-Title V account is anticipated to hit a zero balance sometime in FY 2019-20 and the Title V account will reach a zero balance sometime in FY 2023-24.

The proposed rulemaking will affect approximately 500 Title V facilities and 2,100 non-Title V facilities permitted by DEP. The proposed rulemaking will also impact the owners/operators of approximately 5,000 asbestos projects per year. Total additional revenue from the rulemaking is expected to be approximately \$14 million per year.

The draft proposed fee rulemaking was presented to the Air Quality Technical Advisory Committee (AQTAC), the CAC and the Small Business Compliance Assistance Committee (SBCAC) on June 14, July 17, and July 25, 2018, respectively. The committees concurred with the Department's recommendation to present the proposed rulemaking to the EQB. The CAC had a few suggested changes but also concurred with moving the proposal to the EQB. The proposed rulemaking was approved unanimously by the EQB on December 18, 2018. Public comment opened on April 13, 2019, with three scheduled public hearings: DEP SWRO on May 13, DEP SERO on May 15 and DEP SCRO on May 16. *The public comment period closed on June 17, 2019, and the Independent Regulatory Review Commission comment period closed on July 17, 2019. Twenty-seven unique comments were received, and the Department has begun preparing a Comment and Response document.*

Low Volatility Gasoline Requirement for the Pittsburgh–Beaver Valley Area

DEP's requirement for reduced volatility gasoline in the seven-county Pittsburgh – Beaver Valley area was removed on January 22, 2019. However, Allegheny County has a separate enforceable county regulation. On April 26, 2019, the EPA published a proposed rule approving the March 19, 2019, state implementation plan (SIP) revision request by DEP on behalf of Allegheny County Health Department (ACHD) to remove their low volatility gasoline requirements. The public comment period closed on May 28, 2019, and the EPA published final approval on July 5, 2019.

Revision of Sulfur Limits in No. 2 and Lighter Commercial Fuel Oil

The proposed rulemaking would reduce the maximum allowable sulfur content limit for No. 2 and lighter commercial fuel oil, generally sold for and used in residential and commercial oil heat burners and furnaces, from the current limit of 500 parts per million (ppm) of sulfur to 15 ppm. Emissions of SO₂ contribute to the formation of regional haze, which degrades visibility in many American cities and scenic areas, and PM_{2.5}. Philadelphia and the surrounding states have already lowered their allowable sulfur content to 15 ppm. The draft proposed rulemaking Annex A was presented to the SBCAC, AQTAC, and CAC on January 24, February 8, and February 20, 2018, respectively. DEP presented the proposed rulemaking to the EQB on April 16, 2019, and it was approved unanimously. *The EQB published this proposed rulemaking for comment on July 6, 2019, and public hearings were held on August 6, 7 and 8, 2019, at the Southwest, Southeast and Southcentral Regional Offices of DEP. The public comment period closes on September 9, 2019.*

Additional Requirements for Fine Particulate Matter in the Nonattainment New Source Review Program

This proposed rulemaking amends DEP's New Source Review regulations to incorporate Federal requirements

issued by the EPA on August 24, 2016, for the regulation of volatile organic compounds (VOC) and ammonia as precursors in the formation of particulate matter less than and equal to 2.5 micrometers in diameter (PM_{2.5}). (see 2012 PM_{2.5} NAAQS SIP Revisions above)

On April 6, 2018, the EPA published a finding of failure stating that Pennsylvania failed to submit the needed SIP revisions. This finding started 18- and 24-month periods during which Pennsylvania must either submit complete SIP revisions or become subject to mandatory sanctions. This finding also established a 24-month deadline by which the EPA must either approve a SIP or finalize a Federal implementation plan that addresses the necessary revisions. The expiration date for the 18-month EPA sanction clock is November 7, 2019, and the 24-month EPA sanction clock expires on May 7, 2020.

The Department presented the draft proposed annex to the SBCAC, the AQTAC, the CAC Policy and Regulatory Oversight Committee, and the CAC on July 25, August 2, August 21 and September 18, 2018, respectively. The proposed rulemaking was approved unanimously by the EQB on December 18, 2018. The public comment period opened on March 16, 2019, and hearings were held on April 16, 17 and 18 in SCRO, SWRO and SERO, respectively. *The public and the Independent Regulatory Review Commission comment periods closed on May 20 and June 20, 2019, respectively. There was one comment of support, and the Department has prepared the Comment and Response document.*

Control of Existing Sources of Emissions from the Oil and Natural Gas Industry

On October 27, 2016, EPA published Control Techniques Guidelines (CTG) for the Oil and Natural Gas Industry. On December 13, 2018, the Department presented Preliminary Draft Proposed RACT Regulations for the Oil and Natural Gas Industry to AQTAC. The proposed rulemaking would establish RACT requirements for VOCs from existing oil and natural gas production facilities, compressor stations, processing plants, and transmission stations. The proposed control measures would also reduce methane emissions as a co-benefit. DEP presented the draft proposed rulemaking to AQTAC, SBCAC and the CAC PRO subcommittee on April 11, April 17 and May 7, 2019, respectively. *On June 18, 2019, the CAC concurred with moving the proposed rulemaking to the EQB, and the Department anticipates presenting it to the EQB in the fourth quarter of 2019.*

Stage II Vapor Recovery Revision

With the advent of onboard vehicle vapor recovery systems, Stage II vapor recovery at the gasoline pump has become redundant and, in some cases, counterproductive. The Department presented Preliminary Draft Proposed Amendments to the Stage II Vapor Recovery Regulations to AQTAC on December 13, 2018. The proposal requires decommissioning of vacuum-assisted vapor recovery at the pump in the 5-county Philadelphia and 7-county Pittsburgh-Beaver Valley areas. However, it would add requirements for annual leak testing, low-permeation hoses, and dripless nozzles. DEP presented the draft proposed rulemaking to AQTAC, SBCAC and the CAC PRO subcommittee on April 11, April 17 and May 7, 2019, respectively. The CAC concurred with forwarding the rulemaking to the EQB on May 22, 2019. *DEP anticipates bringing the proposed rulemaking before the EQB in the fourth quarter of 2019.*

