

## DEP ROLLING REGULATORY AGENDA July 10, 2009

(This Rolling Agenda is designed to give a quick snapshot of the current status of regulations within DEP)

Title of Regulation / Statutory Authority	Summary of Regulation & Contact	Status
<p>Chapter 85 – Bluff Recession and Setback Amendments Bluff Recession and Setback Act 25 Pa. Code, Chapter 85</p>	<p>This proposal will update Chapter 85 based on the bluff study that resulted from a petition submitted by the Millcreek Township Board of Supervisors, Erie County. <b>CONTACT:</b> Andrew Zemba 717-772-5633; <a href="mailto:azemba@state.pa.us">azemba@state.pa.us</a></p>	<p>The final rulemaking will be considered by IRRC on August 6, 2009. <b>Background:</b> The final rulemaking was approved by the EQB on June 16, 2009. On April 27, 2009, WRAC reviewed the final rulemaking and voted to have the Department present the final rulemaking to the EQB. The draft final rulemaking was presented to WRAC and the Coastal Zone Advisory Committee on April 8, 2009. The proposed rulemaking was published in the Pennsylvania Bulletin on August 23, 2008, commencing a 60-day public comment period that concluded on October 22, 2008. One public hearing was held on September 23, 2008 in Erie, PA for the Board to receive testimony on the proposed rulemaking. The Board received comments and testimony from a total of 11 commentators. On November 21, 2008, IRRC provided comments on the rulemaking to DEP. IRRC's comments are available at <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a> (see "Recent IRRC Comments"). The proposed rulemaking was approved by the EQB at the Board's June 17, 2008, meeting. The draft proposed rulemaking was discussed with WRAC at their January 9, 2008, meeting, and with the Coastal Zone Advisory Committee on January 16, 2008. The Coastal Zone Advisory Committee was updated on the status of the rulemaking at its June 13, 2007, meeting. WRAC was updated on the status of the proposed rulemaking at its May 9, 2007, meeting. Draft regulation discussion at 1/10/07 and 11/8/06 WRAC meeting.</p>

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<p>Stream Redesignations (Blue Eye Run, et al) Clean Streams Law Clean Water Act 25 Pa Code, Chapter 93</p>	<p>This rulemaking includes proposed revisions regarding the Designated Uses and Water Quality Criteria to all or part of the following waterbodies as included in 25 Pa Code, Sections 93.9b, 93.9d, 93.9f, 93.9g, 93.9i, 93.9l, 93.9p and 93.9q,: East Branch Dyberry Creek (Wayne County), UNT 29200 to Tunkhannock Creek (Susquehanna County), Young Womans Creek (Clinton County), Muncy Creek (Sullivan County), Spruce Run (Union County), Blue Eye Run (Warren County), and East Hickory Creek (Warren County). The changes to the Designated Uses are the result of data collected through the Department's Surface Water Quality Network (WQN), which is a long-term, fixed station network of monitoring stations on rivers and streams throughout the state. WQN reference sites are selected from various areas across the state and monitored in five year rotations for chemical and biological quality to describe best-attainable conditions. After reviewing the results of this monitoring, several of the reference stations were found to display Existing Use stream conditions indicative of Exceptional Value (EV) waters. Based on this data and appropriate regulatory criteria, the Department is proposing revisions regarding the Designated Uses and Water Quality Criteria for the above listed waterbodies. <b>CONTACT:</b> Rod McAllister, (717) 783-2952, <a href="mailto:romcallist@state.pa.us">romcallist@state.pa.us</a></p>	<p>The proposal was published in the June 20, 2009, issue of the PA Bulletin, commencing a 45-day public comment period that will conclude on August 4, 2009.</p> <p><b>Background:</b> The proposed rulemaking was approved by the EQB on April 21, 2009.</p>
<p>Wastewater Treatment Requirements Clean Streams Law 25 Pa Code, Chapter 95</p>	<p>Amendments to Chapter 95 to add treatment requirements for Total Dissolved Solids (TDS), chlorides and sulfates. <b>CONTACT:</b> John Wetherell, 717-783-2938; <a href="mailto:jwetherell@state.pa.us">jwetherell@state.pa.us</a></p>	<p>WRAC will consider the draft proposed rulemaking on July 15, 2009.</p> <p><b>Background:</b> The draft proposed rulemaking was considered by WRAC at its June 19, 2009, meeting.</p>

