



April 16, 2015

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The Honorable Gene Yaw  
Senate of Pennsylvania  
Senate Post Office Box 203023  
Harrisburg, PA 17120-3023

Dear Senator Yaw:

Thank you for your letter regarding the revisions to the draft final rulemaking for Environmental Protection Performance Standards at Oil and Gas Well Sites. We agree that this is a very important regulatory package as evidenced by the significant public interest through the public participation process. The Department of Environmental Protection (DEP) is continuing this enhanced process through the supplementary public comment period on the draft final rulemaking. As mentioned in your letter, a 30-day public comment period opened on April 4, 2015. Since that time, DEP has considered your request and extended the comment period to 45 days and has added three public hearings.

As you are aware, the Environmental Quality Board (EQB) must deliver a final rulemaking to the Independent Regulatory Review Commission (IRRC) by March 14, 2016, or the rulemaking will be deemed withdrawn. While this may seem like a long time in the future, there are a number of other steps DEP must consider in the regulatory timeline. Once the additional comment period closes, DEP will consider the comments received and decide if changes to the draft final rule need to be made. Then DEP will continue to work with the Oil and Gas Technical Advisory Board (TAB) and the Conventional Oil and Gas Advisory Committee (COGAC) for further stakeholder feedback before the rule is considered for adoption as a final rulemaking by the EQB.

DEP anticipates that this rulemaking will be discussed with the Oil and Gas Technical Advisory Board (TAB) on Thursday, April 23, 2015; Tuesday, August 25, 2015; and Tuesday, October 27, 2015. COGAC is scheduled to discuss the draft final rule on Thursday, August 27, 2015 and again on October 29, 2015. All meetings are planned to take place in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Despite what was characterized at the TAB meeting, the comment response document for this rulemaking is not complete. Although all comments received on the proposed version have been considered, the document is subject to change until all regulatory language revisions are completed. Once final, DEP will share the comment response document with all interested persons.

I look forward to continuing to working with you and your office on this very significant matter. If you have any questions, please contact Sarah Clark, Director of Legislative Affairs, by e-mail at [saraclark@pa.gov](mailto:saraclark@pa.gov) or by telephone at 717.783.8303.

Respectfully,

John Quigley  
Acting Secretary

Secretary

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cc: IRRC