

DRAFT December 2013 Status Report

January 1, 2012 – December 31, 2013 Pennsylvania Programmatic Two-Year Milestones

	Target Date	Milestone (WIP page reference)*	Deliverable	Lead Agency	Comments/Status Updates	EPA 2013 Comments on progress
(Sector/Category) Agriculture						
1	March 2013	Complete revisions to PAG-12 CAFO General Permit	Revised Permit	DEP	<p>December 2012 Status: Revisions to PAG-12 have been reviewed by EPA Region 3, per DEP/EPA MOU. Additional winter spreading of manure considerations have been included in the PAG-12. Formal public comment period ended November 26, 2012. Seven commentators submitted comments. Formal comment/response document is in development. March 31, 2013 deadline will be met.</p> <p>December 2013 Status: Revised PAG-12 CAFO General Permit published in the PA Bulletin on March 23, 2013. Effective April 1, 2013. Final PAG-12 reviewed by EPA without objections. PAG-12 is being used as the template for all new Individual Permits. Winter spreading notification form that was included in the PAG-12 is now available for all CAFOs to use. “Winter Reminder Letter” was sent to all CAFOs on November 15, 2013 and references this winter spreading notification form.</p>	

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2	Oct 2013	Complete DEP / EPA CAFO program review to ensure consistency with EPA regulatory requirements. (WIP Page 97)		DEP	<p>December 2012 Status: Revisions to PAG-12 have been reviewed by EPA Region 3, per DEP/EPA MOU. Additional program review has occurred as part of this review. EPA has been briefed on PA’s NRCS 590 standards. Discussions continue with EPA regarding clarification of consistency of PA’s CAFO program.</p> <p>December 2013 Status: EPA–CBF Settlement agreement significantly modified all activities under this milestone. EPA issued a 100 page survey for DEP to answer. DEP is working to complete this by EPA’s deadline of December 31, 2013. EPA has interviewed four Pennsylvania County Conservation District offices regarding their animal agriculture activities associated with EPA CAFO program and other state regulatory programs not under EPA’s jurisdiction. EPA has conducted interviews in two DEP regional offices regarding DEP animal agriculture activities associated with EPA CAFO program and other state regulatory programs not under EPA’s jurisdiction.</p>	2012 EPA Comment: Continue to work with EPA to ensure consistency.

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3	July 2012	Develop “Model Ag Compliance Policy” for use by conservation districts. (WIP Page 99)	Written Document	DEP	<p>December 2012 Status: Model Policy was approved by State Conservation Commission on September 11, 2012 for use by county conservation districts. Conservation districts have been notified that they must have a consistent Complaint Response Policy to receive 2013-14 Chesapeake Bay Implementation Grant funds for Chesapeake Bay Technician funds. As of December 2012, 6 conservation districts have submitted their approved policies for DEP review.</p> <p>December 2013 Status: Forty-two county conservation districts have submitted their county ag complaint response policy and procedures to DEP for review. Thirty-five have been found to be consistent with the model policy approved by the SCC in September 2012. Seven are currently being reviewed. From July 1, 2012 thru June 30, 2013, county conservation districts in the Chesapeake Bay watershed reported investigating 112 ag complaints. These complaints resulted in 30 compliance</p>	<p>2012 EPA Comment: How many complaints have been made with the new complaint response policy and how many complaints have been resolved using this approach? What additional aspects will be added to the Model Ag Compliance Policy?</p> <p>2012 DEP Response: Conservation districts are not required to have a consistent complaint response policy in place until July of 2013. As on February, eighteen (18) Chesapeake Bay counties have submitted complaint response policies to DEP for review. Three have been found to be consistent with the model policy approved by the State Conservation Commission in September. The remaining have not been reviewed due to staff vacancies. The standard report forms include tracking the number of complaint received and number of complaints referred to DEP. There is no expectation of reporting the potential resolutions. There is no expectation to “add” anything to this Model Complaint Response Policy, particularly not within 6 months of completing a two year process to develop the model policy.</p>