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Water Quality Standards Implementation Clean Streams Law 25 Pa Code, Chapter 96	Redress known sources of impairment. Plan for TMDL and Watershed – Based Permitting. Provide for regulatory coverage of existing policies and practices. <b>CONTACT:</b> Tom Starosta, 717-787-4317, <a href="mailto:tstarosta@state.pa.us">tstarosta@state.pa.us</a>	WRAC will consider the draft proposed rulemaking on July 15, 2009. <b>Background:</b> The draft proposed rulemaking was considered by WRAC at its June 19, 2009, meeting.
Water Quality General Provision Amendments Clean Streams Law 25 Pa. Code, Chapter 91	Revisions to Chapter 91 (General Provisions) to require a management plan as part of the permit application, and clarify issuance of innovative technology permits for wastewater treatment facilities. The proposal will also include revisions to account for changes to CAFO regulations and will add a new subchapter on nutrient trading. <b>CONTACT:</b> Kevin McLeary 717-787-8184; <a href="mailto:kmcleary@state.pa.us">kmcleary@state.pa.us</a>	The draft proposed rulemaking was discussed with WRAC on April 8, 2009. <b>Background:</b> 3-14-07 & 1/10/07 WRAC discussion WRAC concept discussion 3/8/06.
National Pollution Discharge Elimination System Permitting, Monitoring and Compliance Clean Water Act and Clean Streams Law 25 Pa. Code, Chapter 92a	Comprehensive reorganization and revision to replace Chapter 92 with Chapter 92a, organized similarly to 40 CFR 122. Major revisions include provisions for a new fee structure and permit-by-rule for Single Residence STPs. <b>CONTACT:</b> Tom Starosta, 717-787-4317; <a href="mailto:tstarosta@state.pa.us">tstarosta@state.pa.us</a>	The draft proposed rulemaking was considered by WRAC at its July 22, 2008, meeting. <b>Background:</b> Discussion of the regulation occurred at the May 9, 2007, meeting of WRAC. 3-14-07 & 1/10/07 WRAC discussion WRAC concept discussion 3/8/06.
Dam Safety and Waterways Management Dam Safety and Encroachments Act and Clean Streams Law 25 Pa. Code, Chapter 105	This rulemaking package will amend existing regulations at 25 Pa Code, Chapter 105 to address concerns raised by the Pa Auditor General. <b>CONTACT:</b> Dennis Dickey, 717-772-5951; <a href="mailto:dedickey@state.pa.us">dedickey@state.pa.us</a>	The draft proposed rulemaking will be considered by WRAC at its July 15, 2009, meeting <b>Background:</b> The draft proposed rulemaking was discussed at the April 8, 2009, meeting of WRAC.