Conditional Approval of RACT regulation

On May 9, 2019, the EPA published conditional approval of Pennsylvania's Reasonably Available Control Technology (RACT II) state implementation plan (SIP) revision. The SIP revision was submitted to the EPA on May 16, 2016, to meet RACT requirements under the both 1997 and 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS) for major sources. The EPA approved most of the SIP revisions while conditionally approving certain provisions based on DEP's commitment to submit all remaining case-by-case RACT SIP revisions no later than May 9, 2020. *On July 8, 2019, the Sierra Club and Earthjustice filed a petition in the US Court of Appeals for the Third Circuit challenging the EPA's Conditional Approval. The legal foundation of their challenge is unknown until they file their brief.*

Sierra Club issues Intent to Sue EPA Over Good Neighbor Provisions of Clean Air Act

On July 11, 2019, the EPA Region 3 received an Intent to Sue notice from the Sierra Club for its alleged failure to find that certain states and territories have not submitted “good neighbor” State Implementation Plan (SIP) revisions with respect to the 2015 ozone National Ambient Air Quality Standard (NAAQS). Pennsylvania is one of 25 states named in the Intent to Sue, which also include Maine, Maryland, Rhode Island, Virginia and Vermont. The Bureau of Air Quality is continuing to work with EPA Region III on a timeline for the required SIP revision.

OTC Notice on Public Comment Period and Public Hearing

The Ozone Transport Commission (OTC) is holding a public hearing and soliciting public comments regarding the potential need for daily NOx limits at coal-fired electricity generating units (EGUs) in Pennsylvania. While the applicable facilities are in compliance with recent EPA-approved RACT II regulations addressing NOx emissions from major sources including EGUs, a petition brought forward by Maryland suggests that daily limits are needed to bring areas in the Ozone Transport Region into attainment with 2008 and 2015 ozone standards. Specifically, the OTC is soliciting public comment on: 1) whether the OTC should develop additional control measures for Pennsylvania, and if so, 2) how those specific control measures should be structured.

The OTC is holding a public hearing at the EPA Region III offices in Philadelphia at 9 a.m. on August 16, 2019. Written comments must be received no later than 5:00 p.m. that same day and should be submitted by email to ozone@otcair.org or by mail to the Ozone Transport Commission, 800 Maine Avenue SW, Suite 200, Washington, DC 20024. A copy of the OTC’s 184 (c) petition notice can be found at <https://otcair.org/>.

Energy Programs Office

Finding Pennsylvania’s Solar Future

The project team submitted a draft final deliverable, a PA Solar Future implementation report, to USDOE. This will serve to wrap up the project and document our progress towards increasing solar in Pennsylvania during the project term. The report will be posted on the PA Solar Future Website. The project team held a webinar on June 20th that focused on providing final thoughts on the project and opportunities to implement the strategies. The project period of performance is ended, but DEP will continue to engage with solar stakeholders going forward using lessons learned from the project.

Alternative Fuel Incentive Grant (AFIG)

The AFIG Program offers grant funding for clean, alternative fuel projects in Pennsylvania and investment in Pennsylvania’s energy sector. The 2019 Alternative Fuels Incentive Grant Program (AFIG) is now accepting applications through the DCED Electronic Single Application (ESA) system. Approximately \$5 million in grants is available for school districts, municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in the Commonwealth. *The program will be open for applications throughout 2019. The first application acceptance period ended on July 12, 2019. DEP is currently reviewing these applications.*

EV Everywhere

A Drive Electric PA Coalition meeting was held on July 22, 2019, at the Delaware Valley Regional Planning Commission (DVRPC). DVRPC is located at 190 North Independence Mall West, Philadelphia, PA 19106. DEPA Coalition will have a final stakeholder meeting for 2019 on Thursday, November 21, 2019 (10 a.m. – 2 p.m.) at the Pennsylvania Turnpike Commission Headquarters on 700 S. Eisenhower Blvd., Middletown, PA 17057. Details on the upcoming meetings, including agendas and any presentations, will be posted on DEP’s website here: <https://www.dep.pa.gov/Business/Energy/OfficeofPollutionPrevention/State-Energy-Plan/Pages/Drive-Electric-PA-Coalition.aspx> .

Industrial Energy Efficiency Technical Assistance

The 2015 Climate Action Plan (CAP) and the 2018 CAP update contain work plans that call for significantly increasing the number of energy assessments for the manufacturing sector. The current Pennsylvania State Energy Plan (SEP) proposal directly coincides with the CAP recommendations. For state fiscal year 2018-19, DEP contracted with the Pennsylvania Technical Assistance Program at the Pennsylvania State University (PennTAP) and the Emerging Technology Applications Center (ETAC) to provide energy efficiency technical assistance targeting the Industrial sector of energy consumers. Eight site assessments (100% of goal) were completed by ETAC and 34 (113% of goal) were completed by PennTAP to date. The Energy Assessments represented the metal fabrications, food, recycling, newspaper, metal finishing, chemicals, rubber and plastics and lumber, word and paper industries. The types of assessments were: lighting, compressed air, heat exchangers, HVAC, variable frequency drive motors and process heating.

