

**May 2023 Report to the Citizens Advisory Council**  
*(New and updated information in italics)*

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**DEP Highlights**

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**Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP)**

In an effort to expand public transparency of Pennsylvania’s progress toward meeting our Phase 3 WIP goals, DEP’s Chesapeake Bay Watershed Restoration Division in the Bureau of Watershed Restoration and Nonpoint Source Management (BWRNSM) – formerly known as the Chesapeake Bay Office – has instituted an electronic monthly newsletter, “Healthy Waters: Pennsylvania - Partnership - Progress”; the latest and prior newsletters along with the link to subscribe can be found [here](#).

The [Phase 3 WIP](#) describes how Pennsylvania intends to move forward and accelerate progress towards meeting the nutrient reduction targets established by the Chesapeake Bay Program 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. On December 31, 2021, DEP submitted an amended Phase 3 WIP to the U.S. Environmental Protection Agency (EPA) that outlines how Pennsylvania will fully meet its nutrient and sediment reduction goals in the Chesapeake Bay watershed by 2025, provided adequate funding support and provided that EPA modeling is updated to accurately reflect pollution reduction measures already on the ground.

On April 18, 2022, [EPA published their evaluation](#) of Pennsylvania’s draft amended Phase 3 WIP. EPA determined, using Chesapeake Bay Partnership approved tools, that Pennsylvania’s amended Phase 3 WIP was still short of meeting the nitrogen and phosphorus planning targets. EPA did not account for Pennsylvania’s expired best management practices (BMPs), BMPs considered “cutoff” in the model, or BMPs that are currently unreported. EPA provided a list of “enhancements” for DEP to consider and requested a revised WIP and response within 90 days. DEP met with EPA on April 27, May 18, and May 26 to further discuss their evaluation and asked clarifying questions, as well as to discuss the status of EPA’s Animal Agriculture Programs Assessment report and evaluation of Pennsylvania’s Milestone commitments and progress.

EPA published the final 2021 annual numeric progress for all jurisdictions in June 2022. DEP met with EPA multiple times earlier in 2022, with a final meeting on May 26, 2022, to review and discuss Pennsylvania’s submitted progress. Pennsylvania’s final credited reductions for 2021 annual progress were 2.48 million pounds of nitrogen, 40,000 pounds of phosphorus, and 61 million pounds of sediment.

The amended Phase 3 WIP highlights that the \$324.2 million annual funding need identified in Pennsylvania’s original Phase 3 WIP remains. The proposed U.S. Department of Agriculture [Chesapeake Resilient Farms Initiative](#) (CRFI), would provide a new investment of \$737 million across the Chesapeake Bay watershed for clean water and climate resiliency. State investments include the Clean Streams Fund, enacted by [Act 54 of 2022](#), which includes a \$154 million one-time investment of American Rescue Plan Act monies in a new Agriculture Conservation Assistance Program administered by the State Conservation Commission. On January 14, 2023, DEP submitted Pennsylvania’s 2022 Programmatic Progress report to EPA, per the Chesapeake Bay Program Partnership-approved Two-year Milestone schedule. EPA has estimated that they will be providing feedback to DEP by May 2023. The Programmatic Progress and Milestone Commitments are

combined into one document, as there are many ongoing efforts that have and will take place throughout the prior two-year period and through the next two-year cycle. These documents are published to the DEP [Tracking Pennsylvania's Progress](#) website.

DEP worked with 35+ different data reporters – comprised of local, state, and federal agencies and programs – to compile and report BMP annual progress toward the Chesapeake Bay TMDL goals and planning targets. The Nonpoint Source Quality Assurance Project Plan (QAPP) was submitted to EPA by the September 1, 2022 deadline. The annual progress data was submitted by the December 1, 2022 deadline, along with the revised version of the QAPP. DEP has been working with EPA since December 2022 on the review and evaluation of our QAPP and numeric progress reporting. EPA approved the DEP Nonpoint Source and Point Source QAPPs in April 2023.

The Phase 3 WIP includes [Countywide Action Plans](#) (CAPs) developed by the counties with support from DEP. All 34 Pennsylvania counties in the Chesapeake Bay watershed that were asked to complete CAPs have now done so, and county teams and partners have begun carrying out the best management practices (BMPs) specified in their plans. To support this crucial work, on December 16, 2021, former Governor Tom Wolf announced \$17.4 million in grant funding for projects in 33 counties across the Chesapeake Bay watershed, highlighting their path-breaking work to improve the health of local streams, rivers, and lakes by reducing nutrient and sediment pollution.

DEP's BWRNSM recently awarded the counties with CAPs \$12.2 million total, of which approximately \$9.3 million is from the state Environmental Stewardship Funds and \$2.9 million from EPA. From the federal funds, \$1.6 million was from the Chesapeake Bay Infrastructure Investment and Jobs Act (CB IJIA), awarded to DEP beginning October 1, 2022. [This press release](#) contains the list of counties receiving funds and their allocation.

In collaboration with the DEP Communications Office, the BWRNSM's Chesapeake Bay Watershed Restoration Division also has developed a [Healthy Water, Healthy Communities storymap](#). BWRNSM also published the [2021 Healthy Waters, Healthy Communities Annual Report](#).

*On April 20, 2023, EPA published [notice](#) of a [proposed settlement agreement](#) that would resolve litigation brought by the Chesapeake Bay Foundation and others against EPA and others asserting that EPA's oversight of Pennsylvania's Phase 3 WIP was lacking. While DEP is still reviewing the settlement, Pennsylvania remains committed to working with our local, state, and federal partners. Since 2019, we have seen our Phase 3 WIP serve as a catalyst for action. Thousands of people actively collaborate and work with each other to reach the common goal of clean water and healthy communities. We will continue to work together to ensure farmers, municipalities, and community members are provided the resources they need to improve, protect, and restore local waters and the Chesapeake Bay.*

Questions on the Phase 3 WIP and Pennsylvania's Chesapeake Bay Program can be submitted to [RA-EPChesBay@pa.gov](mailto:RA-EPChesBay@pa.gov).

### **Pennsylvania's Anti-Litter Campaign**

DEP, in conjunction with other Commonwealth agencies continues to promote Pennsylvania's anti-litter campaign, "PA Fights Dirty." As part of this effort the EE&IC staff are also promoting this initiative through various environmental education networks and in "Teaching Green".

Keep Pennsylvania Beautiful (KPB) also features the state's Young Ambassadors Program, a new partnership with PennDOT and KPB. This initiative was recommended in the Litter Action Plan and invited Pennsylvania rising 10th- through 12th-grade students to help keep the Commonwealth litter-free.

The students were chosen through a competitive process – participants committed to nine months of service and upholding the mission and values of KPB. Other responsibilities include attending a virtual orientation, four virtual education and training workshops, and up to two virtual networking events, organizing and participating in at least one community cleanup event through Pick Up Pennsylvania, conducting one community education event targeting youth in the student’s community and promoting participation on social media.

From September 2022 through May 2023, Young Ambassadors will build community stewardship by inspiring, engaging, and empowering Pennsylvanians to keep their communities clean and develop civic leadership to advocate for clean and beautiful communities across Pennsylvania.

More information and the application for the Young Ambassadors Program can be found on the [KPB website](#).

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## **Regulatory Update (Detailed summaries included in respective program sections)**

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

- Proposed Rulemaking – Dam Safety and Waterway Management (#7-556): On February 3, 2023, the rulemaking was withdrawn by operation of law under the Regulatory Review Act.
- Draft Final Rulemaking – Administration of the Land Recycling Program Vanadium MSC Rule (#7-572): *The draft final regulation was presented to the Cleanup Standards Scientific Advisory Board on March 15, 2023.*
- Draft Final Rulemaking – Exclusion for Identification and Listing Hazardous Waste at MAX Environmental Technologies, Inc. Bulger and Yukon Facilities (#7-566): The draft final regulation was presented to the Solid Waste Advisory Committee on December 15, 2022.
- Final Rulemaking – Radiological Health Fees (#7-574): The draft final regulation was presented to the Radiation Protection Advisory Committee on December 9, 2022. *The EQB adopted the final rule on April 11, 2023. The final regulation is scheduled for IRRC consideration on May 18, 2023.*
- Final Rulemaking – Water Quality Standards – Dunbar Creek et al. Stream Redesignations (#7-557): The draft final regulation was presented to the Agricultural Advisory Board on October 20, 2022. *The EQB adopted the final rule on April 11, 2023. The final regulation is scheduled for IRRC consideration on May 18, 2023.*
- Final Rulemaking – Noncoal Mining Clarifications and Corrections (#7-554): The draft final regulation was presented to the Aggregate Advisory Board on November 3, 2021 and February 1, 2023. *The EQB adopted the final rule on April 11, 2023. The final regulation is scheduled for IRRC consideration on May 18, 2023.*
- Final Rulemaking – Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices (#7-555): The EQB adopted the final rule on November 15, 2022. *The final regulation is scheduled for IRRC consideration on May 18, 2023.*
- Final Rulemaking – National Pollutant Discharge Elimination System (NPDES) Schedules of Compliance (#7-563): The EQB adopted the final rule on November 15, 2022. *The final regulation is scheduled for IRRC consideration on May 18, 2023.*
- Final Rulemaking – PFAS Maximum Contaminant Level (MCL) (#7-569): The final rule was published in the Pennsylvania Bulletin on January 14, 2023.

- Final Rulemaking – VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coating Operations, SOCM Processes, and Large Petroleum Dry Cleaners for the 2015 Ozone NAAQS (#7-568): The final rule was published in the Pennsylvania Bulletin on January 21, 2023.

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## **Public Comment Periods**

To see the latest DEP and EQB public comment periods, visit DEP's [eComment website](#).

## **Proposals Open for Public Comment**

- *Coastal Zone Management federal consistency: PhilaPort - Packer Marine Terminal Turning Basin Dredged Material Disposal at the Fort Mifflin Confined Disposal Facility (opened 4/22, closes 5/8)*
- *Coastal Zone Management federal consistency: City of Erie and Erie Sewer Authority - Mill Creek Channel Wall Rehabilitation (opened 4/15, closes 5/1)*
- *Proposed State Implementation Plan Revision; Attainment Demonstration for the Indiana, PA Nonattainment Area for the 2010 Sulfur Dioxide National Ambient Air Quality Standard (opened 4/15, closes 5/25)*
- *Draft Technical Guidance: Pennsylvania Post-Construction Stormwater Management (PCSM) Manual (386-0300-001) (opened 1/28, closes 4/28)*

## **Recently Closed Comment Periods**

- *Environmental Assessment Approvals for PENNVEST Funding Consideration (April 2023) (Closed 4/17)*
- *Coastal Zone Management federal consistency: Personal Watercraft Lift - Presque Isle Bay (Erie County) (Closed 4/3)*
- *Interstate Pollution Transport Reduction: Proposed 2023 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units (Closed 3/13/2023)*
- *Draft Stream Evaluation Reports: Slab Cabin Run (Centre County) and Lycoming Creek (Lycoming, Tioga, and Sullivan counties) (Closed 3/6/2023)*
- *Coastal Zone Management federal consistency: United States Army Corps of Engineers - 2023 Maintenance Dredging of the Delaware River Federal Navigation Channel (Closed 2/13)*
- *Environmental Assessment Approvals for PENNVEST Funding Consideration (Closed 1/10)*
- *Draft Technical Guidance: Small Flow Treatment Facility Manual (381-2188-005) (Closed 1/3)*

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## **Communications Monthly Press Releases**

To see the latest DEP press releases, visit DEP's [news releases webpage](#).