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<p>Erosion and Sediment Control and Stormwater Management Clean Streams Law 25 Pa. Code, Chapter 102</p>	<p>Several major modifications /revisions include: addition of provisions from Chapter 92 that relate to NPDES permitting requirements for discharges associated with construction activity; incorporate post construction stormwater management; incorporate buffer provisions; and revise permit requirements by adding a Permit-By-Rule option. <b>CONTACT:</b> Barbara Beshore 717-772-5961 <a href="mailto:bbeshore@state.pa.us">bbeshore@state.pa.us</a></p>	<p>The proposed rulemaking was approved by the EQB on June 16, 2009.</p> <p><b>Background:</b> The proposed rulemaking was deliberated by the following advisory committees on the dates specified below:</p> <ul style="list-style-type: none"> <li>• Citizen’s Advisory Council: <ul style="list-style-type: none"> <li>○ March 17, 2009 (permit-by-rule)</li> <li>○ April 21, 2009</li> </ul> </li>   <li>• Agricultural Advisory Board (AAB) : <ul style="list-style-type: none"> <li>○ February 21, 2007 Overview of proposed revisions</li> <li>○ October 10, 2007 Overview of proposed revisions</li> <li>○ December 19, 2007 Discussion of proposed draft language for agricultural activities</li> <li>○ April 15, 2009 Consideration of Proposed Chapter 102 rulemaking</li> </ul> </li>   <li>• Water Resources Advisory Committee (WRAC): <ul style="list-style-type: none"> <li>○ January 10, 2007 Overview of proposed revisions</li> <li>○ January 9, 2008 Overview of proposed revisions</li> <li>○ July 22, 2008 Overview of riparian forest buffers</li> <li>○ February 25, 2009 Overview of proposed permit-by-rule</li> <li>○ April 8, 2009 Consideration of Proposed Chapter 102 rulemaking</li> <li>○ April 23, 2009 Special Meeting – continuation of proposed Chapter 102</li> <li>○ April 29, 2009 Second Special Meeting – continuation of proposed Chapter 102 (No quorum of WRAC)</li> </ul> </li> </ul>

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<p>Operator Certification Regulations Water and Wastewater Systems Operators' Certification Act 25 Pa. Code, Chapter 302</p>	<p>This proposal will implement the provisions of Act 11 of 2002, the Water and Wastewater Systems Operators' Certification Act which restructures the testing and training program for operators and enhances security provisions for all water and wastewater treatment systems in Pa. Proposal also eliminates remaining provisions in Chapters 301, 303 and 305 <b>CONTACT:</b> Veronica Kasi 717-772-4053; <a href="mailto:vbkasi@state.pa.us">vbkasi@state.pa.us</a></p>	<p>The proposed rulemaking will be published in the July 11, 2009, issue of the PA Bulletin, commencing a 30-day public comment period that will conclude on August 10, 2009.</p> <p><b>Background:</b> The proposed rulemaking was approved by the EQB at the Board's April 21, 2009, meeting. The State Board for Certification of Water and Wastewater Systems Operators considered the draft proposed rulemaking on December 15, 2008. The draft proposed rulemaking was reviewed by the Small Water Systems Technical Assistance Center Board on December 1, 2008, and the Certification Program Advisory Committee for Water and Wastewater Systems Operators on December 2, 2008.</p>
<p>Stage 2 Disinfectants and Disinfection Byproducts Rule Safe Drinking Water Act 25 Pa. Code, Chapter 109</p>	<p>This rule will implement the requirements of the federal Stage 2 DDBR that was effective March 6, 2006. The rule will require community water systems and noncommunity water systems, which treat drinking water with a primary disinfectant other than UV to conduct additional compliance monitoring for trihalomethanes and haloacetic acids. <b>CONTACT:</b> Parimal Parikh, 717-787-8184, <a href="mailto:pparikh@state.pa.us">pparikh@state.pa.us</a></p>	<p>The draft final rulemaking was discussed at the May 21, 2009, meeting of the TAC Board.</p> <p><b>Background:</b> The public comment period for the proposed rulemaking closed on January 20, 2009. Two commentators provided comment on the rulemaking – including EPA Region 3 and the City of Philadelphia. On February 19, 2009, IRRC provided comments on the rulemaking to DEP. IRRC's comments are available at <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a> (see "Recent IRRC Comments"). The proposed rulemaking was approved by the EQB at the Board's August 19, 2008, meeting. The draft regulation was discussed with the Small Water Systems Technical Assistance Center Advisory Board at their November 16, 2007, meeting.</p>