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					actions being taken by the conservation districts and six referrals by these conservation districts to DEP for compliance actions.	
4	Dec 2013	Manure Management Manual Outreach (WIP Page 97)	20 Training Sessions for staff and Regulated Community	DEP	<p>January 2012 Comment: Six regional trainings were held throughout Pennsylvania on the DEP Manure Management Manual. About 280 staff attended the training sessions. Dr. Doug Beegle and Jerry Martin from Penn State Extension prepared the bulk of the presentation in a “train-the-trainer” format that allowed participants to both learn the manual AND prepare to deliver this information to farm operators and others in their local jurisdictions. Forty seven conservation districts held 152 manure management manual training programs. This training included 2,966 farmers, 30 consultants and 246 “others” and followed the format developed by Penn State. Through this effort, 717 plans were completed at these training sessions.</p> <p>December 2012 Status: Utilizing CBRAP and PA Clean Water Funds,</p>	<p>2012 EPA Comment: Is there technical assistance provided to implement the plans?</p> <p>2012 DEP Response: Not as part of these specific trainings. Since 1986, the CBIG grant has provided funds to install ag BMPs. A nutrient management plan or manure management plan was required to receive these funds. Similar requirements for required plans are in place for most other government BMP funds.</p>

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					<p>conservation districts were eligible for a mini-grant of up to \$1,000 to utilize the training provided to conduct their own training/workshops for farmers, consultants, and others to improve awareness of the revised Manure Management Manual and to assist farmers in completing manure management plans. (Note: These funds were both “Bay” and PA Clean Water Fund and the extent of the effort was statewide.)</p> <p>December 2013 Status: Two regional trainings were held: Clearfield on November 12 and Lancaster on November 14, 2013. About 50 staff attended the training sessions. Dr. Doug Beegle and Jerry Martin from Penn State Extension presented in a “train-the-trainer” format that allowed participants to both learn the manual AND prepare to deliver this information to farm operators and others in their local jurisdictions.</p> <p>Through CBRAP and PA Clean Water Funds, DEP is making available up to \$1,500 to all 66 conservation districts to</p>	

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					<p>hold local Manure Management Manual workshops. These sessions would be for producers/landowners to improve awareness of the revised Manure Management Manual, assist farmers in understanding manure management requirements and lead to development of a complete manure management plans.</p> <p>Outreach efforts thru the Ag Ombudsmen for manure management manual and ag E&S continued, using brochures, calendars and “barn sheets,” as well as, videos that were then uploaded to YouTube. http://www.youtube.com/watch?v=245cttS4QX0&feature=relmfu</p>	
5	July 2012	Revise delegation agreement with county conservation districts to implement manure management requirements. (WIP Page 98)	Written Delegation Agreement	DEP / SCC	<p>December 2012 Status: State Conservation Commission approved the revised delegation agreement in July 2012. The revised delegation agreement included both “old” Chapter 83 activities and “new” Chapter 91 manure management activities. Additional funds via CBRAP have been allocated to expand the activities of Chesapeake Bay counties. 55 conservation districts have</p>	<p>2012 EPA Comment: Can PA send a copy of the agreement to EPA? What does the delegation agreement include?</p> <p>2012 DEP Response: Yes. As part of the CBRAP reporting, a delegation agreement and Required Output Measures will be provided. Delegation agreement provides legal authority for conservation districts to address water pollution under Chapter 91.36. Requires conservation districts to provide</p>

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					<p>accepted this new delegation agreement. (Note: This is the same number of districts that previously held delegations. No districts “dropped out” due to these new requirements for Chapter 91.)</p> <p>December 2013 Status: 55 conservation districts currently have a <i>Nutrient Management and Manure Management Program Delegation Agreement</i>. Pennsylvania allocated \$2.646 million for conservation district staff to address nutrients/manure.</p>  <p>NM Single Agrmnt July to June ...</p>	<p>assistance to the farm community on manure issues. Allows conservation district staff to write manure management plans. Requires conservation districts to investigate manure-related complaints and provides legal support/indemnification to conservation district staff when addressing manure issues on a farm.</p>
6	July 2012	<p>Visit farms to ensure farm operators are aware of their regulatory requirements under Pennsylvania’s Erosion Control regulations and the Manure Management Manual. (WIP Page 100)</p> <p>NOTE: These are not inspections and are not indicated as such in the WIP.</p>	4000 on-farm visits	DEP / CD	<p>December 2012 Status: By July 2012, 5180 site visits were conducted by the conservation districts in the Bay watershed. Nearly all conservation districts completed the assigned 100, with several districts exceeding this target. Each CD that did not complete the required visits was contacted and additional justification was required prior to award of 2012-13 funding. Additional requirements were established for some</p>	

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					<p>districts in 2012-13. An additional 700+ site visits were reported by conservation districts since the July 1 reporting period ended.</p> <p>December 2013 Status: 10,842 farm visits have been performed since effort began in July 2011. Bradford and Northumberland counties made concerted efforts to reach all farms in their county, accomplishing this task by visiting 1,496 and 939 farms respectively. In addition to the stated purpose of informing all farms about their regulatory requirements, this effort has raised awareness of non-regulatory BMP programs and conservation districts have reported increased participation in district events. (e.g. annual Ag meetings, pasture walks, etc.)</p>	
7	Dec. 2013	Conservation District Nutrient Management Techs inform about 3,800 farm operations about regulatory requirements and address the manure management planning requirements	100 per staff position per year (38 staff positions).		<p>January 2012 Comment: WIP Commitment: Over next five years, Conservation District Nutrient Management Techs inform 19,000 farm operations about regulatory requirements and address the manure management planning requirements (WIP Page 101)</p>	2012 EPA Comment: OK. The agreement for nutrient mgmt techs is new so there is no progress to date. EPA may ask for updates on the quarterly calls.