## **Press Releases Issued**

January 6 - ADVISORY – HARRISBURG – MONDAY – Lung Cancer Survivor to Join DEP and Department of Health in Encouraging Pennsylvanians to Test Their Homes for Radon Gas

January 8 - ADVISORY – HARRISBURG – MONDAY – Lung Cancer Survivor to Join DEP and Department of Health in Encouraging Pennsylvanians to Test Their Homes for Radon Gas

January 9 - DEP and Department of Health Joined by Lung Cancer Survivor to Encourage Home Radon Testing

January 10 - DEP Declares Code Orange Air Quality Action Day for Fine Particulate Matter for Wednesday, January 11, 2023, in the Susquehanna Valley Area

January 12 – Wolf Administration Announces Over \$3.5 Million for Conservation Projects in Northcentral Pennsylvania

January 12 - Wolf Administration Announces Over \$900 Thousand for Conservation Projects in Northeast Pennsylvania

January 12 - Wolf Administration Announces Over \$7 Million for Conservation Projects in South Central Pennsylvania

January 12 - Wolf Administration Announces Nearly \$1.5 Million for Conservation Projects in Northwestern Pennsylvania

January 12 - Wolf Administration Announces Over \$2 Million for Conservation Projects in Southeast Pennsylvania

January 12 - Wolf Administration Announces Over \$3.5 Million for Conservation Projects in Southwestern Pennsylvania

January 14 - Pennsylvania Adopts PFAS Limits for Drinking Water

January 15 - DEP Declares Code Orange Air Quality Action Day for Fine Particulate Matter for Monday, January 16, 2023, in the Liberty-Clairton Area of Allegheny County

January 20 - Drought Watch Lifted for Five Counties, Hydrologic Conditions Normal Statewide

January 27 - DEP Releases Final 2022 Pennsylvania State Water Plan and Online Atlas of Water Resources and Use

January 31 - Study Shows Growth in K-12 Students’ Recycling Knowledge

February 25 - UPDATE: Pennsylvania DEP Has Tested Nearly Every Private Well Within One Mile of Norfolk Southern Derailment Site in the Commonwealth

February 28 - Shapiro Administration Awards \$1.5 Million To Help Municipalities, Schools, And Businesses Switch To Clean Transportation

March 10 - UPDATE: DEP Reports No Signs Of Groundwater Contamination With First Results From Independent Water Sampling

March 13 - Governor’s Invasive Species Council Shares Results Of First Statewide Invasive Impacts Survey, Announces Pilot Management Program

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## **Active and Abandoned Mine Operations**

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### **Noncoal Mining Clarifications and Corrections Rulemaking**

25 Pa. Code Chapter 77 was finalized in 1990 to implement the Noncoal Surface Mining Conservation and Reclamation Act. A proposed rulemaking seeks to address clarifications and corrections, many of which are

administrative in nature. Beginning in October 2018, the Aggregate Advisory Board (AggAB) began reviewing and discussing concepts for the proposed rulemaking. Interaction with the AggAB continued with several meetings of its Regulatory, Legislative, and Technical (RLT) Committee throughout 2019 and 2020. On May 6, 2020, the Board voted to concur with the Department's recommendation that the proposed rulemaking proceed in the regulatory process. The EQB unanimously voted to adopt the draft rulemaking on November 17, 2020. The proposed rule was published in the Pennsylvania Bulletin on March 20, 2021, with a 45-day public comment period that closed on May 4, 2021. Some changes were made to the regulation from proposed to final based on the comments received. The AggAB unanimously voted to approve the changes for the final form. The final rulemaking package *was approved at the EQB meeting of April 11, 2023. The final regulation is scheduled for IRRC consideration on May 18, 2023.*

### **Act 54 Effects of Underground Mining 6<sup>th</sup> Report**

DEP has designated calendar years 2018-2022 to be 5-year period for the 6th "Act 54" report. Through January 2023, DEP's Bureau of Mining Programs (BMP) and California District Mining Office are completing the data records update of claims, compliance actions, stream effects and wetland effects related to underground bituminous mining. Then, they will arrange and package the data for submittal to the federal Office of Surface Mining Reclamation and Enforcement (OSMRE) by March 30 for their peer review. OSMRE has recently informed DEP that they will not make specific recommendations on the program but will provide input as appropriate related to being our federal oversight agency as previously discussed. The draft report remains on track for completion in November 2023 when it will be routed for approval to publish. It is estimated that the final report will be publicly available, and specifically provided to the CAC, in January 2024.

### **Abandoned Mine Land (AML) Bipartisan Infrastructure Law (BIL) Funding**

*On March 22, the amendment of Pennsylvania's FY 2022 BIL grant was submitted for OSMRE's review for the Safeguarding Treatment for the Restoration of Ecosystems from Abandoned Mines (STREAM) Act to be applied to the grant to set aside up to 30% of the total grant value of \$244.9 Million into a new STREAM Act Set-Aside Program fund for long-term acid mine drainage (AMD) treatment costs and/or mine fires and mine subsidence.*

The first of three rounds of the 2023 [AML/AMD grant program](#) through DEP's Grants Center to issue grants to eligible applicants for AML reclamation and AMD treatment or abatement is now open through December 2, 2023. Non-governmental organizations (NGOs) and watershed groups are encouraged to submit AML, AMD, and Abandoned Mine Land Economic Revitalization (AMLER) projects to apply for reclamation grants funded by the AMLER program and AML and AMD funds authorized under the BIL. We have completed the review and scoring of the twenty-nine eligible applications from the previous 2022 single grant round that closed on January 13, 2023. A list of projects recommended for award is currently being *reviewed by the Governor's Office. Projects will be funded through a combination of the BIL and AMLER programs depending on the proposed project. Applicants of projects that are not recommend for award will be consulted with for them to resubmit their projects for future grant rounds for re-scoring.*

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## **Air Quality**

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

The final-form rulemaking for the control of VOC emissions from unconventional oil and natural gas sources was published in the Pennsylvania Bulletin on December 10, 2022. The final-omit rulemaking for the control of VOC emissions from conventional oil and natural gas sources was published in the Pennsylvania Bulletin on December 10, 2022.

BAQ submitted the SIP revision to EPA on December 12, 2022. The EPA found the submittal administratively complete on December 14, 2022. This completeness determination rescinds the offset sanctions which took effect on June 16, 2022, as a result of the EPA's November 16, 2020 Finding of Failure to Submit (FFS), which found that Pennsylvania failed to submit a SIP revision addressing the 2016 Oil & Gas CTG for the 2008 ozone

NAAQS. It halts the imposition of Federal highway funding sanctions that were set to take effect in Pennsylvania on December 16, 2022. The completeness finding also stops the sanctions clock triggered by the EPA's December 16, 2021 FFS that was issued based upon Pennsylvania's failure to submit a SIP revision addressing the 2016 Oil & Gas CTGs for the 2015 ozone NAAQS. EPA will evaluate the approvability of this SIP submission in accordance with the applicable technical and RACT requirements of the CAA.

#### RACT III Major Sources of NO<sub>x</sub> and VOC for the 2015 Ozone NAAQS

DEP presented the draft final-form rulemaking to AQTAC, CAC, and SBCAC in April 2022. At its May 18, 2022, meeting, the CAC voted to provide a letter on the rulemaking to the Bureau of Air Quality regarding their input on the final-form regulation. The EQB adopted the final rule on August 9, 2020, by a 17-2 vote. IRRC unanimously approved the rulemaking on September 15, 2022. The rulemaking was published in the Pennsylvania Bulletin on November 12, 2022. The Federally mandated deadline for compliance by regulated facilities was January 1, 2023. A SIP revision was submitted to EPA on January 13, 2023.

#### Large Petroleum Dry Cleaners, Shipbuilding and Repair Coatings Operations, and SOCMR Reactors, Distillation, and Air Oxidation Processes

DEP presented the draft final-form regulation to CAC PRO, CAC, Air Quality Technical Advisory Committee (AQTAC), Small Business Advisory Committee (SBCAC) and EQB on June 27, July 19, August 18, August 24, and October 12, 2022, respectively. IRRC unanimously approved the rulemaking on November 17, 2022 and was it published in the Pennsylvania Bulletin on January 21, 2023.

### **Regulatory State Implementation Plan (SIP) Revisions**

#### Reasonably Available Control Technology (RACT II)

On May 25, 2022, the EPA issued a proposed notice for a Federal Implementation Plan (FIP) addressing RACT requirements for certain sources in Pennsylvania. This FIP proposed to set emission limits for NO<sub>x</sub> emitted from coal-fired electric generating units (EGUs) equipped with SCR controls to meet the RACT requirements for the 1997 and 2008 ozone NAAQS. The FIP was proposed to ensure that the EPA can, if necessary, meet a court-ordered deadline requiring the EPA to approve an amended SIP or issue a FIP by August 27, 2022. The Department submitted comments in opposition to the FIP.

On May 26, 2022, DEP submitted a RACT II SIP revision for Homer City, Keystone, and Conemaugh EGUs. On June 6, 2022, DEP submitted a fvc RACT II SIP revision for Montour EGU. All four facilities filed appeals to the Environmental Hearing Board regarding the terms and conditions of their RACT II permits.

On August 31, 2022, EPA published the final FIP setting emission limits for nitrogen oxides (NO<sub>x</sub>) at Conemaugh, Homer City, Keystone and Montour EGUs. In the final rule, EPA adjusted its rate calculation for facilities with more than one unit and made additional changes in response to technical information received. The final lb/MMBtu emission limit for Conemaugh EGU was lowered while the emission limits for Homer City and Montour EGUs were raised. Keystone's emission limit remained roughly the same. Conemaugh, Keystone and Homer City filed petitions to review in the 3<sup>rd</sup> Circuit Court. On March 13, 2023, the 3<sup>rd</sup> Circuit denied the facilities' motions to stay the March 29, 2023 FIP compliance date. A hearing on the merits has yet to be held.

### **Non-Regulatory SIP Revisions**

#### 2010 Sulfur Dioxide (SO<sub>2</sub>) NAAQS Attainment Demonstration SIP Revisions

DEP submitted to EPA the required SIP revision for Indiana and Armstrong Counties in October 2017. EPA published its intent to approve the SIP in July 2018. EPA received seven comments. In response to these comments, DEP submitted supplemental SIP information to the EPA in January 2020. On October 19, 2020, EPA published its approval of the attainment demonstration.

On December 18, 2020, Sierra Club, Clean Air Council, and Citizens for Pennsylvania’s Future sued EPA in the Third Circuit regarding EPA’s approval of the attainment plan. On April 5, 2021, the U.S. Department of Justice on EPA’s behalf filed a motion in the U.S. Court of Appeals for the Third Circuit requesting the court to remand without vacatur EPA’s October 19, 2020, approval of Pennsylvania’s attainment demonstration. Pennsylvania, as an intervenor in the case, took no position on the DOJ’s motion.

On August 17, 2021, the Third Circuit granted EPA’s motion to remand without vacatur. The order states that the remand proceedings shall be concluded within 12 months of the date of the order and directs the parties to file a status report 11 months from the date of the order.

On March 17, 2022, EPA published a proposed partial approval/partial disapproval of Pennsylvania’s SIP revision for the Indiana 2010 SO<sub>2</sub> 1-Hour NAAQS Nonattainment Area. The partial disapproval focuses on the calculation of the SO<sub>2</sub> permit limit averaging periods. The public comment period closed on April 18, 2022. On August 18, EPA published a Final Partial Approval/Partial Disapproval of the Department’s SIP revision. DEP must submit and EPA must approve a SIP revision within 18 months (by March 2024) or sanctions will apply. *DEP published its proposed SIP revision on April 15, 2023. The public comment period closes on May 25, 2023.*

On February 22, the EPA Region III Administrator sent Governor Shapiro a “120-Day Letter” proposing to reclassify several townships in Westmoreland County and Cambria County from “attainment” to “nonattainment” for the 2010 sulfur dioxide (SO<sub>2</sub>) NAAQS. The Department is reviewing the technical support document accompanying the 120-Day Letter and will respond timely to EPA with any comments concerning the boundaries for this newly proposed nonattainment area. The area lies immediately outside of the current Indiana County SO<sub>2</sub> nonattainment area for which the Bureau is preparing a SIP revision. Once the new designation is finalized, DEP is required within 18 months to submit a SIP revision demonstrating how the 2010 SO<sub>2</sub> NAAQS will be attained in these partial counties.

#### 2015 Ozone National Ambient Air Quality Standards

On October 7, 2022, EPA published a final rule: Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Areas Classified as Marginal for the 2015 Ozone National Ambient Air Quality Standard (NAAQS). This rule became effective on November 7, 2022. Action was taken on 28 nonattainment areas classified as marginal for the 2015 Ozone NAAQS. Of these 28 nonattainment areas, five areas attained the standard, 22 failed to attain it, and one area received an extension. Areas were required to attain the standards by August 3, 2021. The Philadelphia-Wilmington-Atlantic City (PA-NJ-MD-DE) Area was reclassified to moderate nonattainment. The “bumped up” area includes Bucks, Chester, Delaware, Montgomery, and Philadelphia counties and is now required to attain the standards by August 3, 2024. The Department is working with EPA, NJ, MD and DE on the needed modeling.