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<p>Long Term 2 Enhanced Surface Water Treatment Rule 25 Pa. Code, Chapter 109, Subchapter L</p>	<p>This rule will amend the Department's Safe Drinking Water regulations to further protect public health against Cryptosporidium and other microbial pathogens in drinking water. The proposed amendments will apply to public water systems supplied by a surface water source and public water systems supplied by a ground water source under the direct influence of surface water <b>CONTACT:</b> Barry Greenawald, 717-772-4046, <a href="mailto:rgreenawal@state.pa.us">rgreenawal@state.pa.us</a></p>	<p>The draft final rulemaking was discussed at the May 21, 2009, meeting of the TAC Board.</p> <p><b>Background:</b> The public comment period for the proposed rulemaking closed on January 20, 2009. Two commentators provided comment on the rulemaking – including EPA Region 3 and the City of Philadelphia. On February 19, 2009, IRRC provided comments on the rulemaking to DEP. IRRC's comments are available at <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a> (see "Recent IRRC Comments"). The proposed rulemaking was approved by the EQB at the Board's August 19, 2008, meeting. The draft regulation was discussed with the Small Water Systems Technical Assistance Center Advisory Board at their November 16, 2007, meeting.</p>
<p>Microbial Pathogens in Groundwater Rule and Variance and Exemptions Minor Revisions 25 Pa. Code, Chapter 109</p>	<p>This rulemaking will incorporate the Environmental Protection Agency's Final Ground Water Rule, which was promulgated on November 8, 2006, to provide for increased protection against microbial pathogens in public water systems that use ground water sources. It will also incorporate some minor variance and exemptions revisions to be consistent with federal regulations. <b>CONTACT:</b> Kevin McLeary , 717-783-1820; <a href="mailto:kmcleary@state.pa.us">kmcleary@state.pa.us</a></p>	<p>The draft final rulemaking was discussed at the May 21, 2009, meeting of the TAC Board.</p> <p><b>Background:</b> The public comment period for the proposed rulemaking concluded on December 29, 2008. Five commentators provided comments included Penn State University, the PA Chamber of Business and Industry, Merck and Co., PPL Services Corp., and EPA Region III. IRRC issued formal comments on the rulemaking on January 28, 2009 (see <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a> "Recent IRRC Comments"). The proposed rulemaking was approved by the EQB at the Board's August 19, 2008, meeting.</p>

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Municipal and Residual Waste Amendments Solid Waste Management Act and Waste Transportation Safety Act 25 Pa. Code, Chapter 271-285 and 287-299	<p>These proposed revisions are comprehensive modification to Municipal and Residual Waste Regulation, including: combination of similar chapters, revised definitions, additional permit-by-rule, revised coal ash beneficial use, standardized provisions. The package will also include regulations to implement the Waste Transportation Safety Program as authorized by Act 90 of 2002.</p> <p><b>CONTACT:</b> Ken Reisinger, 717-783-2388, <a href="mailto:kereisinger@state.pa.us">kereisinger@state.pa.us</a></p>	<p>SWAC discussion of the various chapters included in the comprehensive modifications to the Municipal and Residual Waste Regulations will continue to occur in 2009 as SWAC meets at its quarterly meetings. SWAC reviewed and approved the rulemaking package at its March 19, 2009, meeting.</p> <p><b>Background:</b> SWAC discussion May 11, 2006; September 14, 2006; November 9, 2006; January 11, 2007; March 8, 2007; April 11, 2007; May 10, 2007; and January 16, 2008. Citizens Advisory Council discussion on January 15, 2008.</p>
Beneficial Use of Coal Ash 25 Pa Code, Chapter 290	<p>Proposal establishes Chapter 290 – Beneficial Use of Coal Ash - to formalize policies on coal ash certification and the use of coal ash at mine sites. Adopts recommendations of the National Academy of Science 2006 report “Managing Coal Combustion Residues in Mines.</p> <p><b>CONTACT:</b> Ken Reisinger, 717-783-2388, <a href="mailto:kereisinger@state.pa.us">kereisinger@state.pa.us</a></p>	<p>The EQB will consider the proposed rulemaking at its July 21, 2009, meeting.</p> <p><b>Background:</b> Reviewed by SWAC on 3-19-09 and the MRAB on 4-23-09.</p>
Administration of the Storage Tank and Spill Prevention Program	<p>This rulemaking will revise Chapter 245 to provide for training requirements for three distinct classes of underground storage tank system operators. The proposal will include a description of the classes of operators, required training for each class of operator, deadlines when operator training is required, and acceptable forms of training. The Federal Energy Policy Act of 2005 required EPA to publish operator training guidelines by August 8, 2007. States receiving Federal funding under Subtitle I of RCRA must develop state specific operator training.</p> <p><b>CONTACT:</b> Charlie Swokel, 717-772-5806; <a href="mailto:cswokel@state.pa.us">cswokel@state.pa.us</a></p>	<p>The draft final rulemaking was discussed at the Storage Tank Advisory Committee’s June 9, 2009, meeting.</p> <p><b>Background:</b> The proposed rulemaking was published in the March 14, 2009, issue of the Pennsylvania Bulletin, commencing a 30-day public comment period that ended on April 13, 2009. Five commentators provided comments to the EQB concerning the proposal. On May 13, 2009, IRRC issued formal comments on the rulemaking (see <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a> (see Recent IRRC Comments)). The proposed rulemaking was approved by the EQB at the Board’s December 16, 2008, meeting. Concepts of the rulemaking including preliminary regulatory language were discussed with the Storage Tank Advisory Committee at their June 10, 2008, meeting.</p>

