

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Office of Water Management

March 18, 2009
717-783-4693

SUBJECT: Transfer of Responsibility for Reviews and Permitting Associated with Chapters 102 and 105 to Regional Office Oil and Gas Management Program

TO: DEP Regional Directors, Field Operations
County Conservation Districts

FROM: Dana Aupks
Acting Deputy Secretary
Water Management

Jay Scott Roberts
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Mineral Resources Management

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Deputy Secretary
Field Operations

The Department of Environmental Protection (DEP) continues to refine and integrate the regulatory programs and processes associated with the Marcellus Shale play. To take full advantage of this opportunity as a chance to improve the efficiency of our resources and maximizing the effective delivery of these programs, DEP is transferring some of the associated permitting review and process functions. Specifically, DEP's Regional Office Oil and Gas Program staff will review, process and provide authorizations for Chapter 102 and 105 permits, including the Erosion and Sediment Control General Permit for Earth Disturbance Activities Associated with Oil and Gas Exploration, Production, Processing, Treatment Operations or Transmission Facilities Permit (ESCGP-1) for activities associated with Marcellus Shale gas exploration, production, processing, or treatment operations effective March 18, 2009. Revised forms for erosion and sediment control authorizations will be available for use as of March 18, 2009 and should be used exclusively by applicants after April 1, 2009.

The responsibility for inspection, monitoring, complaint response and enforcement related to these projects is unchanged and will continue to be performed by DEP. Complaints received by conservation districts regarding Marcellus Shale activities should be referred to the appropriate DEP Regional Office Oil and Gas Program. Oil and gas transmission facilities (intrastate and interstate pipelines) that require the ESCGP-1 coverage will not be affected by this consolidation of functions, and will continue to be reviewed by the conservation districts.

Thank you for your continued support and cooperation during this program change.