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			Reported in CBRAP Grant.		<p>As noted in the Phase 1 WIP, this activity will only occur if additional funds are provided through CBRAP. These CBRAP funds were awarded in December 2011. As noted in the Phase 1 WIP, this activity will be initiated in July 2012, through delegation agreements with conservation districts.</p> <p>December 2012 Status: State Conservation Commission approved the revised delegation agreement in July 2012. The revised delegation agreement included both “old” Chapter 83 activities and “new” Chapter 91 manure management activities. Additional funds via CBRAP have been allocated to expand the activities of Chesapeake Bay counties. 55 conservation districts have accepted this new delegation agreement. (Note: This is the same number of districts that previously held delegations. No districts “dropped out” due to these new requirements for Chapter 91.) These new delegation agreement have just begun, no outputs have been reported as of December 2012 on these new</p>	

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					<p>delegation agreements.</p> <p>December 2013 Status: 55 conservation districts currently have a Nutrient Management and Manure Management Program Delegation Agreement. Pennsylvania allocated \$2.646 million for conservation district staff to address nutrients/manure.</p> <p>Between July 2012 and June 2013, delegated counties reported providing technical assistance to 13,356 in the ag community, addressing nutrient management and manure management regulatory requirements.</p>	
8	Dec 2013	DEP CBRAP Compliance Staff perform 450 compliance inspections, 100 compliance actions	<p>Per year: 450 inspections; 100 compliance actions.</p> <p>Reported via CBRAP Grant.</p>		<p>January 2012 Comment: WIP Commitment: Over next five years, DEP CBRAP Compliance Staff perform 2,250 compliance inspections, 500 compliance actions (WIP Page 101)</p> <p>There were 57 ag inspections and 31 compliance actions under CBRAP for the reporting period of January 1, 2011 through June 30, 2011. Total from January 2011 through December 2011 is 208 ag inspections, 4 stormwater</p>	<p>2012 EPA Comment: What kind of non-compliance has the compliance staff found? What types of compliance actions have been taken? What environmental issues are being focused on and what BMPs are they requiring the farmer to implement through the enforcement action?</p> <p>2012 DEP Response: This will be reported via the CBRAP required reporting.</p>

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					<p>inspections and 104 compliance actions.</p> <p>December 2012 Status: Between January 1 and June 30, 2012, DEP regional offices have reported an additional 174 inspections and 99 compliance actions, assessing over \$22,000 in fines/penalties.</p> <p>December 2013 Status: As of June 30, 2013, DEP CBRAP staff completed 798 inspections of ag operations and 354 ag compliance actions. These resulted in over \$123,000 in fines assessed.</p> <p>In addition, CBRAP staff in SCRO participated in the Soft Run Watershed Targeted Watershed Compliance Initiative which inspected all 19 farms in a small sub-watershed of the Kishacoquillas watershed in Mifflin County. A copy of the Soft Run report is attached.</p> <p> Soft Run Report _ CBRAP _ 2013 11 27.</p>	

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9	Dec. 2013	DEP CB Field Representatives perform 600 compliance inspections	100 inspections per staff position per year	DEP	<p>January 2012 Comment: WIP Commitment: Over next five years, DEP CB Field Representatives perform 100 compliance inspections per year, beginning in 2012. (WIP Page 102)</p> <p>DEP currently employs four CDFRs in three regions. Staff will begin inspection July 2012.</p> <p>December 2012 Status: No Reports to date as inspections began in July and reporting will not begin until January 2013.</p> <p>December 2013 Status: Inspections by DEP Chesapeake Bay Field Representative begun in 2013.</p>	<p>2012 EPA Comment: Not sure why #600 is crossed out. May be in error. No reports for this MS at this time. EPA may ask for updates on the next quarterly call.</p> <p>Can PA explain the difference between the CB Field Representatives and the CBRAP Compliance Staff?</p> <p>2012 DEP Response: 600 was crossed out because it is incorrect. The WIP included 100 inspections per CDFR. There are not 6 CDFRs. At this point, DEP employs 3 CDFRs.</p> <p>Yes, we can explain the difference. Chesapeake Bay FRs are long-time DEP employees that previously were assigned to develop and implement stream bank fencing projects. They also provide assistance to the ag community/local government to implement BMP projects. They provide technical assistance and education to ag community and conservation districts. They also are the field staff that verified all BMPs installed with CBIG funds and the DEP staff that conduct period inspections on ag BMPs installed with CBIG funds. Their role has</p>