#### Air Quality Technical Advisory Committee

The next scheduled meeting is May 4, 2023.

#### Small Business Compliance Advisory Committee

The next scheduled meeting is August 23, 2023.

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### Energy Programs Office

#### **Energy Security**

EPO’s contractor, ProtoGen, will complete initial feasibility studies for onsite generation and energy storage for the City of Philadelphia, City of Meadville, Allegheny County and Eldred Township Volunteer Fire Company.



*ProtoGen Inc. has thoroughly engaged with selected critical facility entities conducting nine meetings and multiple site visits. The contractor has prepared a draft initial feasibility study for Eldred Township's Volunteer Fire Company. Additionally, ProtoGen has continued to conduct data collection and schedule site visit activities with the remaining selected entities to prepare initial feasibility studies. EPO together with ProtoGen executed a similar scope of work last year. Due to the success of the program, EPO invited ProtoGen to continue on and conduct more feasibility studies in year two. EPO will continue assisting round one participants to identify options to fund projects for which feasibility studies were completed during round one.*

EPO is also participating in the U.S. Department of Energy's (DOE) Technology Action Group, which facilitates partnerships with other states and the National Renewable Energy Lab (NREL) related to onsite generation and energy storage at critical facilities. EPO staff have been using the REopt tool to help critical facilities determine the suitability of investing in onsite generation and energy storage. EPO has run a REopt analysis for East Norriton-Plymouth-Whitpain Joint Sewer Authority. Results from the analysis will be shared with DOE, NREL and the facility. *Additionally, EPO actively engaged with NREL through multiple meetings to discuss REopt outreach strategies.*

EPO and DEP's Director of Emergency Response have coordinated monthly Fuels Sector Calls with the Pennsylvania Emergency Management Agency (PEMA) to provide situational awareness regarding supply concerns related to heating and transportation fuels. *The next meeting is scheduled for June 9, 2023.* EPO is currently working on updating Emergency Support Function #12 in conjunction with PEMA and the PA PUC. The agencies are planning to host a workshop on May 24, 2023 to review the updated energy security plan and exercise response mechanisms for energy emergencies. DOE has accepted the revised State Energy Security Plan that was developed in September 2022. EPO has released an RFP for a contractor to help us improve the energy security plan to include more information on specific hazards as well as appropriate responses to hazards and threats. The updated energy security plan will be submitted to DOE by September 30, 2023.

### **Climate Change Advisory Committee**

The *latest* Climate Change Advisory Committee (CCAC) meeting was conducted on *April 25, 2023*. The meeting featured a presentation by EPO's Dave Althoff on DEP's IJJA and IRA-funded programs, a presentation on Phoenixville's Hydrothermal Carbonized Wastewater Treatment System, and presentations by representatives from Maryland and New Jersey's Environmental Regulatory Agencies on their respective climate planning efforts. *Additionally, Sarah Pinter of EPO provided an update on the status of the Climate Action for Environmental Justice Communities project.*

### **Climate Network**

In an effort to continue the work completed on the Climate Leadership Academy, multiple state agencies and the GreenGov Council have begun the process to develop a Climate Network program for the Commonwealth aimed at educating state employees and building an understanding of climate issues and ongoing impacts related to climate change. ICF has been contracted to develop the training curriculum and establish the foundation of the Climate Network that will be continued with coordination between the 7 state agencies and the GreenGov Council. *The PA Climate Network hosted a workshop for the 40-person Climate Network Advisory Board in the Commonwealth Keystone Building in Harrisburg on April 18<sup>th</sup>. The advisory board provided input and feedback to determine the vision and ultimate goals of the PA Climate Network, define the network in terms of its purpose and function, review and refine the proposed climate training curriculum being developed.*

### **CAPstone Partnership**

The EPO CAPstone Program pairs local government participants of the LCAP Program with university partners to implement aspects of their climate action plans. Carnegie Mellon University has continued working with the Borough of Carnegie to implement aspects of the Carnegie climate action plan in the spring semester of our

CAPstone program. *The Carnegie Mellon University Resilient and Sustainable Community students working with the Borough of Carnegie presented the final report of their work on stormwater management and flooding mitigation on April 26<sup>th</sup> 2023. The project presentation took place both in-person and was available on zoom as part of several sustainability and resilience student projects being showcased at the Heinz College of Carnegie Mellon University.*

### **Sustainable Building Training Modules**

On October 7, DEP EPO, Pennsylvania GreenGov Council, and Penn State University held a kickoff meeting for the new Sustainable Building Training Modules project. Monthly progress meetings were held on November 8, December 16, January 17, February 16, March 20, *and April 24*. The goal is to develop a series of training modules focused on sustainable buildings, integrative design, and green leasing for Department of General Service (DGS) client agencies, DGS Public Works staff, and the design and construction community. By September 30, 2023, the training modules will be posted on the Pennsylvania GreenGov Council website and promoted to the target audience to educate on the principles of sustainable buildings and green leasing.

### **Cooking in Healthy Electrified Commercial Kitchens**

On October 1, 2022, EPO launched the new Cooking in Healthy Electrified Commercial Kitchens (CHECK) education and rebate program. The goal of the CHECK program is to assist commercial kitchens in PA with modernizing via electrification and energy efficiency. Rebates of up to \$5,000 will be issued for a range of energy efficient and induction cooking equipment. All K-12 schools, higher education institutions, and nonprofits whose missions are geared toward health care or community services, such as soup kitchens, shelters, and food banks, are eligible to apply. Three rebate applications have been received thus far, two of which have been issued vouchers. *Two of those vouchers have been redeemed.* As for the educational component of CHECK, EPO and its contractor, Forward Dining Solutions LLC, hosted three webinars on the basics of induction cooking and debunking associated myths, as well as energy efficiency in commercial kitchens during October thru December. A total of 120 people from K-12 schools, higher education institutions, and nonprofits attended these three webinars. The next educational component of this project consists of three in-person induction cooking workshops. The first workshop was held at Chatham University Eden Hall campus on March 10 with 16 attendees from the following sectors: higher education, business, nonprofit, and K-12 schools. *Twenty-six people attended the second workshop, which was conducted at RE Farm Café in State College on April 21.* The final workshop will be at Swarthmore College on May 23.

### **Climate Action for Environmental Justice Communities**

EPO hired a contractor, Preservation Design Partnership (PDP), to develop a guide for implementing climate strategies to maximally benefit environmental justice (EJ) communities. The program includes developing a plan for community engagement, facilitating engagement to solicit and synthesize input from EJ communities, and developing a plan for measuring success. This guide will be useful as EPO prepares the 2024 Climate Impacts Assessment and Climate Action Plan and as DEP develops programs to deploy federal funding from Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). DEP and PDP are developing a list of draft climate strategies for EJ community input. An online survey was published to collect feedback. Additionally, in April DEP and PDP *held seven (7)* engagement sessions across the state in impacted communities to hear directly from a wide variety of stakeholders from municipal government, community-based organizations, non-profit agencies, and residents. Meetings *were* held in Meadville, Pittsburgh, Scranton, Reading, Harrisburg, Norristown, *Philadelphia*, and streamed online. After collecting feedback *through these meetings as well as an online survey platform*, DEP and PDP will develop a Guide to Action for Environmental Justice Communities, with a target release date in the third quarter of 2023.

### **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. Approximately \$3 - \$5 million in grants is available each year for school districts,

municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in the commonwealth.

On February 10, 2023, DEP made awards for the first round of the 2022 AFIG program. Thirteen grants were awarded for a funding total of \$1.5 million. Awards included ten vehicle purchase projects and three refueling infrastructure projects. The program's second application acceptance period ended on December 16, 2022. EPO staff have evaluated all submitted applications. Recommendations for funding are currently being evaluated *for approval by Management. Anticipated awards as well as the announcement of the 2023 guidelines are expected in May.*

### **Agriculture Sector Energy Efficiency Rebate**

DEP's agriculture energy efficiency rebate program was published in the Pennsylvania Bulletin and opened for applications on September 17, 2022. DEP is offering rebates up to \$5,000 (50% of equipment costs, including 50% of installation costs up to \$500) for energy efficiency measures for agricultural producers. Eligible equipment includes LED lighting, efficient ventilation equipment, and efficient dairy equipment, including well water pre-chillers, scroll compressors, and refrigeration heat recovery (RHR). Applications are being accepted on a first-come, first-served basis. The maximum rebate award per applicant is \$5,000, and applicants are issued a voucher that is valid for 120 days during which they will purchase and install the equipment before submitting for reimbursement. The application deadline was extended from March 31, 2023 to June 30, 2023 and published in the February 24, 2023 PA Bulletin. As of *April 13, 2023*, DEP has received 26 rebate applications, and 8 projects have been completed to date, with the vouchers redeemed for \$25,439.91. Most of the funded projects have been for LED lighting upgrades, scroll compressors, and Refrigeration Heat Recovery (Fre-Heater) units. *The rebate is being funded through DEP's State Energy Program funds from DOE.*

### **Inflation Reduction Act (IRA)-Funded Climate Pollution Reduction Grants (CPRG)**

US EPA released program guidance for the CPRG program on March 1<sup>st</sup>, 2023. DEP submitted a Notice of Intent to Participate to EPA on March 10<sup>th</sup>, identifying DEP as the designee responsible for management and oversight of the grant on behalf of the Commonwealth. *DEP submitted the application for the Planning Grants on April 28<sup>th</sup>, 2023*, and DEP expects to receive \$3M in non-competitive grant funds for climate pollution reduction planning. Management of this grant, and development of related deliverables and programs will be a joint effort of Energy Programs Office and the Bureau of Air Quality. Deliverables required by this grant include:

- A Priority Climate Action Plan (PCAP), due March 1, 2024
- A Comprehensive Climate Action Plan (CCAP), due 2 years from the date of award
- A status report, due at the close of the 4-year grant period

Recipients of Planning Grants will be eligible to apply for forthcoming competitive Implementation Grants.

*Three Metropolitan Statistical Areas (MSAs) within Pennsylvania have received confirmation from EPA that they are eligible to apply for CPRG Planning Grants. These MSAs include Philadelphia, Pittsburgh, and Allentown. DEP has begun coordination with the regional planning organizations which will be the lead organizations managing CPRG grants for the MSAs. DEP held an initial coordination call with Southwestern Pennsylvania Commission (SPC) on April 6<sup>th</sup>, Delaware Valley Regional Planning Commission (DVRPC) and Delaware Natural Resources and Environmental Control (DNREC) on April 13<sup>th</sup>, and Lehigh Valley Planning Commission (LVPC) on April 17<sup>th</sup>.*

### **Pennsylvania Energy Storage Consortium**

Recognizing the many benefits that energy storage can provide Pennsylvanians, including increasing the resilience and reliability of critical facilities and infrastructure, helping to integrate renewable energy into the electrical grid, and decreasing costs to ratepayers, the Energy Programs Office (EPO) retained Strategen Consulting, LLC to analyze the role that energy storage may play in the state's future power grid. This effort

led to the development of the Pennsylvania Energy Storage Assessment: Status, Barriers and Opportunities, released in April 2021.

One of the near-term recommendations proposed in the assessment was the creation of an Energy Storage Consortium for stakeholders to convene and discuss the opportunities as well as potential benefits of storage for renewable energy integration, energy resilience and reliability, and environmental protection. EPO convened the first Pennsylvania Energy Storage Consortium meeting in September 2021. Through *April 2023*, seven Consortium sessions have been conducted, with the next planned for May 24, 2023.

### **Preventing Outages and Enhancing the Resilience of the Electric Grid (40101(d))**

The Infrastructure Investment and Jobs Act (IIJA) of 2021 established the 40101(d) formula grant program giving Pennsylvania the ability to access \$8.1 million per year—over a five-year period—to improve the resilience of the electric grid against disruptive events; a \$40.5 million investment total. EPO will use these funds to administer a competitive grant program to eligible entities in Pennsylvania. On November 22, 2022, EPO submitted its formal application to the 40101(d) program to receive Year 1’s allocation of \$8.1 million. On January 5, 2023, DOE Grid Deployment Office (GDO) amended the program’s ALRD to additionally release Year 2 funding allocations this cycle. EPO amended its application with GDO March 2023 to receive Year 1 and Year 2 funding this cycle; a total of \$16.2 million.

