

# ADMINISTRATIVE WATCH

## ADDRESSING ENVIRONMENTAL, ENERGY AND NATURAL RESOURCE ISSUES



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## **Significant Changes Proposed to Air Permitting Exemptions for Oil and Gas Operations in Pennsylvania**

The Pennsylvania Department of Environmental Protection (“DEP”) is proposing to change its list of air permitting exemptions in the Plan Approval and Operating Permit Technical Guidance, including significant changes to the exemptions for oil and gas operations. See 40 Pa. Bull. 2822 (May 29, 2010). Specifically, DEP is proposing to substantially revise, and apparently narrow in several respects, the existing air permitting exemptions available for activities associated with oil and gas operations, such as limits on the use of temporary flares and emission caps on engines used in exploration and production activities. These changes will likely impose additional air permitting and compliance burdens on owners and operators of oil and gas exploration and production operations located in Pennsylvania. Furthermore, non-exempt activities will likely require a more time consuming permitting process.

DEP is accepting public comments on the proposed changes to the Plan Approval and Operating Permit Exemption Technical Guidance through June 28, 2010. A copy of the draft technical guidance is available at: [http://www.dep.state.pa.us/TechnicalGuidance/Draft\\_technical\\_guidance.asp](http://www.dep.state.pa.us/TechnicalGuidance/Draft_technical_guidance.asp)

For more information regarding the DEP’s draft technical guidance or other Pennsylvania air permitting and compliance issues, please contact Michael H. Winek at (412) 394-6538 or [mwinek@bccz.com](mailto:mwinek@bccz.com), or Seth A. Rice at (412) 394-5490 or [srice@bccz.com](mailto:srice@bccz.com).