State Energy Program (SEP)

DOE's Office of Energy Efficiency and Renewable Energy's (EERE's) manages the State Energy Program, which provides funding to the states and territories to increase market transformation of energy efficiency and renewable energy technologies through policies, strategies, and public-private partnerships that facilitate their adoption and implementation. DEP EPO submitted the Pennsylvania State Energy Program 2019 – 2020 application for \$1.84 million to the US Department of Energy on April 22, 2019. *The Plan was approved on June 6, 2019.*

Climate Change

On April 29, Governor Wolf released the final Climate Action Plan (CAP), along with our Climate Story Map. He also made the announcement that PA was officially joining the US Climate Alliance. *On June 25, 2019, the DEP Energy Programs Office conducted its bimonthly CCAC meeting at the RCSOB. Guest presentations focused on buildings: The Sustainable Energy Fund presented on C-PACE; Green Building Alliance shared information on Pittsburgh's 2030 District; Pennsylvania Housing Finance Agency discussed their incentives for high-performance multi-family buildings; and Bright Common gave a presentation on Passive House. Topics discussed during the meeting included DEP's climate outreach, initial discussion on the next Climate Action Plan (CAP), as well as a summary of comments received from the CCAC on the 2018 CAP. CCAC members suggested that we target October 2021 as the due date for the next CAP. They also recommended that we focus on certain sectors in the next CAP, along with those actions/strategies that will have the most impact. The next CCAC meeting will be held on October 1, 2019.*

Building Energy Code Trainings

DEP has contracted with the Pennsylvania Municipal League and Performance Systems Development (PSD) to provide building code officials, contractors, design professionals and builders with training on the 2015 International Energy Conservation Code (IECC) for residential and commercial construction projects in the upcoming months. A series of workshops, webinars and specialized (circuit rider) trainings have been planned. A custom workshop was held as well as a webinar on residential 2015 IECC in the months of March and April respectively.

Building Operator Certification (BOC)

DEP's contractor, National Sustainable Structures Center, is planning five BOC classes for 2019. BOC is presented as a series of sessions. The Pittsburgh class series concluded on April 2. The Harrisburg session was canceled due to low registration numbers. A Philadelphia class started April 17, and a Williamsport class began April 16 and will conclude in June. Additionally, a special condensed BOC course series is being held in June in State College specifically for state agency facility managers in partnership with the Penn State Facilities Engineering Institute. 7 students are currently enrolled for the condensed course.

Energy Assurance

Energy Programs Office (EPO) and PEMA staff met on July 30, 2019, with members of the petroleum industry

and EPO's consultant, ICF, to discuss state-wide liquid fuels energy assurance issues and EPO's outreach efforts to local governments. Information was exchanged on current planning efforts regarding fuel shortages and state waiver processes that might be utilized during emergency events and training. Following this session, EPO will coordinate with PEMA to determine when the next meeting will be scheduled to further discussions and to keep the lines of communication open.

Environmental Cleanup and Brownfields

Storage Tank Advisory Committee (STAC)

The next STAC meeting is scheduled for September 10, 2019, at 10:00 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg.

Cleanup Standards Scientific Advisory Board (CSSAB)

The next CSSAB meeting is scheduled for October 29, 2019, at 9:30 a.m. in Room 105 in RCSOB, 400 Market Street, Harrisburg.

Proposed Rulemaking, 25 Pa. Code, Chapter 250 (relating to Administration of Land Recycling Program)

The Land Recycling Program is developing a proposed rulemaking to update Statewide health standard medium-specific concentrations (MSCs) listed in Appendix A of Chapter 250. Additional changes to the regulations are needed to clarify regulatory language, update outdated information, and to make other corrections. The Department presented draft regulatory language and MSC tables to the CSSAB at the June 12, 2019, meeting. *The CSSAB tabled a vote of concurrence on the proposed rulemaking language until a few remaining issues are resolved.*

Land Recycling Program Technical Guidance Manual (TGM) Addendums

The final revised Land Recycling Program TGM was published on January 19, 2019. Additional information regarding two remedial technologies will be added to the TGM as addendums. The first addendum is "The Use of Caps as Engineering Controls," which is proposed to be an appendix to Section II of the TGM and will help inform remediators and regional office staff of recommended best practices for caps. This proposed TGM addendum was discussed at the February 13, 2019, CSSAB meeting. A workgroup comprising of CSSAB members and their staff reviewed the proposed addendum and provided recommendations for revisions. The revised proposed capping guidance addendum was provided to the CSSAB at the June 12, 2019, meeting. *Additional revisions and comments provided by the CSSAB at the June 12, 2019, meeting have been incorporated, as appropriate, and the draft document has been circulated to the Regional Offices for review and comment. Once the Regional Office revisions are incorporated, the final draft document will be ready to be routed for internal review and approval for publication for public comment.* The second TGM addendum will provide guidance on the use of vertical soil mixing as a remediation technology to address historic pesticide contamination on agricultural lands. This guidance addendum will be provided to the CSSAB for discussion at the October 29, 2019 meeting.

Environmental Education

DEP Environmental Education Grants Program

The Environmental Education Grant Program was established by the Environmental Education Act of 1993, which mandates that five percent of all pollution fines and penalties collected annually by the Department of Environmental Protection be set aside for environmental education. Since the inception of the environmental education grant program, DEP has awarded more than \$12 million in grants to support environmental education efforts throughout Pennsylvania. The 2019 DEP Environmental Education Grants recipients were recently announced. For 2019, \$205,000 were distributed. Four General Grants were approved for projects that have a regional or statewide impact and are funded up to \$25,000. Forty-one Mini-grants were awarded.

The Mini-grants are annually funded at the \$3,000 level. The program will again be offered for more localized projects providing funding up to \$3,000. This grant program was designed to promote Environmental Education principles that encourage the public to promote a healthy environment, foster an understanding of the natural world's functions, and promote an understanding of the necessity for environmental protection and sound resource management.