Pennsylvania’s future 40101(d) program will provide financial assistance in the form of competitive grant funds that will be used by eligible entities to improve the all-hazards resilience of the electric grid and prevent disruptive events. EPO has continued to engage and receive feedback from stakeholders through virtual meetings with PA PUC, regulatory agencies, NASEO, electric distribution companies, Pennsylvania Rural Electric Association, and Pennsylvania Municipal Electric Association. EPO is currently formalizing their 2023 grant guidelines and official solicitation process and expects to make grant applications available Fall 2023.

### **Solar on Previously Impacted Mine Lands Assessment**

The Energy Programs Office (EPO) *is continuing* work on developing an **Assessment of Opportunities for Grid-Scale Solar Development on Previously Impacted Mine Lands in Pennsylvania**. The purpose of this assessment is to explore in-depth the different challenges associated with siting grid-scale solar development on previously mined lands, gain a better understanding of the roles and responsibilities of the different stakeholders involved in the development process, identify factors leading to successful deployments of grid-scale solar projects in Pennsylvania, and develop actionable recommendations to improve the processes and other factors involved in siting these projects. The project team consists of LaBella Associates, a full-service engineering firm who was selected through a competitive bid to research and develop the assessment report, as well as the Eastern Pennsylvania Coalition of Abandoned Mine Reclamation (EPCAMR), who will assist with stakeholder outreach, subject matter expertise, and data collection. *To inform the assessment, three focus group sessions were conducted to gather feedback from stakeholders. Focus group sessions were conducted in Harrisburg on March 15, Westmoreland County on March 29, and Luzerne County on April 5, 2023. Attendees included representatives from the coal operator/landowner, solar development, civil/site engineering, and non-profit communities. Additional subject matter expertise was provided by staff from DEP Office of Active and Abandoned Mining Operations.* Following the completion of the project, a one-day solar on mine lands summit will be conducted on July 19, 2023 in State College to disseminate findings and recommendations. The project has a planned completion date third quarter 2023 and is being funded through DEP’s State Energy Program funds from DOE.

### **Toolkit for Solar on Schools in Pennsylvania**

*The Energy Programs Office (EPO), with support from its contractor the Philadelphia Solar Energy Association, has initiated work on developing a **Toolkit for Solar on Schools in Pennsylvania**. The goals of this project are to accelerate adoption of solar energy on schools and nonprofits statewide by educating key*

*decision makers and streamlining processes, maximize Pennsylvania’s utilization of federal funding made available through the federal Inflation Reduction Act (IRA) and the federal Infrastructure and Jobs Act (IIJA), and reduce soft costs and shorten the learning curve for solar adoption at schools. The Toolkit will include information on the key elements of a solar PV system, how to determine if a property is a good location for solar, how to estimate savings and financial return, an overview of the solar installation process, a discussion of ownership models and contracts, and information on financing options and incentives, including new opportunities afforded by the Inflation Reduction Act. In addition to development of the toolkit, the project will provide technical assistance to school districts looking to implement solar energy projects, as well as conduct four webinars or conference presentations outlining how to use the toolkit and provide information about available financing and financial incentives. The first webinar, hosted in partnership with the Philadelphia Higher Education Network for Neighborhood Development, will take place on May 4, 2023. The project has a planned completion date third quarter 2023 and is being funded through DEP’s State Energy Program funds from DOE.*

### ***Building Energy Code Trainings***

*Using funding through the U.S. Department of Energy’s (DOE) SEP, DEP has sponsored energy code trainings for building code officials, contractors, design professionals and builders for over 10 years. On February 14, 2022, the 2018 International Energy Conservation Code (IECC) went into effect for all new construction and major renovations for residential and commercial buildings. EPO’s Contractor, Performance Systems Development completed 9 trainings in the first quarter of 2023 on IECC residential and commercial energy building codes and remote virtual inspections to a total of 183 code officials, designers, developers and builders. The contract calls for a total of 23 virtual or in-person trainings and additionally the development of an online, asynchronous training and subsequent deployment of the training that provides the same credits as the live courses. The remaining courses are being scheduled and the asynchronous course should go live early May.*

### **Infrastructure Investment and Jobs Act Energy Update (IIJA)**

DEP’s Energy Programs Office expects to receive approximately \$60.8 million in formula funding:

- Preventing Outages and Enhancing the Resilience of the Electric Grid (\$40.5 million) - Pennsylvania’s year one allocation is \$16.2 million. EPO applied November 22, 2022, and amended its application with DOE’s Grid Deployment Office in March 2023 to combine Year 1 and Year 2 funding this cycle.
- State Energy Program (\$14 million) – Application was submitted December 1, 2022. DOE’s start date for the period of performance is February 2023.
- Energy Efficiency and Conservation Block Grant Program (\$3.0 million) – DOE released funding guidance and application documents on January 18, 2023. The application is due July 31, 2023.
- Energy Efficiency Revolving Loan Fund (\$3.3 million) – DOE released funding guidance and application documents on November 15, 2022. The application is due May 26, 2023.
- Resilient and Efficient Codes Implementation Funding (competitive, \$45 million annually for 5 years) *EPO applied on March 27, 2023 for \$3.25 million to conduct a workforce and compliance project and also in partnership with the Northeast Energy Efficiency Partnerships and the state of Delaware for funding for a code compliance study for \$2 million. Awards announcements are anticipated in the summer of 2023.*

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## **Environmental Cleanup and Brownfields**

### **Environmental Cleanup and Brownfields Rulemakings**

#### **Draft Final Rulemaking: Administration of Land Recycling Program - Vanadium MSC Rule**

The Land Recycling Program developed a proposed rulemaking to update the Statewide health standard medium-specific concentrations (MSCs) for vanadium listed in Appendix A of Chapter 250 in June 2021. The proposed rulemaking addresses the vanadium toxicity value and the corresponding changes to the soil and groundwater numeric values. The EQB adopted this proposed rule on May 18, 2022. The proposed rulemaking was published in the Pennsylvania Bulletin on July 30, with a 30-day public comment period which ended on August 29, 2022. One comment was received during the public comment period. The Independent Regulatory Review Commission's (IRRC) comment period ended on September 28, 2022. IRRC had no comments on the proposed rulemaking. DEP evaluated and responded to one public comment received which will be provided in the Comment & Response Document as part of the final-form rulemaking process. *The draft final-form rulemaking was presented to the Cleanup Standards Scientific Advisory Board on March 15.*

### **Proposed Rulemaking: Administration of Land Recycling Program - Chapter 250 Update**

DEP is preparing a draft proposed rulemaking to address Statewide health standard MSCs including the soil lead values and Polycyclic Aromatic Hydrocarbons (PAHs). At the June 30, 2022, and August 11, 2022, CSSAB meetings, the lead and PAH workgroups presented their conclusions and recommendations to DEP on the issues of lead and PAH toxicity. The PAH workgroup recommended that DEP use the 1993 relative potency factors from EPA that were referenced in the development of the benzo[a]pyrene IRIS toxicological values. The lead workgroup recommended that DEP adopt 5 µg/dL as the target blood lead level for the calculation of the soil direct contact values and also recommended that DEP allow for the use of averaging attainment data for the demonstration of attainment of the lead direct contact statewide health standard. DEP presented the draft proposed Annex to the Cleanup Standards Scientific Advisory Board on October 20, 2022 and January 23, 2023.

### **Cleanup Standards Scientific Advisory Board (CSSAB)**

*The CSSAB held a meeting on March 15, 2023, where DEP presented the final-form Vanadium MSC Rule to the Board. The CSSAB voted to support publishing the rule as soon as possible. Information about the meetings can be found through the Public Participation tab on the DEP web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields Advisory Committees," then "Cleanup Standards Scientific Advisory Board"). The next CSSAB meeting is scheduled for May 31, 2023.*

### **Storage Tank Advisory Committee (STAC)**

*The Storage Tank Advisory Committee (STAC) met on March 21, 2023. Kris Shiffer, Chief, Division of Storage Tanks, reviewed the STAC membership list and indicated that 15 of the 16 positions are filled. The one vacancy that currently exists represents local government, and a letter of interest has been submitted for consideration. Richard Burgan, Director, Bureau of Special Funds, Department of Insurance, provided an update regarding the Underground Storage Tank Indemnification Fund. James Ellor, P.E., from Elzly Technology Corporation, provided an overview of vapor corrosion inhibitors and how corrosion protection on aboveground storage tanks can be achieved with this technology. DEP staff provided updates, including an overview of the Brownfield Program and associated funding opportunities, an update on the program's ePermitting efforts including recent developments with a Quick Pay Online Fee Payment system, and an update on revisions to the "Closure Requirements for Underground Storage Tank Systems" technical guidance document.*

The next STAC meeting is scheduled for June 7, 2023. Information on how to join the meeting, as well as agenda and meeting materials, will be available on the STAC's webpage, found through the Public Participation tab on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields Advisory Committees," then "Storage Tank Advisory Committee").

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## **Environmental Education**

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## **DEP Environmental Education Grants Program**

The DEP Environmental Education and Information (EE&IC) staff presented their 2023 Environmental Education Grant Program recommendations to Acting Secretary Richard Negrin and senior staffers in early April. Of these recommendations, 82% occur in Environmental Justice Areas. Other key priorities included Water and Climate Change. The EE&IC staff also paid keen attention to the geographic distribution of grant funds to ensure quality environmental education efforts are being funded across the Commonwealth. Anticipate an upcoming press release to highlight this year's awardees. The Environmental Education Grant guidelines and application instructions are available on the Department's web site at [Environmental Education Grants Program](#). Questions concerning the 2023 Environmental education grants Program should be directed to the DEP EE&IC at [RA-epEEgrants@pa.gov](mailto:RA-epEEgrants@pa.gov).

## **Update from the PA Environmental Literacy (ELIT) Steering Committee**

As previously reported, to further serve the Commonwealth's Environmental Education community the PA ELIT Steering Committee has developed the new [Pennsylvania Gateway to Green](#) website, which is a new online hub for Pennsylvania educators (formal and nonformal) to access environmental education resources from government agencies, non-profits, and other partners to improve environmental literacy among Pennsylvania residents.

Instead of searching for individual agency or organization websites, educators can use Gateway to Green to find:

- Links to state and federal agencies and nonformal and other environmental education organizations that provide environmental education resources, information on what environmental literacy means in Pennsylvania, and resources for creating environmental literacy plans.
- Ways to identify and reach environmental justice communities.
- Highlights of issues and education resources about Pennsylvania watersheds.
- Programs and resources about careers in environmental-based science, technology, engineering, and mathematics.

Gateway to Green is supported by the Pennsylvania Department of Education, the U.S. Environmental Protection Agency, and other organizations.

## **Environment and Ecology Standards Update**

New academic standards for Science, Technology & Engineering, Environmental Literacy & Sustainability were adopted by the State Board of Education in January 2022. The standards were part of amendments to 22 Pa. Code Chapter 4 that were published as final in the Pennsylvania Bulletin on July 16, 2022. The new standards will help create the conditions for all students to be scientifically, technologically, and environmentally literate, both to support Pennsylvania's economic vitality and its civic strength.

The new standards are aligned to current research and best practices in science education. They prioritize a shift away from memorization of facts to having students productively participate in scientific discourse and practices, involve students in sustained investigation to support deeper understanding, and recognize that even young children are capable of more sophisticated scientific reasoning than originally thought. The standards also include a new domain for "Environmental Literacy and Sustainability" across all grade levels. This domain incorporates essential principles of environmental education organized under the following three core ideas: 1) Agricultural and Environmental Systems and Resources; 2) Environmental Literacy Skills; and 3) Sustainability and Stewardship.

To support schools' implementation of the new integrated standards for science, technology & engineering, and environmental literacy & sustainability, there will be a three-year implementation window. Effective June 30,

2025, the academic standards for [Science and Technology \(2002\)](#) and [Environment and Ecology \(2002\)](#) will be sunset. The new sets of standards, Science, Technology & Engineering, Environmental Literacy & Sustainability (STEELS) will be fully integrated into classroom instruction by the 2025-26 school year. PDE has created a [STEELS](#) to assist educators in understanding the standards design and the supporting foundation boxes and to provide a wealth of materials and resources to support implementation.