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						been misdirected and they are now beginning to engage in regulatory activities like inspections. They are paid for with state funds. CBRAP staff positions are the four new staff hired specifically to inspect ag operations. These are paid for with the CBRAP grant.
10	Jan 2012 to Dec 2013	Work with Chesapeake Bay Commission, PennVEST and others to advance implementation of manure technologies and to quantify their nutrient reduction benefits.	Opportunities to advance manure technologies	DEP	<p>January 2012 Comment: On-going.</p> <p>December 2012 Status: Since April 2011, PENNVEST has awarded about \$17 million in grants and loans for agricultural non-points source pollution reduction projects in the Chesapeake Bay watershed.</p> <p>December 2013 Status: PennVest law was amended in June 2013 to simplify application/awards to individual farmers. PA legislature considered the merits of SB 944, which addresses one mechanism for funding manure technologies.</p> <p>PennVest funded five nonpoint source projects (\$3.87 million) in 2013. This is considerably less than the \$60 million awarded for nonpoint source projects</p>	<p>2012 EPA Comment: \$17 million in Ag NPS projects in Bay watershed. Were any of these projects funding manure technology? If so, how much?</p> <p>2012 DEP Response: No. This \$17 million was for ag BMPs associated with smaller, more traditional manure storages, barnyard facilities, etc. The large manure technology projects are not considered non-point source pollution projects by PENNVEST because these are NPDES permitted CAFOs.</p> <p><u>EXAMPLES OF THESE SMALLER TRADITIONAL MANURE BMPs:</u> On January 25, 2012, Lancaster County Conservation District was awarded a \$620,885 grant to construct a boiler that will burn chicken manure on a poultry farm whose land is saturated with nutrients that are contaminating the local stream and the</p>

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					<p>between November 2010 and October 2012.</p>	<p>Chesapeake Bay. On April 25, 2012, Berks County Conservation District received a \$1,985,032 grant to install manure management and related facilities to reduce nutrient run-off into local streams from four dairy farms, two of which are in the Chesapeake Bay watershed; Centre County Conservation District received grants totaling \$2,193,581 for construction of manure handling facilities; and Lancaster County Conservation District received grants totaling \$1,918,475 for construction of manure handling facilities.</p> <p><u>EXAMPLES OF “MANURE TECHNOLOGY” PROJECTS:</u></p> <p>EnergyWorks BioPower, LLC received an \$11 million loan to construct a manure collection and treatment facility to manage the entire amount of manure produced by a five million egg layer facility. This will eliminate the annual hauling of more than 70,000 tons of manure and reduce nutrient discharges into the Chesapeake Bay watershed.</p> <p>Bion Environmental Technologies, Inc received \$7.8 million loan to construct Bion's Kreider Farms dairy project in Lancaster</p>

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						County. This is for the construction of a livestock waste treatment facility at Kreider Farms that will reduce both nitrogen and phosphorous emissions to the Chesapeake Bay watershed. The project is expected to generate a significant number of tradable nutrient credits that could be sold to other entities within the Chesapeake Bay watershed to help them comply with their own discharge limits for nitrogen and phosphorous."
(Sector/Category) Stormwater/MS4-PAG 13 (PA General Permit 13)						
12		Approved PAG-13 o includes Chesapeake Bay Pollutant Reduction Plan (CBPRP)	General Permit for MS4s	DEP	January 2012 Comment: Completed 09/17/2011	
13		PA Bulletin Extension Notice		DEP	January 2012 Comment: Completed 9/17/11	
14		PA Bulletin Notice of PAG-13 availability		DEP	January 2012 Comment: Completed 9/17/11	
15		Final renewal of PAG-13 made publicly available on DEP's website		DEP	January 2012 Comment: Completed 9/19/11	
16		Distribute PAG-13 Renewal Packets to permittees		DEP	January 2012 Comment: As requested, and at the roll-out Municipal Workshops. December 2012 Status: Completed	
17	1/2012 thru 3/2012	Conduct Municipal Workshops		DEP	January 2012 Comment: 16 workshops are scheduled, January 5 through March 7, 2012.	2012 EPA Comment: Will there be any additional municipal workshops in 2013?