PA Falcon Reintroduction Program

To reduce and/or prevent injuries when fledging begins, the DEP Environmental Education and Information Center (EE&IC) staff with the assistance of volunteers conducted Falcon Watch and Rescue, which commenced June 1, 2019. During this period, all four of the fledglings required rescue at least once. Since the DEP EE&IC staff had these birds in hand, the Pennsylvania Game Commission took advantage of this opportunity by placing a Motus transmitter on three of these birds. Once activated, the Motus transmitter will transmit data on the dispersal of these falcons through the integration of radio transmitters that are part the Motus system.

On August 7 and 8, Penn State's Shaver's Creek Environmental Center and the DEP Environmental Education and Information Center staff collaborated on a WILD About Raptors workshop. This exclusive workshop was limited to only 25 participants. The-workshop attendees explored raptor recovery within Pennsylvania by learning about raptor natural history, causes for decline in the 20th Century, reintroduction programs, and the current status of these birds of prey. Topics discussed highlighted conservation initiatives such as farmland raptors, ridgetop conservation, water quality and environmental health issues. Participants became acquainted with the DEP Peregrine Falcon Program, accessed the DEP FalconCam, and investigated ways of incorporating raptor recovery into their teaching strategies.

Update from the PA Watershed Education Task Force

The Stroud Center, PDE, DCNR and DEP continue to cooperate on this task force to provide additional educational opportunities in 2019 for Meaningful Watershed Educational Experiences (MWEE) training, STEM, Watershed Education, and stormwater workshops. DCNR, DEP and the Stroud Center are offering an entire series of workshops and initiatives to promote the establishment of MWEEs within the schools of Pennsylvania. Outreach efforts are also being directed to the Pa. Association of Environmental Educators (PAEE). The Environmental Education survey, which is part of the Chesapeake Bay Agreement, has been distributed across the Commonwealth. This survey will provide information about the implementation of MWEEs in public school districts.

Weathering the Storm Stormwater Workshops

Two additional Weathering the Storm stormwater workshops were scheduled this summer. The first was hosted by the Blair County Conservation District on June 19, 2019, at the Hollidaysburg Public Library in Hollidaysburg, PA. This workshop was a collaboration between DEP, the Blair County Conservation District, and Keller Engineering. 18 participants completed this workshop earning Act 48 hours.

A second workshop is scheduled for August 21 and 22 and will be hosted by the Erie County Conservation District at their location: Erie County Conservation District and Headwaters Park, Erie, PA 16509. This workshop will be conducted over the course of two days from 9:00 a.m. to 3:30 p.m. Both workshops will cover:

- MWEE Framework
- Department of Environmental Protection Environmental Education Grant Program
- Funding sources for public schools and communities that are required to reduce stormwater runoff within the various watersheds located within the Commonwealth
- Demonstration of stormwater (BMPs) best management practices within each participating county.
- *Training in the Penn State Extension's "Rain to Drain-Slow the Flow" curriculum.*

Because MWEs have the strongest impact when classroom and community collaborate, this workshop helps prepare formal and non-formal educators to partner on a community stormwater project. All participants will receive resources including “An Educator’s Guide to the Meaningful Watershed Educational Experience” and “DEP’s Guidelines for Maintaining Streams in Your Community” to address stormwater within their school district and community. Act 48 credit is available.

Envirothon

The state event, which culminates with the state champions being crowned, was held on May 21 and 22, 2019, on the campus of the University of Pittsburgh-Johnstown and Windber Recreational Park. Secretary McDonnell and DEP’s EE&IC staff served as an Oral Component Judge. For the second consecutive year, Greene County’s entry, Carmichael Area High School, finished in first place. This team will represent Pennsylvania at the international competition to be held at North Carolina State University. The other top finishers included Delaware county (2nd), Lancaster County (3rd), McKean County (4th), and York County (5th).

Environmental Justice

DEP’s EE&IC and the Environmental Justice (EJ) office have been collaborating on efforts to further environmental education in EJ areas.

An example is that Environmental Justice was again a Priority Topic of the 2019 DEP EE Grant program. One General Grant was awarded for \$24,530. This project, led by Villanova University, identifies air pollution as one of the major environmental problems in Pennsylvania as shown by its listing of 3 cities with the worst short-term PM2.5 pollution and 5 cities with the worst PM2.5 pollution in Pennsylvania (State of the Air, 2018) and a high incidence of asthma among children living in inner cities in Philadelphia. Therefore, environmental education about air pollution in the surrounding environment, understanding about potential air pollution sources in the surrounding environment, health effects related to air pollution, and the ways to prevent air pollution exposures will be critical in minimizing the adverse effects from air pollution and creating scientific literate citizens with active civic participation. Middle School students will serve as "citizen scientists" by designing monitoring projects, building equipment, analyzing results, and drawing conclusions related to human health. University undergraduate students will serve as mentors.

Looking at the broader picture, the Mini-grant portion of the DEP EE Grant program funds up to \$3,000 annually for environmental education. Of the 113 Mini-grant applications received, 42 Environmental Justice applications were received. Of those, 18 were approved for a total of \$47,570 or 44% of all grants recommended.

On July 12, 2019, DEP, DCNR, PDE, the Penn State Extension, and Wildwood Park collaborated to deliver a day of water related programming at Wildwood Park and DEP SCRO for students in the Harrisburg Housing Authority’s ETC program. Students were introduced to water testing, water as it relates to wildlife habitat, stormwater issues, and the dangers of the use of pesticides. This program complements the ETC activities of community gardens, neighborhood clean-ups, and recycling. 75 participants in the ETC program participated.