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<p>Control of Nitrogen Oxide (NOx) Emissions from Cement Kilns Air Pollution Control Act, 25 Pa. Code Chapters 121, 129 and 145</p>	<p>The proposal would add nitrogen oxide emission reductions requirements for cement kilns. <b>CONTACT:</b> Jane Mahinske, 717-783-8949; <a href="mailto:jmahinske@state.pa.us">jmahinske@state.pa.us</a></p>	<p>AQTAC considered the draft final rulemaking at its October 30, 2008, meeting.</p> <p><b>Background:</b> The 65-day public comment period for the proposed rulemaking concluded on June 23, 2008. Four commentators provided comments on the proposal, including Lehigh Cement Company, Essroc, CEMEX, and Armstrong Cement and Supply Corp. On July 18, 2008, Senators White and Musto submitted comments on the proposed rulemaking, including their concerns of how the recent vacatur of the CAIR rulemaking will impact the proposal. On July 23, 2008, IRRC provided extensive comments on the rulemaking (see <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a>, "Recent IRRC Comments"). The proposed rulemaking was approved by the EQB at the Board's February 19, 2008, meeting. The draft proposed rulemaking was discussed with the CAC on July 17, 2008 and October 27, 2008, and with AQTAC on July 26, 2008, and October 30, 2008. Concepts of the draft proposed rulemaking were discussed with AQTAC at its May 17, 2007, meeting.</p>



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<p>Control of Nitrogen Oxide (NOx) Emissions from Glass Furnaces Air Pollution Control Act, 25 Pa. Code, Chapter 121 and 129.</p>	<p>The proposal would add nitrogen oxide emission reduction requirements for glass furnaces. <b>CONTACT:</b> Jane Mahinske, 717-783-8949; <a href="mailto:jmahinske@state.pa.us">jmahinske@state.pa.us</a></p>	<p>AQTAC considered the draft final rulemaking at its October 30, 2008, meeting.</p> <p><b>Background:</b> The 65-day public comment period for the proposed rulemaking concluded on June 23, 2008. Six commentators provided comment on the rulemaking including World Kitchen, LLC., Saint-Gobain Containers, PPG Industries, Inc., Pittsburgh Corning Corporation, SCHOTT North America, Inc., and the North American Insulation Manufacturers Association. On July 18, 2008, Senators White and Musto submitted comments on the proposed rulemaking, including their concerns of how the recent vacatur of the CAIR rulemaking will impact the proposal. On July 23, 2008, IRRC provided extensive comments on the rulemaking (see <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a>, "Recent IRRC Comments"). The proposed rulemaking was approved by the EQB at the Board's February 19, 2008, meeting. The draft proposed rulemaking was discussed with the CAC on July 17 and with AQTAC on July 26. Concepts of the draft proposed rulemaking were discussed with AQTAC at its May 17, 2007, meeting.</p>
<p>Control of Emissions from the Application of Adhesives, Sealants and Primers Air Pollution Control Act, 25 Pa Code, Chapters 129 and 130</p>	<p>The proposal would limit emissions of volatile organic compounds (VOCs) from adhesive, sealant and primer products through sale, use and manufacture restrictions. <b>CONTACT:</b> Susan Hoyle 717-772-2329; <a href="mailto:shoyle@state.pa.us">shoyle@state.pa.us</a></p>	<p>The proposal was published in the April 4, 2009, issue of the PA Bulletin, commencing a 60-day public comment period that ended on June 8, 2009. Eight commentators provided comments on the rulemaking. IRRC issued formal comments on the rulemaking on July 8, 2009 (see <a href="http://www.irrc.state.pa.us">www.irrc.state.pa.us</a> (Select: Recent IRRC Comments)).</p> <p><b>Background:</b> The rulemaking was approved by the Office of Attorney General. The draft proposed rulemaking was discussed with the Citizens Advisory Council on March 18, 2008 and with AQTAC on March 27, 2008. The proposal was considered by AQTAC on May 23, 2008.</p>