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					<p>December 2012 Status: 15 workshops were held, January 5 through April 7, 2012.</p> <p>December 2013 Status: Completed. Additional workshops for permit implementation may be conducted during 2014.</p>	<p>2012 DEP Response: No additional MS 4 permit Municipal Workshops are planned at this time for 2013.</p>
18	4/30/13	Develop CBPRP Guidance including development of a template with EPA assistance.		DEP	<p>January 2012 Comment: Under development</p> <p>December 2012 Status: Guidance presented during workshops.</p> <p>December 2013 Status: A combined TMDL/Chesapeake Bay Pollutant Reduction Plan template for permittee use, with instructions and frequently asked questions, was posted to DEP's eLibrary website in August 2013.</p>	<p>2012 EPA Comment: At which workshops was the CBPRP guidance presented? Can PA supply EPA with a copy of the CBPRP guidance that was shared?</p> <p>2012 DEP Response: The guidance was the workshop presentations conducted with EPA participation, Dec. 2011 through April 2012. These presentations were previously viewable to everyone on the Pa DEP website however because of the re-organization and shifting of web pages, the presentations are no longer viewable, a function we intend to restore with a new MS 4 web page. In addition the PAG 13 and Individual MS 4 permit</p>

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						applications are quite descriptive in what processes should be followed. The MS4 permits application Fact Sheets and instructions are available to everyone on the Pa DEP web site, in eLibrary.
19	4/30/13	Provide CBPRP Guidance Training	Training	DEP	<p>January 2012 Comment: Under development</p> <p>December 2012 Status: Guidance presented during staff training in September 2012.</p> <p>December 2013 Status: DEP BPNPSM has provided initial training to its regional offices on the review of CBPRPs. DEP is also providing general guidance to permittees through discussions and presentations at association meetings, events and workshops. Focused workshops may be conducted in 2014.</p>	<p>2012 EPA Comment: DEP staff were trained. Are there plans to train the townships and MS4 communities?</p> <p>2012 DEP Response: See response to 18.</p>
20	4/30/12	Develop MS4 Permit Guidance Document		DEP	<p>January 2012 Comment: Under development</p> <p>December 2012 Status: Standard</p>	2012 EPA Comment: SOP's were sent to EPA. Can PA share a copy of the final guidance document?

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					Operating Procedures developed, sent to EPA November 2012. December 2013 Status: DEP BPNPSM developed SOPs, available through DEP's website, that explained the general approach for reviewing MS4 NOIs and permit applications. No additional guidance is being considered at this time.	2012 DEP Response: See response to 18. No further guidance planned to be developed. Permit applications are available on the Department's eLibrary web site.
21	4/30/12	Develop MS4 TMDL Plan Guidance		DEP	January 2012 Comment: Under development December 2012 Status: Guidance presented at the trainings. December 2013 Status: A combined TMDL/Chesapeake Bay Pollutant Reduction Plan template for permittee use, with instructions and frequently asked questions, was posted to DEP's eLibrary website in August 2013.	2012 EPA Comment: Can PA share a copy of this guidance with EPA? At which trainings was the guidance presented? 2012 DEP Response: See response to 18. No further guidance planned to be developed. Also, basically MS 4 permitted entities that employ the Pa DEP's 25 Pa Code Chapter 102 regulations and utilize the BMP Manual when constructing storm water Best Management Practices for their projects, will incidentally be addressing pollution reduction practices to address TMDL requirements.
22	6/30/12 5/2013	40 CFR 123.35(b) Policy on designation of Small MS4s		DEP	January 2012 Comment: Under development December 2012 Status: Still under development, however, the need for this	2012 EPA Comment: The small MS4 policy designation is a regulatory requirement. Please provide an update for when this will be submitted to EPA and include a revised milestone deadline. EPA provided a draft

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					is being re-considered. December 2013 Status: DEP’s policy has been incorporated into its SOP for MS4 compliance and program activities. The SOP has been provided to EPA Region III staff.	document on this policy to PADEP in July 2012 and again in December 2012. This topic will need further discussion between EPA and DEP based on the 3/8/13 call.
23	9/1/12	MS4 Compliance Monitoring Strategy with assessment of resources.	Strategy	DEP	January 2012 Comment: Update is under development December 2012 Status: Draft for 2013 forwarded to EPA in December 2012. December 2013 Status: The MS4 compliance monitoring strategy is contained within DEP’s overall NPDES CMS, which was provided to EPA Region III staff on October 1, 2013.	2012 EPA Comment: Please provide a revised deadline for this milestone. Is the assessment of resources included in the draft strategy? 2012 DEP Response: The Department does not intend to employ actual pollutant monitoring by MS 4 permitted entities. Compliance with TMDLs will eventually be established through utilization of long term data analysis of the Commonwealth’s Water Quality Network stations. In areas specifically targeted as troublesome watersheds possible targeted water quality assessments could be conducted.
24	8/30/12 8/2013	Update Annual Report		DEP	January 2012 Comment: Under development December 2012 Status: Still developing standards. Some regions are using regional spreadsheets to track submission	2012 EPA Comment: Please provide a revised deadline for this milestone. EPA had worked with Barry on this in July 2012. That work was resent to DEP in December 2012. 2012 DEP Response: Regional offices