- [Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering \(Grades K–5\)](#)
- [Pennsylvania Integrated Standards for Science, Environment and Ecology \(Grades 6–12\)](#)

### **Keep PA Beautiful**

Keep Pennsylvania Beautiful (KPB) is proud to offer programs, tools and resources that encourage students to take an active role in protecting and improving our environment through litter awareness and community stewardship. Please click on the hyperlinks below to learn more or visit [keeppabeautiful.org](http://keeppabeautiful.org) for a complete list of programs, grants, and awards.

Every Litter Bit Matters when it comes to keeping Pennsylvania clean. By working together to [Fight Dirty](#), everyone in Pennsylvania can live, work, and play in a clean and green community.

*In addition, KPB launched the Litter Action Plan's recommendation for the [Young Ambassador Program](#). The students – chosen through a competitive process – will be graduating this May after dedicating nine months to the program.*

*To actively participate in the Fight Dirty campaign is to register an event for Pick Up Pennsylvania:*

- **March 1<sup>st</sup> through May 31<sup>st</sup>.** Our spring event in support of The Great American Cleanup is eligible for FREE work gloves, safety vests, and trash bags as supplies last. Donated landfill space for trash collected during the cleanup is also available for free or reduced cost between April 1<sup>st</sup> through April 30<sup>th</sup>.
- **June 1<sup>st</sup> through August 31<sup>st</sup>.** Events can be registered in the summer but are not eligible for free supplies at this time. Please also be aware of the additional safety concerns for summer events in PA like ticks, snakes, vegetation, and poison ivy.
- **September 1<sup>st</sup> through November 30<sup>th</sup>.** Our fall event in support of The International Coastal Cleanup is eligible for FREE work gloves, safety vests, and trash bags as supplies last. There is no donated landfill space for the fall event.
- **December 1<sup>st</sup> through February 28<sup>th</sup>.** Events can be registered in the winter but are not eligible for free supplies at this time. Please also be aware of the additional safety concerns for winter events in PA.

All program registrations will receive an e-mail with detailed instructions for supplies and resources, safety information, and a link to report on each event.

### **Litter Free School Zone**

Schools in Pennsylvania can keep their school grounds litter free with Keep Pennsylvania Beautiful's [Litter Free School Zone Program](#). The program encourages hands-on activities to teach environmental stewardship and responsibility and can be combined with a lesson on how litter affects animals, people, water quality and economics.

The responsibilities of being a Litter Free School Zone include planning two improvement projects per school year and can include litter cleanups and beautification events, like creating and caring for pollinator and rain gardens. Results are reported to Keep Pennsylvania Beautiful and are added to statewide community



improvement totals, making it an opportunity to be a part of something bigger. Keep Pennsylvania Beautiful provides a Litter Free School Zone sign for each participating school.

All schools are welcome to participate – elementary school, middle school, high school, public or private. Litter Free School Zone Program events are eligible for free cleanup supplies. Schools interested in becoming a Litter Free School Zone should visit [keppabeautiful.org/programs/educational-resources/](https://www.keppabeautiful.org/programs/educational-resources/) or contact Stephanie Larson at [slarson@keppabeautiful.org](mailto:slarson@keppabeautiful.org) or 877-772-3673.

### Tools for Schools

Find tools and resources for educators and students to help learn and teach about the effects litter has on people, animals, and the environment and what you can do to keep your community clean and beautiful. Keep Pennsylvania Beautiful Tools for Schools includes litter and education resources, opportunities to get involved and other resources. See: <https://www.keppabeautiful.org/programs/pick-up-pa/>

### 2023 PA Envirothon

*The 40<sup>th</sup> PA Envirothon Competition is scheduled for May 24<sup>th</sup>, and will take place at Camp Mount Luther, Mifflinburg, PA. DEP will provide informational programming promoting career opportunities with the Commonwealth. In addition, DEP personnel will be providing numerous judges and support for this year's event. At the Envirothon, teams of five high school students compete in field testing using their knowledge in five topic areas – [Soils and Land Use](#), [Aquatic Ecology](#), [Forestry](#), [Wildlife](#), and [Environmental Issues](#). A current environmental issue is chosen each year as the “hot topic” for the focus of this station as well as the oral presentation component. This year's current issue is “Adapting to a Changing Climate”.*

Get the Pennsylvania State Envirothon Updates, Annual Reports and Results on their Media Page. [Media Page](#)

### Falcons

*The fourth and final egg of 2023 arrived April 6<sup>th</sup>. The egg laying is behind compared to recent years with anticipated hatching to occur around May 6<sup>th</sup> or 7<sup>th</sup>. Scheduling the banding of the hatchlings is being arranged in collaboration with the PA Game Commission. This will be followed by the 2023 Falcon Watch and Rescue (W&R) which will likely begin June 10<sup>th</sup> and continue at least to June 25<sup>th</sup>. W&R is a volunteer program which involves continued observation of the 15<sup>th</sup> floor ledge of the Rachel Carson State Office Building (RCSOB) during the fledging period. During fledging, when the young falcons are making their initial flights, the birds are monitored as this is period of vulnerability in an urban landscape. If necessary, the fledglings are rescued if they are in a dangerous area and either returned to the RCSOB or taken to a licensed wildlife rehabilitator. This is an outstanding opportunity for bird and wildlife watchers. Volunteers are welcome, if interested contact [ra-eplearningcenter@pa.gov](mailto:ra-eplearningcenter@pa.gov)*

DEP, in collaboration with Shavers Creek Environmental Center and Hawk Mountain, will be offering an in-person professional development workshop for environmental educators. Formal and non-formal educators are welcome, and the material provided is appropriate for a variety of grade-levels and ages. Entitled “PA Raptors: Successes and Challenges”, this workshop will be held at Shavers Creek, near State College, PA in June of 2023. Registration is now open, see: [Raptors of Pennsylvania: Successes and Challenges | Educator Workshop Tickets in Petersburg, PA, United States](#)

DEP, Department of Conservation and Natural Resources (DCNR), Department of General Services (DGS) are discussing how to address falcon strikes on RCSOB. They are investigating potential window treatments that will reduce or eliminate falcon strikes. At this time a Request for Information has been filed to begin the solicitation of potential vendors to address this situation.

### Wings Over Water and International Migratory Bird Day

The Whitaker Center for Science and Art, Department of Environmental Protection (DEP), Department of Conservation and Natural Resources (DCNR), Department of Education (PDE) the PA Game Commission, Dauphin County Parks, and the Ned Smith Center for Nature and Art, are collaborating to celebrate International Migratory Bird Day on May 13, 2023 from 10 am – 2pm. This event, which will be hosted by the Whitaker Center, will feature bird migration activities and opportunities for the public to see a remarkable documentary entitled “Wings Over Water”. DEP will be providing a walk and talk showing participants the peregrine falcon nest site located on the 15<sup>th</sup> floor ledge of the RCSOB.

### **Pennsylvania Native Species Day 2023**

The Pennsylvania Governor’s Invasive Species Council recently announced the 2023 Pennsylvania Native Species Day will be held on Thursday, May 18, 2023. Schools, organizations, local governments, and businesses are all welcome to join in with activities celebrating Pennsylvania’s native plants, animals, and insects and highlighting the need to protect our biodiversity from the proliferation of invasive species. For more information, visit the [Pennsylvania Native Species Day](#) webpage.

### **Environmental Justice**

Did you know if your environmental improvement project needs funding, DEP can help? We offer 40 grant and rebate programs to support a range of projects to improve or protect the water, land, and air in Pennsylvania. Whether your scope is to serve your local community or more statewide efforts, one of our funding programs may be able to help. In addition, some programs give special consideration to applicants in environmental justice areas. Check out the DEP [Grants, Loans and Rebates webpage](#) for more details.

The EE&IC continues to support the efforts of the DEP Office of Environmental Justice by promoting the DEP newsletter “EJ Update: Your Environment, Your Voice”. To sign up for the OEJ newsletter go to: [EJ News: Your Environment, Your Voice](#).

### **Teaching Green Newsletter**

The most recent edition of the “Teaching Green” DEP’s environmental education newsletter *has been released*. This issue provides updates on DEP “in the news”, the DEP Environmental Education Grant Program including updates on projects previously funded, continue to provide information on the PA Litter Action Plan, the RCSOB falcons, and professional development opportunities for formal and non-formal educators. This newsletter is produced quarterly by EE&IC staff to keep the environmental education community up to date on the work of DEP and to share information on new environmental education opportunities and programs designed to strengthen environmental literacy within the Commonwealth. Teaching Green can be accessed at: <https://www.dep.pa.gov/Citizens/EnvironmentalEducation/Pages/Teaching-Green.aspx>.

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## **Environmental Justice**

### **Environmental Justice Executive Order**

Governor Wolf signed an Environmental Justice Executive Order 2021-07 in October 2021 making permanent the Office of Environmental Justice (OEJ) and Environmental Justice Advisory Board (EJAB) and creating the Environmental Justice Interagency Council (EJIC). DEP currently holds EJIC meetings on the last Thursday, of every other month. Under the terms of the Executive Order, DEP will develop an agency EJ Strategic Plan and may also revise the EJ Policy and create EJ mapping tools.

### **Environmental Justice Planning**

The draft EJ Policy was released for public comment on March 12, 2022, for a 60-day public comment period that ended on May 11. OEJ scheduled several virtual and in person meetings and events throughout April and May to inform the public about the opportunity to comment on the updated Environmental Justice Policy. OEJ hosted four virtual public hearings on April 5, April 12, April 28, and May 4. The OEJ presented to the

Citizen's Advisory Council (CAC) about the policy at the April 19 CAC meeting. OEJ has been incorporating the comments into the updated policy. That policy is going through the internal review and publication process.

OEJ is working to update the Environmental Justice Areas through a new more comprehensive mapping and data effort. Work has been occurring with the help of interns from Temple University who are working on data analysis and the creation of code to allow for regular updates. The team has consulted with other states as well as other Commonwealth departments on available data sources. Two sessions were held with key community group stakeholders to get initial feedback on factors to consider. At the November 2022 CAC meeting staff presented [Environmental Justice Overview and Environmental Justice Area Mapping](#).

OEJ continues to convene the Environmental Justice Internal Work Group to inform and educate DEP staff and solicit feedback on critical environmental justice initiatives within DEP, such as the EJ Policy. OEJ has also been tracking and publishing permits subject to the current Environmental Justice Public Participation Policy on the DEP website.

#### Environmental Justice Advisory Board

EJAB convened on Tuesday, February 14. The meeting included DEP updates on the Office of Environmental Justice, Climate Action for Environmental Justice Communities Program presentation, EJ area mapping, and the announcement of DEP's new Acting Secretary Rich Negrin, newly appointed Governor Josh Shapiro and the new Administration. The next EJAB meeting is scheduled for Tuesday, May 16.

#### OEJ Initiatives

Language Access Services OEJ worked with the Office of Administration (OA), Communications, and other programs to finalize and internally publicize a translation and interpretation process for DEP. OEJ developed an outline of the process for obtaining language access services and assisted the Policy Office with their translation of RGGI materials and Spanish language interpretation for RGGI hearings. OEJ worked with the OA to get billing and contracting in place for phone-based interpretation services. OEJ convened meetings with several DEP offices to discuss the roll out process for all DEP staff and available language access services have been shared internally with DEP staff. A Language Access Coordinator was identified from the Communications Office. The Language Access Coordinator is being included in commonwealth-wide language access coordinator calls arranged by the OA and are starting the process of creating a Language Access Plan for DEP.

#### Brownfields Technical Assistance Grant

EPA has awarded DEP a Small Communities Assistance pilot grant for the past three years to assist a small, disadvantaged community on providing training, research and technical assistance for addressing brownfields redevelopment. DEP was awarded the Small Communities Assistance grant again for the 2022 fiscal year and is working with Oil City in Northwest Pennsylvania. The Oil City report was finalized, and the project concluded in June 2022. OEJ assisted in getting application support materials for the 2023 fiscal year applicant, Mahanoy City Borough in Schuylkill County. This program is set to receive an infusion of funding that may allow it to work with more and different types of communities but will keep a focus on communities facing EJ issues. OEJ has joined DEP's Brownfields staff to help introduce this project to municipalities facing EJ issues.