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<p>Air Quality Plan Approval and Operating Permit Fees Air Pollution Control Act 25 Pa Code, Chapters 127 and 139</p>	<p>The proposed rulemaking will amend existing requirements and fees codified in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees), and add new categories of fees to Chapter 127, Subchapter I, to address modifications of existing plan approvals and requests for determination of whether a plan approval is required. The proposed rulemaking also adds a new section to address fees for risk assessment applications. The proposed rulemaking will amend the existing emission fee paid by the owner or operator of a Title V facility. The proposed rulemaking will also establish a fee schedule in new Subchapter D of Chapter 139 (relating to testing, auditing and monitoring fees), to add new categories of fees to address Department-performed source testing and auditing and monitoring activities for continuous emission monitoring systems (CEMS). <b>CONTACT:</b> Dean Van Orden, 717-783-9264, <a href="mailto:dvanorden@state.pa.us">dvanorden@state.pa.us</a></p>	<p>The proposed rulemaking will be considered by the EQB at the Board's July 21, 2009, meeting.</p> <p><b>Background:</b> The draft proposed rulemaking was discussed with AQTAC on February 12, 2009. The Committee formally recommended that the proposed rulemaking be forwarded to the EQB for adoption as a propose rulemaking.</p> <p>The rulemaking was discussed with AQTAC on December 11, 2008. The CAC considered the rulemaking on February 17, 2009.</p>

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<p>Nonattainment New Source Review Particulate Matter 2.5 (NNSR PM2.5) Air Pollution Control Act 25 Pa. Code, Chapters 121 and 127</p>	<p>The proposed rulemaking would amend the existing nonattainment new source review (NSR) requirements in 25 <i>Pa. Code</i> Chapter 127, Subchapter E (relating to new source review), §§ 127.201-127.218, to incorporate recently promulgated Federal requirements for particulate matter equal to and less than 2.5 micrometers in diameter (PM2.5) and PM2.5 precursors. The proposed amendments would limit the emissions of PM2.5 and PM2.5 precursors for new major sources or major sources being modified in certain counties and portions of counties of this Commonwealth that are designated as nonattainment for the PM2.5 National Ambient Air Quality Standard. The Federal regulation requires a state with PM2.5 nonattainment areas to submit revised nonattainment NSR PM2.5 requirements to the U.S. Environmental Protection Agency (EPA) for State Implementation Plan (SIP) approval within three years of publication of the final rule. Therefore, the Commonwealth needs to amend its NSR regulations and submit a SIP revision to the EPA by May 16, 2011. <b>CONTACT:</b> Dean Van Order, 717-783-9264, <a href="mailto:dvanorden@state.pa.us">dvanorden@state.pa.us</a></p>	<p>The draft proposed rulemaking was discussed with AQTAC on March 12, 2009, and May 28, 2009.</p> <p>The draft proposed rulemaking was discussed with the CAC on February 17, 2009, and June 16, 2009.</p>