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					and review. December 2013 Status: The template used by MS4 permittees for periodic reports was updated and posted to DEP's eLibrary system in August 2013.	have conducted annual reviews in a piecemeal fashion and those that have conducted the reviews have found the annual report forms burdensome to use. We will be re-assessing the tracking and accounting and the review procedures for these reports in late 2013 maybe early 2014.
25	9/14/12	MS4 Notice of Intent (NOI) due date		DEP	January 2012 Comment: 270 NOI's due by September 14, 2012 December 2012 Status: Most NOI's received; reminder letters forwarded to recalcitrant entities. December 2013 Status: Most of the over 700 NOIs were received in September 2012. Those who failed to submit their NOIs were issued NOV's/Orders.	
26	3/15/13	Existing MS4 general permit coverage extension expires		DEP	January 2012 Comment: Existing MS4 general permit coverage extension expires March 15, 2013. December 2013 Status: Extension expired March 15, 2013.	
27	3/16/13	Term of Renewal of PAG-13 begins		DEP	January 2012 Comment: Target date for providing authorization March 16,	

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					2013	
					December 2013 Status: PAG-13 became effective on March 16, 2013.	
(Sector/Category) Stormwater/Chapter 102 Revisions						
28	2012 - 2013	Training and outreach-increased technical assistance for professional stormwater staff, elected officials and the regulated community to assist in identifying opportunities for innovative approaches to new development, or redevelopment retrofit opportunities to address existing stormwater problems		DEP	<p>January 2012 Comment: Ongoing.</p> <p>December 2012 Status: Trainings were held on a number of topics both internally for staff and externally for the regulated community. Externally, at least 139 trainings were held with at least 7191 participants. Internally, at least 10 trainings were held with over 200 participants. Webinars and additional trainings will be held on an ongoing basis.</p> <p>December 2013 Status: Trainings were held on a number of topics both internally for staff and externally for the regulated community. Externally, at least 246 trainings were held with at least 14,159 participants. Internally, at least five trainings were held with over 150 participants. Webinars and additional trainings will be held on an ongoing basis.</p>	<p>2012 EPA Comment: Does this # of trainings include the workshops that were held for PAG-13? Who was trained? On what topics?</p> <p>2012 DEP Response: No. These training efforts do not include specific MS4 targeted efforts.</p> <p>The training and outreach was provided on a wide variety of technical topics including NPDES permitting for construction activities, riparian forest buffers, and post construction stormwater management.</p>

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29	12/7/12	Revise PAG-2 NPDES Construction Permit	Final Permit	DEP/EPA	<p>January 2012 Comment: Ongoing</p> <p>December 2012 Status: Reissued 12/8/2012.</p> <p>December 2013 Status: Completed 12/8/2012</p>	
30	12/30/13	PAG-2 Training and outreach	2 Training Sessions	DEP/EPA	<p>December 2012 Status: Approximately 2 internal and 2 external trainings will be held starting in January 2013 on the reissued PAG-02.</p> <p>December 2013 Status: Completed; three external trainings April, 2013 through June, 2013 as well as one internal training in October, 2013.</p>	
31	12/30/13	Develop a tracking system for stormwater BMPs	Database information	DEP/EPA	<p>December 2012 Status: Preliminary discussions and strategy development have been initiated with further developments ongoing.</p> <p>December 2013 Status: Ongoing: DEP has conducted some internal meetings with other related water program staff and IT representatives to discuss existing data system capabilities and strategies for moving forward.</p>	<p>2012 EPA Comment: This topic may be included on a quarterly call update. Some additional detail would be helpful to determine the status of this milestone.</p> <p>2012 DEP Response: DEP has conducted some internal meetings with other related water program staff and IT representatives to discuss existing data system capabilities and strategies for moving forward.</p>