#### Alternative Fuel Vehicle Rebate Information Sheet

OEJ worked with the Energy Programs Office (EPO) and Office of Communications to develop a sheet that highlights the available resources that can make an electric or plug-in hybrid vehicle purchase more affordable. In particular, the sheet was developed to address the lack of awareness around the rebate's applicability to the purchase of a one-time pre-owned vehicles, and the availability of additional funds for low-income households. In addition, the sheet describes available federal and electric distribution company incentives. The Alternative Fuel Vehicle Rebate guidelines have been recently revamped to add income caps to aid low to moderate income

families in purchasing alternative fuel vehicles. OEJ is working with EPO on a revamp of the sheet, it will soon be found on the EPO webpage.

### Grants

OEJ is working with DEP's Grants Center and individual programs to track grant participation in EJ Areas and incorporate EJ consideration into program area grants. OEJ is supporting the Grants Office and other offices in developing outreach materials about the DEP grantmaking process. OEJ is also participating in an interagency group assessing overarching principles for advancing equity in Commonwealth grantmaking.

### Outreach on Key DEP Initiatives

OEJ is working with the Policy Office regarding inclusion and evaluation of equity and EJ considerations in the development of the 2021 Pennsylvania Climate Action Plan. OEJ is working with EPO and community partners on outreach and engagement for the Pennsylvania Climate Action Plan 2024, through the Climate Action for Environmental Justice Communities Program and events.

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## **Oil and Gas**

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### **Oil and Gas Rulemakings**

#### Proposed Environmental Protection Performance Standards for Conventional Oil and Gas Operators Rulemaking

In 2016, the General Assembly passed Act 52, which abrogated the ongoing rulemaking process regarding conventional oil and gas wells and established the Pennsylvania Grade Crude Oil Development Advisory Council (CDAC). Act 52 directed DEP to work with CDAC to “examine and make recommendations regarding existing technical regulations promulgated under 58 Pa.C.S. (relating to oil and gas) ... that impact the conventional oil and gas industry of this Commonwealth and explore the development of a regulatory scheme that provides for environmental oversight and enforcement specifically applicable to the conventional oil and gas industry.” From 2016 to the present, the Office of Oil and Gas Management (OOGM) has worked with CDAC to develop potential legislation and proposed regulations relating to conventional oil and gas wells.

Because discussions did not result in viable legislation, DEP proceeded with the development of a draft proposed conventional oil and gas rulemaking and advanced the regulatory concepts via two rulemaking packages during 2020. The first rulemaking relates primarily to the proper management of waste generated at conventional oil and gas well sites; the second rulemaking addresses other critical environmental protection performance standards at such sites.

On August 6, 2020, the OOGM first presented these two draft proposed rulemakings to CDAC. On September 17, 2020, DEP also informed the Oil and Gas Technical Advisory Board (TAB) of discussions with CDAC regarding the draft proposed rulemakings and shared copies of both draft proposed rulemakings. During a series of meetings from December 3, 2020, through September 9, 2021, OOGM staff, CDAC, and TAB continued to discuss and review the draft proposed rulemakings. At its regularly scheduled meeting on December 16, 2021, OOGM staff shared the final version of the Environmental Protection Performance Standards for Conventional Oil and Gas Operators draft proposed Annex with CDAC members. This provided CDAC with an opportunity to adopt written comments to the Environmental Quality Board (EQB) in accordance with section 5 of Act 52 of 2016 (58 P.S. § 1205). The CDAC Regulatory Subcommittee prepared formal comments in February 2022 and March 2022, and presented them to the full council on April 21, 2022. CDAC voted to accept the comments and will submit them to DEP to accompany the rulemaking when it is submitted to the EQB.

The Department discussed the Chapter 78 proposed Waste Management rulemaking with CDAC at the first meeting of 2023 on February 16 that was conducted at Pennsylvania Western University, Clarion. *The next CDAC meeting is scheduled for Thursday, May 25, and DEP plans to discuss the Chapter 78 proposed Waste Management rulemaking at that time.*

#### Infrastructure Investment and Jobs Act (IIJA) Initial Grant

The U.S. Department of the Interior (DOI) approved the application as submitted for the full \$25 million Initial Grant on August 25, 2022, with an effective “date of receipt” of October 1, 2022. The award allows for up to \$2.5 million to be allocated to DEP to cover administrative costs associated with administering the Initial Grant. Based on DEP’s application, all Initial Grant funding will be used for well plugging contracts or administrative costs.

DEP expects to plug a total of 225 orphan and abandoned wells using \$22.5 million of the Initial Grant funding and possibly \$2.3 million in future IIJA grant allocations (i.e., Formula Grant Funding). DEP has allocated up to 10 percent (\$2.5 million) of the Initial Grant funding toward administrative costs to implement the program.

In the first round, DEP published five separate invitations to bid in the Commonwealth’s electronic bid solicitation tool called “Bid Express” ([www.bidexpress.com](http://www.bidexpress.com)). This round will result in the plugging of 79 abandoned wells. DEP opened all bids on November 3, 2022. The bids received for these five projects originally amounted to approximately \$5.8 million; however, since the apparent low bidder for a project to plug 24 wells in Butler County decided not to enter into a contract with DEP, this contract will be awarded to the next apparent low bidder. The anticipated amount of funding to be awarded to all projects in the first round of contracts is approximately \$7.5 million.

The bid estimates for the second round are expected to cost approximately \$17.3 million to plug 146 additional abandoned wells. All Invitations to Bid and Bid Openings occurred by the end of February 2023 and all “Notices to Proceed” are expected to be issued to the successful bidders by no later than the end of May/June 2023. *As of April 17, 2023, sixteen wells have been plugged under the Initial Grant Program.*

#### Draft Formula Grant Guidance Published by U.S. Department of the Interior

On January 25, 2023, the U.S. Department of Interior (DOI) distributed the draft Formula Grant Guidance for “Round 1” to the Interstate Oil and Gas Compact Commission (IOGCC) to share with the nation’s oil and gas producing states. The IOGCC represents most oil and gas generating states and Pennsylvania is a member. DOI released the draft formula grant guidance by posting a press release and the draft guidance on the department’s website: [Interior Department Releases Draft Guidance for \\$500 Million in Formula Grants for States to Address Orphaned Oil and Gas Wells | U.S. Department of the Interior](#).

The IOGCC hosted a meeting with the DOI on Wednesday, February 15 at 2:00 pm to discuss the draft guidance. On March 16, the DOI convened a meeting of the Orphan Well Data Management Workgroup with the IOGCC, Groundwater Protection Council and states. On March 17, the DOI hosted a meeting with IOGCC and states to further discuss the draft Formula Grant Guidance.

*The DOI initially requested comments from states on the draft guidance document by February 14, 2023; however, DOI extended the submittal date to Friday, March 24, 2023. On Thursday, March 23, the Department of Environmental Protection submitted comments to the DOI regarding the draft Formula Grant Guidance. The Department is uncertain when the DOI will release the final grant guidance.*

#### Erosion and Sediment Control General Permit (ESCGP-3) Prioritized Review Workgroup

Innovative approaches through design and implementation of environmentally enhanced Best Management Practices (BMPs) and superior construction practices reduce environmental impacts from oil and gas

operations. To incentivize these technologies and practices, DEP intends to replace the Erosion and Sediment Control General Permit (ESCGP) Expedited Review process with a Prioritized Review process that will allow for voluntary participation by industry. Permit applications submitted as Prioritized Review will be given a score based on proposed BMPs and environmentally superior construction practices. High-scoring projects will be given priority and will be reviewed before projects that are not submitted as Prioritized Review.

DEP presented revised documents to TAB at its December 16, 2020, meeting. This technical guidance document (TGD) was published as draft for public comment in the Pennsylvania Bulletin on August 28, 2021, initiating a 30-day public comment period that closed on September 27, 2021. DEP received 194 comments and is continuing to review the comments and prepare responses. The Department tentatively expects to present this draft package to TAB in June 2023.

#### Pressure Barrier Policy Technical Guidance Document (TGD)

OOGM has completed all updates to the Pressure Barrier Policy TGD and has introduced further improvements concerning blowout prevention (BOP) testing due to recent changes to the American Petroleum Institute's (API) Recommended Practice 53, which the regulations directly reference. An additional update has also been introduced respective of a well control emergency and subsurface blowout incident in Pennsylvania that occurred at a Utica shale well in 2019. The document was discussed at the TAB meeting on May 20, 2020. OOGM received comments from TAB members on June 26, 2020. The draft Pressure Barrier Policy TGD was published on August 29, 2020, in the Pennsylvania Bulletin with a 30-day public comment period that ended on September 28, 2020. A total of 91 comments were submitted from five commenters. DEP has completed its review of the comments received and made updates to the TGD as needed. The updated guidance was discussed with TAB at the May 5, 2021, meeting. The guidance document is expected to be published as final in the Pennsylvania Bulletin in *May 2023, with training to follow.*

#### Class VI Primacy Letter of Intent to U.S. Environmental Protection Agency (EPA)

EPA announced that it is developing a new \$50 million grant program through the Bipartisan Infrastructure Law that will support states in seeking federal primacy to administer the Underground Injection Control (UIC) Class VI program. This program regulates the geologic sequestration of carbon dioxide (CO<sub>2</sub>) into UIC Class VI wells. DEP submitted a letter of intent to pursue Class VI primacy to EPA on Monday, March 20, 2023.

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## **Radiation Protection**

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### **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-producing devices 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 was discussed with the Radiation Protection Advisory Committee (RPAC) and a subcommittee in 2019 and 2020. At the July 9, 2020 meeting, RPAC discussed the revisions and concurred with the Department's recommendation to proceed with the proposed rulemaking. The proposed rulemaking was adopted by the Environmental Quality Board (EQB) at the May 19, 2021 meeting and was published for public comment on August 14, 2021, with a 30-day public comment period that closed on September 13, 2021. One commentator and IRRC submitted comments. The Bureau of Radiation Protection presented the draft final-form Annex to the Radiation Protection Advisory Committee (RPAC) on March 3, 2022, and RPAC expressed support for the Department moving forward with the final-form rulemaking. The EQB unanimously adopted the final rulemaking on November 15, 2022. The final-form rulemaking *is scheduled for IRRC consideration on May 18, 2023.*

### Three-Year Fee Report and Radiological Fees Rulemaking

The Radiation Protection Act directs the Department to set annual fees in an amount at least sufficient to cover the Department's costs of administering its programs. Accordingly, the Bureau of Radiation Protection reviews its fees every three years and prepares a fee report with an evaluation of fees collected. The Department presented the report to the EQB on February 15, 2022. The Department has concluded a proposed rulemaking for a fee increase is necessary and has developed a proposed Annex, which was presented to RPAC on March 3, 2022. RPAC expressed support for the proposed rulemaking. The EQB adopted the proposed rule on June 14, 2022. The proposed rulemaking was published in the Pennsylvania Bulletin for public comment on August 27, 2022. The comment period closed on September 26, 2022. Two commentators and IRRC submitted comments. The Bureau of Radiation Protection presented the draft final-form Annex to the Radiation Protection Advisory Committee (RPAC) on December 9, 2022, and RPAC expressed continued support for the Department moving forward. *The EQB unanimously adopted the final rulemaking on April 11, 2023 and it is scheduled for IRRC consideration on May 18, 2023.*

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## **Waste Management**

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

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 adopted a motion to accept the petitions. DEP completed its evaluation of the petitions and prepared a report that summarized the evaluation and made a recommendation that the delisting petitions be accepted for rulemaking; the EQB adopted a motion to accept the delisting petitions and advance them for rulemaking at its June 16, 2020, meeting.

The EQB adopted the proposed rulemaking on September 21, 2021. A copy of the proposed rulemaking as adopted is available on the Board's webpage. The proposed rulemaking was published in the Pennsylvania Bulletin on January 8, 2022, opening a 45-day public comment period that concluded on February 22, 2022. The Board also held three public hearings on the proposed rulemaking on January 19, 20, and 26, 2022. DEP presented the draft final rule to SWAC at its December 15, 2022, meeting, where the Committee voted unanimously to support moving the rule to EQB for consideration.