Oil and Gas

Susquehanna River Basin Commission Legacy Well Meeting

DEP Bureau of Oil and Gas Planning and Program Management (BOGPPM) Subsurface Activities Division staff met with Susquehanna River Basin Commission (SRBC) technical and legal staff to discuss potential opportunities for collaboration on legacy well plugging projects in the river basin. BOGPPM staff completed a preliminary Geographic Information Systems (GIS) analysis identifying approximately 500 abandoned wells in the river basin. About 20% of these are on DEP’s Orphan and Abandoned well list. SRBC staff currently are funding several reclamation projects relating to legacy mining and source water protection and are committed

to analyzing BOGPPM's GIS datasets to look for project synergies. Creative partnerships such as this are instrumental in leveraging multiple resources and skills to address Pennsylvania's legacy well inventory.

Proposed Oil and Gas Fee Rulemaking Adopted by Environmental Quality Board

On May 16, 2018, the Office of Oil and Gas Management presented the proposed Unconventional Well Permit Application Fee rulemaking to the Environmental Quality Board (EQB). The proposed rulemaking increases the current well permit application fees from \$5,000 for a nonvertical unconventional well and \$4,200 for a vertical unconventional well, to \$12,500 for all unconventional well permit applications. The permit fees for conventional wells remain unchanged. EQB adopted the proposed rulemaking with two opposing votes. The Office of Attorney General completed its review on June 26, 2018. The proposed rulemaking was published in the Pennsylvania Bulletin on July 14, 2018, and the comment period closed on August 13, 2018. DEP received comments from IRRC on September 13, 2018. DEP is currently preparing a Comment and Response Document and final revisions to the rulemaking.

Oil and Gas Workload Report

Please see Attachment 2.

Radiation Protection

Radiation Protection Rulemakings

Chapter 227

The Radiation Protection Act directs DEP to develop and conduct comprehensive programs for the registration, licensing, control, management, regulation and inspection of radiation generating devices (RGD) and users of such devices. The areas in need of review and update relate to non-medical X-ray equipment. There have been important advances in technology and use of X-rays and other ionizing radiation particles for industrial radiography, non-contact level monitoring, foreign body detection, chemical purification, melting, welding, polymerization, sterilization, and security screening. The proposed package is expected to be an action item at the October 10, 2019, Radiation Protection Advisory Committee (RPAC) meeting, followed by EQB consideration in late 2019.

New Compliance & Enforcement Guidance Document

The Radiation Protection program is drafting a new Radiation Protection Compliance & Enforcement Guidance document. This document will provide guidelines for staff on how to implement the provisions relating to enforcement actions contained in DEP's policies and procedures. The purpose of this guidance is to ensure that all staff use similar formats when addressing similar violations across DEP offices. It describes the documents available for compliance and enforcement actions, and it establishes guidelines on how they should be applied. The draft guidance document is expected to be an agenda item at the October 10, 2019, RPAC meeting and is tentatively scheduled to be published with a public comment period in late 2019.

Waste Management

MAX Environmental Technologies, Inc. Delisting Petitions – Bulger Facility and Yukon Facility

On May 2, 2019, DEP received two petitions from MAX Environmental Technologies, Inc. (MAX) to delist certain hazardous waste at their Bulger and Yukon facilities. DEP reviewed the petitions in accordance with the Environmental Quality Board's Petition Policy in 25 Pa. Code Chapter 23 and determined the petitions meet the conditions in Section 23.2 for further review. The Department notified MAX on June 3, 2019, that the petitions would be submitted to the Environmental Quality Board (EQB) for consideration at its next meeting. At the EQB meeting held on Tuesday, June 18, 2019, DEP summarized the petitions for the EQB and recommended that the EQB accept the petitions for further study. The EQB approved a motion to accept the

petitions. DEP is in the process of evaluating the petitions. Upon conclusion of that review, DEP will prepare a report evaluating the petitions, including a recommendation on the petition.

Elcon Recycling Services, LLC (Falls Township, Bucks County)

DEP's Southeast Regional Office Waste Management Program issued a Notice of Intent to Deny to Elcon Recycling Services, LLC (Elcon) for its Phase II Part B commercial hazardous waste treatment and storage facility application. After completing a 10-month technical review of materials submitted by the company, DEP found a number of outstanding deficiencies that remain unaddressed to DEP's satisfaction.

A Notice of Intent to Deny is not a final or appealable action by the DEP. It is a draft decision, open to the public for comment and review. The applicant may comment on the notice and submit materials to address the deficiencies cited by DEP. The comment period *opened* on June 1, 2019, with a publication in the *Pennsylvania Bulletin* and *closed* on July 15, 2019. All comments received during the 45-day comment period will be reviewed and addressed in a public document.

DEP is continuing its review of two additional applications from Elcon for air quality and stormwater.

A copy of the hazardous waste application and deficiencies noted by DEP, as well as correspondence on the project, opportunities for public participation, and additional applications under review can be found at www.dep.pa.gov/elcon.

Substantive Revisions to DEP's Management of Fill Policy

Pennsylvania's waste regulations, which were adopted in 1988, state that uncontaminated soil, rock, stone, gravel, unused brick or block, and concrete can be used to level or bring an area to grade without obtaining a permit for the beneficial use of waste. DEP frequently refers to these materials as "clean fill."

To support the regulations, DEP created the Management of Fill Policy to clarify when and how fill can be used in Pennsylvania without the need for a waste permit. The current effective version of the Policy is dated August 7, 2010. Major components of this Policy rely on the Act 2 Statewide health standards, which were revised in 2011 and again in 2016, necessitating a revision to the Policy. Staff in the Bureau of Waste Management worked diligently to hear the concerns of stakeholders and published a substantive revision for public comment on November 10, 2018.

The draft revisions proposed by DEP include: incorporating the Chapter 250 standards by reference so that the concentration limits in the policy are continually aligned with Chapter 250; improving the mechanism for determining whether the presence of a contaminant is due to background conditions; clarifying the requirements for developing a sampling plan for in-place material; and clarifying definitions and terms not defined by the policy.