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32	12/30/13	Utilize State Performance Standard after adoption by EPA-CBP		DEP/EPA/CB USWG	<p>January 2012 Comment: Ongoing</p> <p>December 2012 Status: PA DEP participated in the USWG on the development of the recommendations to define removal rates for stormwater performance standards. The recommendations were accepted by the USWG on April 30, 2012, revised and resubmitted to the Watershed Technical Workgroup May through August and finally approved by the Water Quality Goal Implementation Team on August 13, 2012.</p> <p>December 2013 Status: Development completed as of 2006, participation is ongoing.</p>	<p>2012 EPA Comment: Is PA using a performance standard now?</p> <p>2012 DEP Response: Yes we have been using it since December 2006.</p>
33	12/30/13	Provide training on the revisions to the Erosion and Sediment Control Manual (E&S Manual)	3 training sessions	DEP	<p>December 2012 Status: Two internal trainings were held in April-June 2012 for Department and conservation district staff. Two additional trainings for the regulated community have been conducted in the latter half of 2012.</p> <p>December 2013 Status: Three trainings were conducted in 2013; March 19 & 20 Williamsport, PA, (148 Attendees) May 29 & 30 at Villanova University, Villanova, PA (109 attendees) and</p>	<p>2012 EPA Comment: Were the additional trainings for the latter half of 2012 conducted? Will more training be held? Can PA provide the dates/locations and # of attendees for these trainings to EPA?</p> <p>2012 DEP Response: The two additional trainings have been rescheduled for 2013; March 19&20 Holiday Inn in Williamsport and May 29&30 at</p>

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					Scranton, PA, May 15 & 16 (50 attendees).	Villanova University.
(Sector/Category) Point Sources: Number of Bay Facilities Who Must Comply with Nutrient Cap Loads Beginning During the Period July 1, 2012 to June 30, 2014 <ul style="list-style-type: none"> Significant Sewage and Industrial Facilities 						
34	10/1/2012	50 Sig. Sewage facilities are anticipated to begin compliance with their cap loads starting 10/1/2012.		DEP	December 2012 Status: 52 Sig Sewage facilities have begun their compliance with the cap load on 10/1/2012. December 2013 Status: 36 sig. sewage facilities have begun their compliance with the cap loads on 10/1/2013.	
35	10/1/2012	1 Sig. Industrial facilities is anticipated to begin compliance with their cap loads starting 10/1/2012.		DEP	December 2012 Status: Three Sig Industrial facilities have begun their compliance with the cap load on 10/1/2012. December 2013 Status: Five (5) sig industrial facilities have begun their compliance with the cap loads on 10/1/2013.	
36	10/1/2013	29 Sig. Sewage facilities will begin compliance with their cap loads starting 10/1/2013.		DEP	December 2012 Status: 33 Sig. Sewage facilities will begin compliance with their cap loads starting 10/1/2013. December 2013 Status: 36 significant sewage facilities have begun their	

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					compliance with the cap loads on 10/1/2013.	
37	10/1/2012 through 10/1/2013	51 Sewage and Industrial facilities are anticipated to begin compliance with cap loads starting 10/1/2012, and 29 Sewage and Industrial facilities are anticipated to begin compliance with cap loads starting 10/1/2013 (80 overall).		DEP	<p>December 2012 Status: 55 Sig Sewage and Industrial facilities have begun their compliance with the cap load on 10/1/2012 and 36 Sig Sewage and Industrial facilities are anticipated to begin their compliance with the cap load starting 10/1/2013. (91 overall)</p> <p>December 2013 Status: 41 significant sewage and industrial facilities have begun their compliance with the cap loads on 10/1/2013.</p>	
38	1/1/2013 & 10/1/2016	Sewage Facilities: There is one Phase 2 sewage facility and fifteen Phase 3 sewage facilities that do not yet have cap loads in their permits. DEP will amend or reissue permits for all of these facilities on or before January 1, 2013, and cap loads will become effective no later than October 1, 2016.		DEP	<p>December 2012 Status: There are only seven Phase 3 permits that do not yet have cap loads in their permit. DEP will amend or reissue permits for all of these facilities on or before July 1, 2013, and cap loads will become effective no later than October 1, 2016</p> <p>December 2013 Status: A draft permit with nutrient cap loads has been issued on August 16, 2013 to the only remaining significant sewage facility in phase 3.</p>	