DEP anticipates presentation of the final-form rulemaking to EQB for consideration in the *third* quarter of 2023.

### Solid Waste Advisory Committee (SWAC)

The next regular SWAC meeting *will be held on Thursday, June 22, 2023*. Additional information is available on the [SWAC website](#).

### Recycling Fund Advisory Committee (RFAC)

The 2023 annual RFAC meeting will be held on Thursday, October 19, 2023. The meeting will be held jointly with SWAC. Additional information is available on the [SWAC website](#).

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## **Water Programs**

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### Water Programs Rulemakings

### Chapter 105 Dam Safety and Waterway Management Rulemaking

DEP's Bureau of Waterways Engineering and Wetlands (BWEW) drafted a proposed rulemaking to revise several portions of Chapter 105 to: clarify existing requirements; delete or update obsolete and antiquated requirements; incorporate new or revised sections and definitions; and correct previous minor errors discovered in certain sections since the previous rulemaking. The draft proposed annex was presented to the Agricultural Advisory Board on January 27, 2020, and the Water Resources Advisory Committee on January 30, 2020. Both committees concurred with DEP's recommendation to present the proposed rulemaking to the Environmental Quality Board. The draft proposed annex was also presented to the State Conservation Commission on February 11, 2020, and the Citizens Advisory Council on February 18, 2020. The proposed regulation was adopted by the Environmental Quality Board on July 21, 2020. The proposed rulemaking was published in the Pennsylvania Bulletin on December 5, 2020, for a 60-day public comment period that ended on February 3, 2021.

The Department received comments from nearly 1,700 unique public commenters and received comments from the Independent Regulatory Review Commission (IRRC) on March 5, 2021. On February 24, 2021, the House Environmental Resources and Energy Committee voted to send a letter to IRRC expressing the committee's disapproval of the proposed rulemaking.

On February 3, 2023, the rulemaking was withdrawn by operation of law under the Regulatory Review Act. *BWEW plans to restart the regulatory revision process mid-2023 and will consider the comments received on the prior rulemaking. Since the rulemaking process needs to start over, it will be some time before a draft is ready for advisory body review or comment.*

### Dunbar Creek et al. Stream Redesignations

Section 303(c)(1) of the Federal Clean Water Act (33 U.S.C.A. § 1313(c)) requires states to periodically review and revise, as necessary, water quality standards. The water quality standards evaluated in this rulemaking are the designated uses of surface waters. The regulatory changes in this proposed rulemaking are the result of stream evaluations conducted by the Department. The proposed rulemaking includes redesignation recommendations for seven streams in response to stream evaluations conducted by the Department. Stream evaluations were conducted in response to three rulemaking petitions that were previously accepted by the EQB, requests by the DEP Regional Programs and the Pennsylvania Fish and Boat Commission, ongoing statewide monitoring activities, and an error identified in Chapter 93. Redesignation recommendations include more restrictive use and less restrictive use recommendations. The proposed rulemaking was adopted by the EQB on April 20, 2021. The proposed rule was published in the Pennsylvania Bulletin on July 31, 2021, with a 45-day public comment period that closed on September 14, 2021. A public hearing was held on August 30, 2021, where three witnesses provided testimony. *The EQB adopted the final-form rulemaking on April 11, 2023. Presentation to IRRC is scheduled for May 18, 2023.*

### Methylmercury Site-Specific Water Quality Criteria Rulemaking

This proposed rulemaking will recommend updates and revisions to § 93.8d which outlines the site-specific water quality criteria process. The proposed amendments include the addition of language that clarifies when site-specific water quality criteria may be requested and specifies the conditions under which site-specific water quality criteria may not be requested. The proposed amendments will update language throughout §93.8d to identify the data and information that must be submitted with each request for a site-specific water quality criterion and the actions to be taken by the Department as part of the site-specific water quality criterion development and regulatory processes. These proposed amendments are consistent with federal regulations and requirements.



In addition, this proposed rulemaking proposes to delete the statewide total mercury water quality criterion of 0.05 µg/L for Ebaughs Creek located in York County; and to add a site-specific methylmercury water quality criterion of 0.00004 µg/L for Ebaughs Creek in § 93.9o (relating to Drainage List O). The York County Solid Waste Regional Authority (YCSWRA) owns and operates the York County Sanitary Landfill, which is a 306-acre site located in Hopewell Township, York County, PA. Between 1974 and 1997, the landfill received municipal and industrial waste, which was placed into lined and unlined cells. The site contains approximately 135 acres of unlined landfill. Detection of volatile organic compounds (VOCs) in several groundwater wells was discovered in 1983 and was associated with the unlined cells. A treatment system was installed to remove the VOCs and began operation in 1985. The system consisted of 17 extraction wells and air stripping towers. The air stripping towers discharge the treated groundwater under NPDES permit number PA0081744. Mercury was later identified through the Department's permit application review process as a potential pollutant of concern. YCSWRA has requested the Department delete the statewide total mercury water quality criterion of 0.05 µg/L for Ebaughs Creek and develop a site-specific methylmercury water quality criterion for Ebaughs Creek to inform their NPDES permit effluent limitations for Outfall 002. Since the Department does not currently have statewide numeric water quality criteria for methylmercury, YCSWRA's request satisfies § 93.8d(a)(3).

DEP presented the proposed rulemaking to the Agricultural Advisory Board and the Water Resources Advisory Committee on March 15, 2023 and March 16, 2023, respectively. The Department anticipates presenting the proposed rulemaking to EQB summer 2023.

#### Triennial Review of Water Quality Standards

Water quality standards are in-stream water quality goals that are implemented by imposing specific regulatory requirements and permit conditions (such as treatment requirements, effluent limits, and best management practices) on individual sources of pollution. This proposed rulemaking fulfills the Commonwealth's obligation to periodically review and revise its water quality standards and updates Pennsylvania's water quality standards such that the surface waters of this Commonwealth are afforded the appropriate level of protection.

This rulemaking proposes to:

- Add or revise aquatic life and human health water quality criteria for 17 substances,
- Clarify duration periods for aquatic life criteria, and
- Reaffirm the removal of Water Contact Sports use from the Outer Erie Harbor/Presque Isle Bay and portions of the Delaware Estuary and removal of portions of the Warm Water Fishes (WWF) and Migratory Fishes (MF) aquatic life uses for portions of the Delaware Estuary.

DEP presented the proposed rulemaking to the Water Resources Advisory Committee and Agricultural Advisory Board on November 17, 2022 and December 8, 2022, respectively. The Department anticipates presenting the proposed rulemaking to the EQB summer 2023.

#### NPDES Schedules of Compliance

This rulemaking will amend § 92a.51(a) for NPDES permit schedules of compliance to allow the Department to approve permits for combined sewer overflow (CSO) dischargers with compliance schedules beyond the 5-year period currently established in the regulations, but not longer than the implementation period in the discharger's approved long-term control plan (LTCP). The draft proposed annex was presented to the Water Resources Advisory Committee (WRAC) on July 28, 2021, which concurred with DEP's recommendation to present the proposed rulemaking to the Environmental Quality Board (EQB). The proposed regulation was adopted by the EQB on October 19, 2021. The proposed rulemaking was published in the Pennsylvania Bulletin on January 15, 2022, for a 45-day public comment period that ended on March 1, 2022. One virtual public hearing was held on February 16, 2022 although nobody provided testimony. Three public comments were received on the proposed rulemaking and comments were also submitted by EPA. IRRC had no comments or questions on the

proposed rulemaking. The draft final-form rulemaking was presented to WRAC at its July 21, 2022 meeting and WRAC voted unanimously to support the rulemaking. The EQB adopted the final-form rulemaking on November 15, 2022. Presentation to IRRC is *scheduled for May 18, 2023*.

### **Draft Chapter 105 Alternatives Analysis Technical Guidance Document (310-2100-002)**

*DEP's Bureau of Waterways Engineering and Wetlands (BWEW) has worked with other DEP staff to draft this TGD to provide guidance on the preparation of a Chapter 105 alternatives analysis. This TGD consolidates existing guidance and expands upon that guidance as follows: Clarifies the appropriate level of analysis required for evaluating alternatives for projects requiring an Individual Water Obstruction and Encroachment Permit under 25 Pa. Code Chapter 105 (relating to dam safety and waterway management); Provides guidelines for determining if an alternative should be considered practicable; and Establishes a common, complete and consistent level of understanding of the information needed by the Department to adequately review alternatives analyses for Water Obstruction and Encroachment Permit applications proposing impacts to aquatic resources. Notice of availability of this draft technical guidance document was published in the Pennsylvania Bulletin on September 4, 2021 at [51 Pa.B. 5757](#). The public comment period ended on October 4, 2021, and DEP received 4 comment letters. Next steps include reviewing the comments received, preparing a comment and response document, and making any necessary changes *and then publishing as a final guidance document.**

### **Draft Trenchless Technologies Guidance (310-2100-003)**

*DEP's Bureau of Waterways Engineering and Wetlands (BWEW) has worked with other DEP staff to draft this TGD to outline the steps and options to consider, and implement as appropriate, when proposing to use a trenchless technology installation method on any portion of a project – *including those projects that traverse aquatic resources*. This draft TGD has been prepared to provide information to project proponents that may help to prevent environmental issues, improve project planning, permitting and compliance with applicable regulatory requirements. It is important to note, this is recommended guidance that does not require a new permit. Notice of availability of this draft technical guidance document was published in the Pennsylvania Bulletin on March 19, 2022 at [52 Pa.B. 1693](#). The 60-day public comment period ended on May 18, 2022. DEP received 150 letters; 144 form letters in support and 6 letters with constructive comments and edits. Next steps include reviewing the comments received, preparing a comment and response document, making any necessary changes, *and then publishing as a final guidance document.**

### **Act 34 of 2020**

Act 34 of 2020 amended sections of the SFA that were previously amended by Act 26 of 2017, specifically sections 5(c.1) and 5(c.2). Amendments to Section 5(c.1) seek to provide for the use of alternate (or conventional) systems in planning for new land development. The amendment changed the types of system that could be considered for new land development planning proposals. An integral part of the sewage planning process, when on-lot sewage disposal is being considered, is to demonstrate that the land proposed for development meets general site suitability criteria.

Although Act 34 of 2020 provides the mechanism for the use of alternates in new land development, the existing regulations provide general site suitability criteria requirements for conventional systems which includes absorption areas and spray fields; these systems have standards in regulations. The Department understands that the intent of Act 34 of 2020 is to expand the use of alternate systems to allow for development of lots that are currently unavailable for new land development. More specifically, there is a desire to be able to develop lots with soil depths less than 20 inches to a limiting zone where a spray field may be the only option or on a lot with shallow soils that is too small for a spray field to be sited. The current regulations prohibit the issuance of permits for sites that do not meet the general site suitability requirements.

In order to provide additional opportunities for new development of land in a manner that provides safe, effective long-term sewage disposal and that implements the goals of Act 34 of 2020, a rulemaking is needed to

add site suitability provisions for the use of alternate systems on sites that do not meet the current general site suitability requirements. The Department will be *working* in consultation with the Sewage Advisory Committee and other *stakeholders as the rulemaking process continues to develop*. The Department has developed an Act 34 Implementation Frequently Asked Questions (FAQ) document to provide information to those with questions on how Act 34 impacts sewage facilities planning and permitting. A link to the Act 34 FAQ can be found at the Bureau of Clean Water's Act 537 Sewage Enforcement Officer's [website](#).

### **General Permits for Beneficial Use of Sewage Sludge (a.k.a. Biosolids)**

The Department issues general permits for the beneficial use of biosolids (a.k.a. sewage sludge) and residential septage. PAG-07 allows for the Beneficial Use of Exceptional Quality (EQ) Biosolids; PAG-08 allows for the Beneficial Use of Non-Exceptional Quality (Non-EQ) Biosolids; and PAG-09 allows for the Beneficial Use of Residential Septage. Beneficial use is the use or reuse of biosolids or residential septage for any purpose, where the use does not harm or threaten public health, safety, welfare, or the environment. These permits apply to a person who prepares biosolids that will be sold or given away in a bag or other container or biosolids that will be land applied, and to a person who applies biosolids or residential septage to the land. The Department issues these permits under the authority of Pennsylvania's Solid Waste Management Act and Clean Streams Law.