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<p>Large Appliance and Metal Furniture Coating Processes Air Pollution Control Act 25 Pa Code, Chapter 129</p>	<p>The proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 to further reduce the emissions of volatile organic compounds (VOCs) from large appliance and metal furniture coating processes to meet the Clean Air Act “reasonably available control measures” requirement for ozone nonattainment areas. The proposal would add 25 Pa. Code § 129.52a (relating to large appliance and metal furniture coating processes) to adopt emission limits and work practice standards for large appliance and metal furniture surface coating operations.</p> <p>The proposed rulemaking would also amend 25 Pa. Code § 129.52, which limits VOC emissions from surface coating processes, to terminate applicability of 25 Pa. Code § 129.52 to large appliance and metal furniture surface coating operations, including the current VOC content limits for large appliance and metal furniture coatings listed in Table 1, as of the date of applicability of the requirements of the proposed 25 Pa. Code § 129.52a.</p> <p><b>CONTACT:</b> Susan Hoyle, 717-772-2329, <a href="mailto:shoyle@state.pa.us">shoyle@state.pa.us</a></p>	<p>Draft proposed rulemaking was discussed with AQTAC on May 28, 2009.</p>

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<p>Paper, Film and Foil Coating Processes (PFF CTG) <i>Air Pollution Control Act</i> 25 Pa. Code, Chapter 129</p>	<p>The proposed rulemaking would amend the existing surface coating regulations to further reduce the emissions of volatile organic compounds (VOCs) from paper, film and foil coating processes to meet the Clean Air Act “reasonably available control measures” requirement for ozone nonattainment areas. The proposal would add 25 Pa. Code § 129.52b (relating to paper, film and foil coating processes) to adopt emission limits and work practice standards for paper, film and foil surface coating operations. The proposed rulemaking would also amend 25 Pa. Code § 129.52, which limits VOC emissions from surface coating processes, to terminate applicability of 25 Pa. Code § 129.52 to paper, film and foil surface coating operations, including the current VOC content limits for paper coatings listed in Table 1, as of the date of applicability of the requirements of the proposed 25 Pa. Code § 129.52b. <b>CONTACT:</b> Susan Hoyle, 717-772-2329, <a href="mailto:shoyle@state.pa.us">shoyle@state.pa.us</a></p>	<p>Draft proposed rulemaking was discussed with AQTAC on May 28, 2009.</p>
<p>Flat Wood Paneling Coating Processes (FWP CTG) <i>Air Pollution Control Act</i> 25 Pa. Code, Chapter 129</p>	<p>The proposed rulemaking would amend 25 Pa. Code § 121.1 (relating to definitions) and Chapter 129 (relating to standards for sources) to add requirements to reduce the emissions of volatile organic compounds (VOCs) from flat wood paneling coating processes to meet the Clean Air Act “reasonably available control measures” requirement for ozone nonattainment areas. The proposal would add 25 Pa. Code § 129.52c (relating to control of VOC emissions from flat wood paneling coating processes) to adopt emission limits and work practice standards for flat wood paneling coating operations. <b>CONTACT:</b> Susan Hoyle, 717-772-2329, <a href="mailto:shoyle@state.pa.us">shoyle@state.pa.us</a></p>	<p>Draft proposed rulemaking was discussed with AQTAC on May 28, 2009.</p>