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39	1/1/2013 & 10/1/2016	Industrial Facilities: At this time, 12 of the 22 facilities have cap loads established in draft or final NPDES permits. An additional 10 facilities will have permits issued with cap loads on or before January 1, 2013, and cap loads will become effective no later than October 1, 2016.		DEP	<p>December 2012 Status: At this time, 16 of the 23 facilities have cap loads established in draft or final NPDES permits. An additional seven facilities will have permits issued with cap loads on or before July 1, 2013, and cap loads will become effective no later than October 1, 2016.</p> <p>December 2013 Status: At this time, 16 of the 23 facilities have cap loads established in final NPDES permits.</p>	
Trading & Offsets						
40	1/1/2012 - 10/1/2013	Activities related to certification decisions regarding proposals received; verification of credits and registration of trades occur throughout the year (WIP Page 49)		DEP	<p>December 2012 Status: For the 2012 Compliance Year:</p> <ul style="list-style-type: none"> • 17 POTWs entered into trade agreements for the buying or selling of nitrogen, 13 POTWs for phosphorus. • A total of 4,338,919 lbs of nitrogen and 327,810 lbs of phosphorus was certified; of which 1,309,268 lbs of nitrogen and 97,087 lbs of phosphorus was verified. • A total of 50 separate trades occurred for a total of 623,703 lbs of nitrogen and 33,203 lbs of phosphorus. 	<p>2012 EPA Comment: Not many of the credits are being used in comparison to the amount certified. Is this related to the revision of the trading baseline?</p> <p>2012 DEP Response: No, there is no relation. We just have a lot more credits certified than actually get verified or registered as sold. This is more of a supply and demand issue. Our supply is high compared to our demand.</p>

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					<p>December 2013 Status:</p> <ul style="list-style-type: none"> • 45 POTWs entered into trade agreements for the buying or selling of nitrogen, 15 POTWs for phosphorus. • A cumulative total of 5,215,021 lbs of nitrogen and 414,717 lbs of phosphorus are now certified; of which 2,028,836 lbs of nitrogen and 132,107 lbs of phosphorus was verified for compliance year 2013. • A total of 802,963 lbs of nitrogen and 84,735 lbs of phosphorus were registered and applied to NPDES permits for compliance purposes. 	
41	1/1/2012 - 10/1/2013	Working closely with PennVEST on recurring credit auctions (WIP Page 50)		DEP	<p>December 2012 Status: Three forward and one spot auction were held in 2012.</p> <p>December 2013 Status: Three forward and one spot auction were held in 2013.</p>	
42	1/1/2012 - 10/1/2013	Implement plan of action to review results of EPA’s final Trading Program Review and comments received during the Draft Phase 2 WIP public comment period. Develop a path forward to ensure continued successful implementation of the program.		DEP	<p>January 2012 Comment: Plan of action is described in more detail in page 58 of the Phase 2 WIP.</p> <p>December 2012 Status: Four meetings with the stakeholder workgroup were held in May-June, 2012. A follow-up fifth meeting was held in November 2012</p>	

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					<p>to provide the group with an overview of DEP’s proposed strategy for program enhancements based on the input provided to date and further discussions with EPA. A draft interim strategy for adjustments to PA’s threshold has been developed. Other refinements to the program are also being evaluated. A series of position papers are under development with the goal of using these papers to facilitate the development of regulatory revisions and solicit additional stakeholder input. Goal is to have revised program regulations in place by May 2015.</p> <p>December 2013 Status: A series of meetings were held with stakeholders over the summer of 2013 to further refine proposed program enhancements. Work to refine the definition of baseline for nonpoint sources with the existing modeling tools and data is continuing. Because of planned changes to the watershed model and the delays in the release of the EPA Technical Memoranda, the strategy for the development and finalization of regulation revisions may be delayed. A concept paper to define a plan of action to move forward with needed program</p>	
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					refinements is under development, per discussion between EPA and DEP on December 13, 2013.	
43	12/30/13	Development of a Stormwater Management Offsetting Program	Stormwater Offsetting Policy	DEP	<p>January 2012 Comment: Ongoing. DEP workgroup established.</p> <p>December 2012 Status: A series of meetings were held with the workgroup between October 2011 and May, 2012. A follow-up meeting was held with the group in October, 2012. Program staff is currently drafting the guidance document, with the goal of sharing this document with the workgroup sometime in March or April, 2013.</p> <p>December 2013 Status: An additional meeting was held with the workgroup in May 2013 to discuss progress made and to describe refinements made to concepts. Based on input received, the guidance document is being re-drafted. Meetings with the workgroup are now scheduled for the end of January and early February, 2014 to discuss a first draft of the guidance document.</p>	

* As part of the adaptive management process for achieving water quality goals, jurisdictions may submit programmatic

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milestones that modify, are in place of, or are in addition to milestones listed in their Phase I WIPs so long as the jurisdiction can demonstrate that they will be as effective toward meeting water quality goals.