DEP accepted public comment on the proposed changes through January 8, 2019, and intends to finalize the policy in the third quarter of 2019.

Revisions to DEP's Guidance Document on Radioactivity Monitoring at Solid Waste Processing and Disposal Facilities

On June 6, 2019, staff from DEP *presented* the Solid Waste Advisory Committee's (SWAC) *draft proposed* substantive revisions to the technical guidance document that assists the regulated community with the development of Radiation Protection Action Plans as required in regulation. The primary revisions amend the policy to include guidance for the oil and gas industry in response to new provisions in Chapter 78a requiring unconventional oil and gas operators to comply with the document. Additionally, outdated and redundant information is being removed; guidance is being provided for non-solid waste recycler operations; guidance on

environmental modeling is being improved; and radiation protection standards are being compiled in one place for subject facilities. DEP plans to publish the document for a 30-day public comment period in August 2019.

Solid Waste Advisory Committee (SWAC) and Recycling Fund Advisory Committee (RFAC)

The regular SWAC meeting was held on Thursday, June 6, 2019. This meeting was joint with the RFAC. At the meeting, the Committee reelected the standing Chair and Vice Chair to serve another 2 years; voted to remove RFAC as a Standing Committee of SWAC and reestablish it as a separate committee in accordance with statute; and adopted revised bylaws. RFAC adopted its own separate bylaws. The next regular meeting of both SWAC and RFAC will be held on Thursday, September 12, 2019, in Room 105 of the Rachel Carson Building. This is the annual meeting at which RFAC will review and make recommendations on the expenditures of the Recycling Fund. New bylaws and additional information are available on the [SWAC website](#).

Water Programs

e-Permitting for Waterways Obstruction and Encroachment General Permits (Chapter 105 GPs)

The Chapter 105 e-Permitting application continues to improve with a proposed version released August 1, 2019. The Bureau of Waterways Engineering and Wetlands (Bureau) staff remain actively engaged with applicants, consultants, delegated county conservation districts, regional office staff and IT support regarding processes and technical issues for Chapter 105 General Permit e-permitting. User manuals have been updated and further enhancements are planned. Additional information about the Chapter 105 e-Permitting system, including background information, recorded webinar and training materials, and user guides is available on the Bureau webpage at <https://www.dep.pa.gov/Business/Water/Waterways/Pages/ePermitting.aspx>.

Water Resources Advisory Committee Meeting

DEP's Water Resources Advisory Committee (WRAC) held a regular meeting on Tuesday, July 25, 2019.

Rodney McAllister, Bureau of Clean Water, presented a proposed rulemaking to revise the water quality standards for manganese. This proposed rulemaking consists of two main recommendations to the Environmental Quality Board: (1) to move the point of compliance of the current potable water supply criterion for manganese to the point of existing or planned surface potable water supply withdrawal, as required by 2017 Act 40 § 6; and (2) to implement a new threshold human health criterion for manganese as a toxic substance to protect against the known toxic effects of manganese. WRAC voted 9-2 to acknowledge the statutory requirement for the first part of the proposed rulemaking and to support the second part of the proposed rulemaking to protect against the risks to public health potentially created by the first part of the proposed rulemaking.

Nate Crawford, Bureau of Clean Water, presented an overview of the proposed new PAG-01 general permit for stormwater discharges from small, low-impact construction activities and the proposed renewal of PAG-02, the existing general permit for all stormwater discharges from construction activities. Amy Williams, Bureau of Clean Water, presented a summary of "emerging contaminants" sampling in surface waters and sediments across the state. DEP staff collaborated with other organizations, including the United States Geological Survey, since 2012 to conduct this monitoring. The emerging contaminants sampled included: pesticides, herbicides, pharmaceutical compounds, and endocrine-disrupting compounds. Beginning in the summer of 2019, sampling for per- and poly-fluoroalkyl substances (PFAS) will also occur at 21 of DEP's Water Quality Network sites. Ms. Williams and her colleagues plan to publish the results of this emerging contaminants sampling initiative in scientific publications and in an internet-based "story map" format. Roger Adams, Bureau of Waterways Engineering and Wetlands, updated WRAC on efforts and plans to revise parts of 25 Pa. Code Chapter 105. Mr. Adams indicated a goal of getting a proposed rulemaking package revising Chapter 105 to the Environmental Quality Board in the first quarter of 2020.

The next WRAC meeting is scheduled for September 26, 2019.

Water Quality Permit Fees

DEP proposed a rulemaking that would increase fees for Water Quality Management (WQM) permit applications and National Pollutant Discharge Elimination System (NPDES) permit applications and annual fees. This proposed rulemaking would impact municipalities, industries and farmers that hold NPDES permits. The proposed regulations were published in the PA Bulletin March 30, 2019, and the public comment period closed on May 14, 2019. *DEP received comments from 91 individuals/organizations and letters signed by 67 members of the General Assembly. A comment and response document is being developed and is expected to be published as final in the next six months.*

Integrated Report

DEP received comments on the draft 2018 Pennsylvania Integrated Water Quality Monitoring and Assessment Report (Integrated Report) and the Susquehanna/Juniata Rivers aquatic life assessment report. The Integrated Report is required by EPA and Sections 303(d) and 305(b) of the Federal Clean Water Act. The Integrated Report includes narrative descriptions of the various control and restoration programs DEP manages, water quality trends, and the complete status of Pennsylvania waters. This Integrated Report is the first fully digital interactive Integrated Report. It will be useful as it is user friendly and readily accessible to both water quality professionals and the public. The public comment period closed June 4, 2019. *Comments will be addressed, and a comment and response document will be posted to DEP's website. The final Integrated Report will also be posted to the website and submitted to the EPA for review and approval.*

Coastal Zone Advisory Committee

The Coastal Zone Advisory Committee met on May 29, 2019. The Delaware River Basin Commission was invited to give a presentation on changes in Delaware Estuary health.

Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP)

A final draft of the Phase 3 WIP was submitted to the EPA and the Chesapeake Bay Program Partnership (Partnership) on April 12, 2019. The Phase 3 WIP describes how Pennsylvania intends to move forward and accelerate progress towards meeting the nutrient reduction targets established by the Partnership for the improvement of local water quality and the restoration of the Chesapeake Bay with the goal of having all practices in place by 2025. The draft Phase 3 WIP was open for comment from April 12 through June 7, 2019. The WIP is accessible here: www.dep.pa.gov/chesapeakebay/phase3 Questions on the WIP or Pennsylvania's Chesapeake Bay Program can be submitted to RA-EPChesBay@pa.gov. *Comments were received from 40 commenters. The final Phase 3 WIP, along with a Comment and Response Document, is due to the EPA and the Chesapeake Bay Program Partnership on August 23, 2019.*

Small Water Systems Technical Assistance Center Advisory Committee Meeting

DEP's Small Water Systems Technical Assistance Center (TAC) met on August 8, 2019. The regularly scheduled meeting included the following agenda items: Updates on unregulated contaminants and health advisories, review and discussion of revisions to four technical guidance documents relating to laboratory reporting instructions, and review and discussion of revisions to a technical guidance document related to community water system design standards. The next TAC meeting is scheduled for November 14, 2019.

SDWINS e-inspection App Development

Bureau of Safe Drinking Water (BSDW) staff continue to work with the Conservation and Environment Delivery Center (CEDC) on the development of an e-inspection iPad application called SDWINS. Version 1.2 production release occurred on June 20, 2019. This production release enhanced the existing App that was released in October 2018. The update resolved various bugs, changed the email process and added a field sample information form to the inspection process. The next production release is scheduled for August 2019, which will include additional enhancements to increase the efficiency of SDW field inspectors.

State Board for Certification of Water and Wastewater Systems Operators Meeting

The State Board for Certification of Water and Wastewater Systems Operators (OpCert) met on August 7, 2019. This regularly scheduled meeting included review of requests for new licenses, upgraded licenses, as well as reciprocity requests from operators in neighboring states. The OpCert Board meets every other month throughout the year. There has been a recent increase in the applications for new operators received and reviewed by the OpCert Board. At their June 2019 meeting, the Board approved 143 new licensed operators within Pennsylvania. The Board also upgraded the licenses for 73 other operators, thereby enabling them to operate more complex and/or larger treatment facilities throughout the state. More than 100 new operator applications have already been received for the Board's review at their August meeting. Statewide there are approximately 8,500 licensed water and wastewater operators.

Environmental Justice

Environmental Justice Advisory Board

EJAB last convened on Tuesday, July 9, 2019, via conference call to provide DEP, OEJ and member updates; host a presentation on Environmental Education; and discuss the upcoming meeting in August. The EJAB will convene next on Tuesday, August 13, 2019, from 2 p.m. – 7 p.m. at East Middle School Library in Erie, PA.

EJAB began engaging its members on a Subcommittee on Environmental Health, which will be working to assist OEJ and DEP around environmental health issues, particularly those issues involving people in EJ Areas. In addition, EJAB members started planning an Environmental Justice symposium in Spring 2020 to honor John Waffenschmidt, a long time EJAB member who passed away in 2018.

Community and Stakeholder Engagement

Stakeholder Engagement

OEJ will engage in several community organization and funder meetings throughout August including Anthracite Region for Progress, Shamokin Creek Restoration Alliance, Eastwick Lower Darby Creek Area Community Advisory Group (CAG), BoRit CAG, Hazelwood Initiative, and others.

OEJ staff will participate in meetings with various workgroups and committees including Chester Environmental Partnership, American Planning Association Pennsylvania Chapter, Healthy Communities in PA, Pennsylvania Interagency Health Equity Team, Future Forces Workgroup, Capital Region Water Community Ambassadors, Transportation and Climate Initiative, Philadelphia Office of Sustainability, Cancer and the Environment, and others.

Roundtables

A roundtable meeting in Sharon was held on Wednesday, June 5, and a roundtable meeting in Bethlehem is being scheduled for fall 2019. These events invite approximately 20-25 stakeholders from the community to discuss pertinent environmental justice issues and find potential solutions between DEP and other state and community partners.

Strategy and Planning

Policy Review Process

OEJ drafted a Comment and Response document for the EJ Public Participation Policy. The Comment and Response document and revised policy have been reviewed by the DEP Internal Work Group and will be reviewed by additional DEP personnel prior to release. OEJ anticipates final release of the EJ Public Participation Policy in late summer 2019.

OEJ Initiatives

Workforce Development Initiative

OEJ is developing a workforce development initiative to create a pipeline to drinking water and wastewater operator careers. These jobs are in demand, secure and provide sustainable wages with a minimum education requirement of a high school diploma for entry in the field. OEJ is collaborating with Delaware County Community College and William Penn School District in eastern Delaware County to pilot the program.

Environmental Education

DEP's Environmental Education Center, OEJ and the PA Department of Education (PDE) are partnering to establish initiatives that will infuse EJ principles in PDE training around environmental education for students, educators and municipal staff. *On Friday, July 12, DEP hosted an environmental education workshop for the City of Harrisburg's Environmental Teen Corps (ETC) program. The ETC is a summer work-learn program hosted by the City of Harrisburg and consists of approximately 100 youth from 13-16 years of age that seeks to provide students exposure to potential career paths and stimulate interest in environmental stewardship.*

Other Initiatives

Transportation and Climate Initiative (TCI)

OEJ is continuing participation in the Transportation and Climate (TCI) Initiative Equity and Investments Committee. OEJ is continuing to work with EJ stakeholders to engage around TCI and developing participation strategies around the initiative to support EJ communities.