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<p>Outdoor Wood-fired Boilers (OWB)  <i>Air Pollution Control Act</i>            25 Pa. Code, Chapter 123</p>	<p>The proposed rulemaking would add 25 Pa. Code § 123.14 (relating to outdoor wood-fired boilers) to 25 Pa. Code Chapter 123 (relating to standards for contaminants). The proposed rulemaking would also add new and revise certain existing definitions in 25 Pa. Code § 121.1 (relating to definitions). The proposed rulemaking would set emission standards for outdoor wood-fired boilers (OWBs) sold, distributed or newly installed in the Commonwealth of Pennsylvania. This proposed rulemaking would limit emissions of particulate matter (PM), largely including emissions of fine particulates equal to and less than 2.5 micrometers in diameter (PM<sub>2.5</sub>). The proposed rulemaking would establish setback requirements for newly installed OWBs and establish fuel and stack height requirements, and seasonal prohibitions, for all OWBs operated in this Commonwealth whether existing or newly-installed.</p> <p><b>CONTACT:</b> Susan Hoyle, 717-772-2329, <a href="mailto:shoyle@state.pa.us">shoyle@state.pa.us</a></p>	<p>Draft proposed rulemaking was discussed with AQTAC on May 28, 2009.</p>
<p>Environmental Laboratory Accreditation            25 Pa Code, Chapter 252</p>	<p>This rulemaking will include a number of amendments to clarify several provisions of the existing regulations in Chapter 252, including the fee structure, definitions, accreditation by rule parameters, and NELAP equivalency.</p> <p><b>CONTACT:</b> Martina Q. McGarvey, 717-346-8618; <a href="mailto:mmcarvey@state.pa.us">mmcarvey@state.pa.us</a></p>	<p>The proposal was published in the June 20, 2009, issue of the PA Bulletin, commencing a 30-day public comment period that will conclude on July 20, 2009.</p> <p><b>Background:</b>            The proposed rulemaking was approved by the EQB on April 21, 2009. Proposed amendments to Ch. 252 were discussed with the Laboratory Accreditation Advisory Committee on September 29, 2008. On December 11, 2008, the Committee reviewed the draft proposed regulations and approved them for future EQB consideration.</p> <p>Draft regulatory language amending Chapter 252 was discussed with the Laboratory Accreditation Advisory Committee on June 12, 2008.</p>

Title of Regulation / Statutory Authority	Summary of Regulation & Contact	Status
<p>Oil and Gas Well Permit Fees Oil and Gas Act 25 Pa Code, Chapter 78</p>	<p>Amendments to Chapter 78 (Oil and Gas Wells) to increase the fees imposed for oil and gas well permits. The fee increases are based on the depth and length of the well bore. <b>CONTACT:</b> Ron Gilius, 717-772-2199, <a href="mailto:rgilius@state.pa.us">rgilius@state.pa.us</a></p>	<p>The final rulemaking will be considered by the Board at its July 21, 2009, meeting.</p> <p><b>Background:</b> The draft final rulemaking was discussed at the May 28, 2009, meeting of the Oil and Gas Technical Advisory Board. The proposed rulemaking was published in the February 14, 2009, edition of the Pennsylvania Bulletin, commencing a 30-day public comment period that ended on March 16, 2009. Comments were received from the Stephenson Group Natural Gas Company, Smicksburg, PA.; Lisa Graves-Marcucci, Jefferson Hills, PA; and the Pennsylvania Oil and Gas Association and the Independent Oil and Gas Association of Pennsylvania. On April 15, 2009, IRRRC issued formal comments on the rulemaking. The rulemaking was approved by the EQB on December 16, 2008. The rulemaking was discussed with the Oil and Gas Technical Advisory Board on October 30, 2008.</p>

Title of Regulation / Statutory Authority	Summary of Regulation & Contact	Status
<p>Land Recycling Program Amendments  Land Recycling and Environmental Remediation Standards Act  25 Pa. Code, Chapter 250</p>	<p>Revisions to Chapter 250 that govern the remediation of sites contaminated by the release of regulated substances. This proposal includes numeric Statewide health standards that have been revised because of updates to toxicological information and physical and chemical parameters. Other modifications include increased public notice requirements, additional requirements for postremediation care at properties where institutional and engineering controls are used, additional deed notice provisions, assuring portability of water supplies by applying federal Maximum Contaminant Levels to drinking water at points of use, and providing for notice when contamination is discovered during remedial activities.</p> <p><b>CONTACT:</b> Dave Crownover, 717-783-7502; <a href="mailto:dcrownover@state.pa.us">dcrownover@state.pa.us</a></p>	<p>CSSAB discussion to be scheduled.</p>