The Department has administratively extended these general permits for several years. The Department has presented pre-draft permits to the Water Resources Advisory Committee (WRAC) and the Agricultural Advisory Board (AAB) in March 2021.

The Bureau of Clean Water has also organized a workgroup to gather input on the proposed changes to the general permits. The group includes biosolids generators, land appliers, farmers, consultants, and interested third parties (including the Chesapeake Bay Foundation and the Delaware Riverkeeper Network). The workgroup discussion focused on the biosolids land application program, the proposed changes to the permit, PFAS in biosolids, nutrient management of biosolids, impacts of hauled-in residual waste into the biosolids treatment process, and field storage of biosolids on land application sites. The workgroup members decided to provide formal written comments to the Department. DEP will use the information gathered during the outreach process to draft any revisions to the permit documents prior to issuing draft permits for public comment.

*The Department has also been communicating with and providing information to the Legislative Budget and Finance Committee (LBFC) as the LBFC is evaluating the costs and practicality of the proposed changes to the general permits, as directed by [House Resolution 149 from the 2021-2022 General Assembly session](#).*

### **Federal Infrastructure Funding - Bipartisan Infrastructure Investment and Jobs Act (IIJA)**

The Bipartisan Infrastructure Law (BIL) provides funding to the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF). These programs will see increases to base program funding as well as new supplemental program funding programs.

The BIL reauthorizes the base DWSRF program funding and establishes new supplemental DWSRF pots for general infrastructure projects, emerging contaminants projects, and lead service line replacement projects. Base and general supplemental DWSRF money will be used for projects that will improve water system infrastructure (e.g. replacing aging water lines, upgrading treatment plant components, finished water storage tanks.) DWSRF BIL funding will provide funding to eligible water systems via PENNVEST for these infrastructure projects. Additionally, the BIL will provide money for technical assistance to water systems, as well as money to cover the cost of administration of the DWSRF program for both the Bureau of Safe Drinking Water (BSDW) and the Bureau of Clean Water (BCW).

BIL reauthorizes the base CWSRF program funding and also establishes new CWSRF supplemental pots for general infrastructure projects and emerging contaminants projects. In addition, it establishes a new set-aside

that will enable DEP to provide technical assistance to small, rural Publicly Owned Treatment Works (POTW). Similar to the DWSRF program, the CWSRF base program provides funding to infrastructure projects to improve non-point source pollution, stormwater infrastructure, and wastewater infrastructure. CWSRF funding will provide funding to eligible project applicants via PENNVEST for infrastructure projects. The BIL CWSRF funding will also support technical assistance to systems and includes a means to cover the cost of administration of the CWSRF program.

DEP staff manage EPA applications for both the DWSRF and CWSRF capitalization grants awarded to PENNVEST. DEP staff also oversee DEP's role in the managing potential and funded projects from pre-application through project closeout. DEP staff coordinate to prepare the SRF Intended Use Plans including budgets on an annual basis and review, ranking and management of PENNVEST project applications.

DEP and PENNVEST are developing the grant application packages to apply for the coming federal fiscal year state allotments. These are noncompetitive grants, so EPA provides the state allotment in advance of the application process to facilitate grant application development. DEP will submit the application on behalf of PENNVEST by July 1, 2023. Public notice of the intent to apply will include a public comment period.

The BIL also provides additional funding programs that appear to fall outside of the SRF umbrella. To date, EPA has provided very little if any information to states on this additional funding outside of the SRF umbrella. DEP BSDW staff will continue to push EPA for this guidance and provide additional details in future weekly articles as more information becomes available. While specific state funding allotments are not yet available, these programs include funding for the following:

- Assistance for Small and Disadvantaged Communities (Sec. 50104) – Preliminary EPA documents indicate that PA's share may be ~\$28 million annually. Funding may be provided through Small, Underserved, and Disadvantaged Communities Grants (not SRF); can be used to remediate PFAS in drinking water.
- Several Lead Programs – Reducing Lead in Drinking Water (Sec. 50105) and Lead Contamination in School Drinking Water (Sec. 50110). Note: These lead programs may be under the Water Infrastructure Improvements for the Nation (WIIN) Grant umbrella.
- Operational Sustainability Grants to Small PWSs (Sec. 50106) and Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program (Sec. 50107).

### **Chesapeake Bay Restoration IIJA/BIL**

On May 2, 2022 EPA announced the allocation of \$40 million in first-year funds from the IIJA at an event in Baltimore. The funding includes the \$15 million allocation to jurisdictions for the Most Effective Basins as well as funding through the National Fish and Wildlife Foundation's Small Watershed Grants and Innovative Nutrient and Sediment Reductions grants program. This will use nearly 85% of the designated infrastructure funding for FY2022 and make important strides toward attaining targets set before us in the 2014 Chesapeake Watershed Agreement. Pennsylvania has been allocated \$5,598,333 for the initial year. DEP was notified on May 19, 2022 that our allocation will be \$1.8 million to implement projects in the Pilot and Tiers 2-4 counties within Pennsylvania's Chesapeake Bay watershed. The rest of the funding coming to Pennsylvania will be directed to DCNR and SCC for the initial year. DEP received the federal award in September 2022 and awarded the funds through the Countywide Action Plan (CAP) Implementation Grant in December 2022.

DEP, State Conservation Commission, and Pennsylvania Fish and Boat Commission staff met with EPA on January 9, 2023 to discuss the FY2023 Chesapeake Bay IIJA allocation. Discussions are ongoing and recommendations for the allocation have been provided by DEP to EPA for their consideration.

On March 13, 2023, EPA provided the Pennsylvania agency-specific allocations, beginning October 1, 2023. Including all Chesapeake Bay federal grants, DEP will be receiving more than \$13 million, of which more than \$5 million will be IJA money. DEP is working with EPA to review the draft grant guidelines and identify procurement requirements associated with IJA funding.

### **PAG-13 General Permit**

On Saturday, September 24, 2022, DEP published notice in the Pennsylvania Bulletin ([52 Pa.B. 6107](#)) of a 2-year extension to the PAG-13 National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges to Small Municipal Separate Storm Sewer Systems (MS4s). By this action the availability of the general permit has been extended to March 15, 2025. The notice also solicited interested participants for a workgroup that DEP to discuss the requirements for the next PAG-13 term. DEP received nearly 60 requests to participate and has selected approximately 20 members. A series of meetings has been scheduled starting in November 2022. The first seven workgroup meetings have been held. A total of eight workgroup meetings are anticipated. The latest workgroup meeting was held on March 3, 2023. There may be one or more additional meetings with the workgroup in the near future. DEP received recommendations from EPA Region 3 via a letter dated February 28, 2023. DEP *is beginning development* a preliminary draft of the PAG-13 General Permit package.

### **Nonpoint Source (NPS) Management Section 319**

The Section 319 NPS Management grant funds are provided by the U.S. Environmental Protection Agency (EPA) and authorized through Section 319(h) of the federal Clean Water Act. The program's primary purpose is to implement Section 319 Program Watershed Implementation Plans (WIP) to improve and protect Pennsylvania's waters from nonpoint source pollution.

Federal Fiscal Year (FFY) 2022 EPA Section 319 NPS Management Grant awards were [announced](#) on October 7, 2022.

DEP opened the Federal Fiscal Year (FFY) 2023 EPA Section 319 NPS Management Grant round on April 22, 2022. The deadline to apply was June 24, 2022. New this year is a focus on Watershed Implementation Plan (WIP) development in Environmental Justice (EJ) areas. Staff submitted the draft workplans to EPA for their review by the EPA / DEP Action Plan deadline of November 30, 2022.

*The FFY 2024 EPA Section 319 NPS Management Grants round opened April 21, 2023, with applications due by June 23, 2023 at 11:59 p.m., as noticed in the Pennsylvania Bulletin on April 1, 2023 at [53 Pa.B. 1869](#).*

### **Growing Greener Plus Program**

DEP opened the 2022 Growing Greener Plus grant round on April 22, 2022. The deadline to apply was June 24, 2022. The 2022 Growing Greener Plus grant round includes some new features, including: (1) a reinvigorated Growing Greener Watershed Renaissance Initiative (GGWRI) focused on the complete implementation of existing watershed restoration or implementation plans on small catchment areas in Centre, Huntingdon, Lancaster, Snyder, and Union counties; and (2) a priority to implement projects in support of the Pennsylvania 2021 Climate Action Plan. The 2022 Growing Greener Plus awards were announced on January 12, 2023. The full list of 2022 Growing Greener projects can be found at [www.dep.pa.gov/Citizens/GrantsLoansRebates/Growing-Greener/Pages/default.aspx](http://www.dep.pa.gov/Citizens/GrantsLoansRebates/Growing-Greener/Pages/default.aspx).

*The 2023 Growing Greener Plus Grants round opened April 21, 2023, with applications due by June 23, 2023 at 11:59 p.m., as noticed in the Pennsylvania Bulletin on April 1, 2023 at [53 Pa.B. 1868](#).*

### **State Water Plan**

The [2022 State Water Plan Update Report](#) ("Update Report") is now complete and available to all

Pennsylvanians! *This report is focused on items such as water resources strategies outlined in the Pennsylvania Climate Action Plan and updated regional watershed priorities. In addition to this important document a [Digital Water Atlas StoryMap](#) was created as planning tool for professionals and research tool for academics.*

*The first round of meetings for 2023 was successfully completed this April with all seven committees having met. Several committees struggled to achieve quorum during their meetings leading to an emphasis on recruiting committee members in the coming months to ensure that business can be conducted in future meetings. Members of the Citizens Advisory Council can assist with this effort by referring anyone who could fill a committee vacancy to James Horton ([jahorton@pa.gov](mailto:jahorton@pa.gov)). Up-to-date information on current committee membership and vacancies can be found [here](#).*

*The next round of meetings will take place in October 2023. In accordance with Act 220 of 2002's requirements, a new update will be needed in 2027.*

Find more information at DEP's [State Water Plan website](#).

**Attachment 1**  
**2023 Events Calendar**

Please consult the [DEP Calendar of Events](#) for a comprehensive listing of upcoming events and information on how to attend. The Calendar can be accessed in the Public Participation Tab on the DEP website; click on “Public Participation” then “Calendar of Events.” Unless otherwise indicated below or on the DEP Calendar of Events, there will be virtual and in-person attendance options for each event.

<b>May</b>	
4	Air Quality Technical Advisory Committee (AQTAC) Regular Meeting
9	Environmental Quality Board (EQB) Meeting , 9:00 a.m.
9	Citizens Advisory Council (CAC) Meeting, 12:30 p.m.
16	Environmental Justice Advisory Board (EJAB) Meeting, 9:00 a.m.
17	State Board for Certification of Sewage Enforcement Officers Meeting, 10:00 a.m.
18	Water Resources Advisory Committee Meeting, 9:30 a.m.
23	Laboratory Accreditation Advisory Committee (LAAC) Meeting, 9:00 a.m.
24	Pennsylvania Energy Storage Forum Quarterly Meeting, 1:00 p.m. (Virtual)
31	Cleanup Standards Scientific Advisory Board (CSSAB) Meeting, 9:30 a.m.
<b>June</b>	
6	Oil and Gas Technical Advisory Board (TAB) Meeting, 10:00 a.m.
7	Storage Tank Advisory Committee (STAC) Meeting, 10:00 a.m.
8	Board of Coal Mine Safety (BCMS) Meeting, 10:00 a.m.
13	Environmental Quality Board (EQB) Meeting , 9:00 a.m.
13	Citizens Advisory Council (CAC) Meeting, 12:30 p.m.
14	Coastal Zone Advisory Committee (CZAC) Meeting, 9:30 a.m.
14	State Board for Certification of Water and Wastewater System Operators Meeting, 10:00 a.m.
14	Operator Certification Board Meeting, 10:00 a.m.
22	Agricultural Advisory Board Meeting, 9:00 a.m.
22	Solid Waste Advisory Committee (SWAC) Meeting, 10:00 a.m.
27	Climate Change Advisory Committee (CCAC) Meeting, 9:00 a.m.

This report was prepared by Max Schultz, Executive Policy Specialist, DEP Policy Office. For questions or requests, please email [maxschultz@pa.gov](mailto:maxschultz@pa.gov).