Attachment 1

2019 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.”

August	
7	State Board for Certification of Water and Wastewater Systems Operators Meeting, 10 a.m., RCSOB 10 th floor, Harrisburg
7	Aggregate Advisory Board Field Trip Meeting, 10 a.m., Stonehedge Golf Course and Country Club, 55 Stonehedge Drive, Tunkhannock, PA
8	Small Water Systems Technical Assistance Center Board Meeting, 9 a.m., RCSOB Room 105, Harrisburg
13	Environmental Justice Advisory Board Meeting, 9 a.m., RCSOB Delaware Room, Harrisburg
13	Environmental Justice Advisory Board Meeting, 2 p.m., East Middle School Library, 1001 Atkins Street, Erie, PA
14	State Board for Certification of Sewage Enforcement Officers Meeting, 10 a.m., RCSOB Room 11B, Harrisburg
15	Air Quality Technical Advisory Committee Meeting, 9:15 a.m., RCSOB Room 105, Harrisburg
20	Environmental Quality Board Meeting, 9 a.m., RCSOB Room 105, Harrisburg
20	Citizens Advisory Council Meeting, 10 a.m., RCSOB Room 105, Harrisburg
25 - 27	Interstate Oil and Gas Compact Commission - Annual Conference, Medora, North Dakota
27	Climate Change Advisory Committee Meeting, 10 a.m., RCSOB Room 105, Harrisburg
29	Agricultural Advisory Board Meeting, 9:30 a.m., DEP Southcentral Regional Office, Conference Room Susquehanna B, 909 Elmerton Ave., Harrisburg, PA.
29	DEP Oil and Gas staff will meet with industry stakeholders as part of the ongoing Technical Advisory Board (TAB)/Crude Development Advisory Council (CDAC) Well Plugging Workgroup, Time TBD, DEP Moshannon District Office, 186 Enterprise Drive, Philipsburg, PA
September	
3	Board of Coal Mine Safety, 10 a.m., DEP Cambria Office, Conference Rooms 1A and 1B, 286 Industrial Park Road, Ebensburg, PA
4	Laboratory Accreditation Advisory Committee (LAAC) Meeting, 9:00 a.m., Bureau of Laboratories, Room 206, 2575 Interstate Drive, Harrisburg, PA
10	Storage Tank Advisory Committee Meeting, 10:30 a.m., RCSOB Room 105, Harrisburg
11	Sewage Advisory Committee Meeting, 10:30 a.m., RCSOB Room 105, Harrisburg
12	Solid Waste Advisory Committee Meeting, 10 a.m., RCSOB Room 105, Harrisburg
12	Recycling Fund Advisory Committee Meeting, 10 a.m., RCSOB Room 105, Harrisburg

17	Environmental Quality Board Meeting, 9 a.m., RCSOB Room 105, Harrisburg
17	Citizens Advisory Council Meeting, 10 a.m., RCSOB Room 105, Harrisburg
19	Oil and Gas Technical Advisory Board Meeting, RCSOB Room 105, Harrisburg
26	Water Resources Advisory Committee Meeting, RCSOB Room 105, Harrisburg

Attachment 2
Oil and Gas Workload Report
(As of July 19, 2019)

YTD WELL PERMIT APPLICATIONS - 1/1/2019 to 7/19/2019						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	135	8	160	158	148	2
UNCONVENTIONAL	806	89	897	885	833	12
Sub Total	941	97	1,057	1,043	981	14
AUTHORIZATIONS	647	101	716	646	N/A	70
Total	1,588	198	1,773	1,689	1,554	84

WEEKLY WELL PERMIT APPLICATIONS - 7/13/2019 to 7/19/2019						
	RECEIVED	UNDER REVIEW	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS
CONVENTIONAL	0	0	1	0	0	1
UNCONVENTIONAL	30	30	12	11	11	1
Sub Total	30	30	13	11	11	2
AUTHORIZATIONS	13	13	5	5	N/A	0
Total	43	43	18	16	16	2

HISTORICAL WELL PERMIT APPLICATIONS AS OF 7/19/2019						
	RECEIVED	PROCESSED	PERMITS ISSUED	WELLS PERMITTED	OTHER DISPOSITIONS	ACTIVE PERMITS
CONVENTIONAL	197,987	197,977	196,726	190,524	1,251	101,412
UNCONVENTIONAL	27,442	27,338	26,781	21,063	557	12,106
Sub Total	225,429	225,315	223,507	211,587	1,808	113,518
AUTHORIZATIONS	44,512	44,402	43,559	42,382	843	19,058
Total	269,941	269,717	267,066	253,969	2,651	132,576

YTD INSPECTIONS - 1/1/2019 to 7/19/2019				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	6,876	5,591	867	87
UNCONVENTIONAL	10,875	6,240	396	68
CLIENT/SITE	2,507	1	1,511	139
Total	20,258	11,832	2,774	294

WEEKLY INSPECTIONS - 7/13/2019 to 7/19/2019				
	INSPECTIONS	FACILITIES INSPECTED	VIOLATIONS	ENFORCEMENTS
CONVENTIONAL	187	180	31	1
UNCONVENTIONAL	282	273	17	3
CLIENT/SITE	50	1	4	2
Total	519	454	52	6

WELLS DRILLED					
	Two Years Prior 1/1/2017 to 7/19/2017	One Year Prior 1/1/2018 to 7/19/2018	Year To Date 1/1/2019 to 7/19/2019	Week of 7/13/2019 to 7/19/2019	As of 7/19/2019
CONVENTIONAL	52	51	83	8	201,683
UNCONVENTIONAL	444	458	413	13	12,121
Total	496	509	496	21	213,804

This report was prepared by Kate Cole, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email kacole@pa.gov.