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Pennsylvania’s new erosion and sediment control regulations will go into effect on November 19, 2010

By Andrew T. Bockis

After more than a year of proposals and revisions, the Environmental Quality Board published the final-form Erosion and Sediment Control Regulations in the Pennsylvania Bulletin on Saturday, August 21, 2010. The regulations will go into effect on Friday, November 19, 2010. These regulations establish standards for virtually all industrial and commercial enterprises that “move dirt,” ranging from builders and real estate developers to those involved with the construction and operation of oil and gas activities, such as pipelines and Marcellus shale gas operators.

A copy of the final-form regulations published in the Pennsylvania Bulletin is available at <http://www.pabulletin.com/secure/data/vol40/40-34/1573.html>. The regulations published in the Pennsylvania Bulletin will be the “official” copy until they are codified in the Pennsylvania Code.

Previous client alerts highlighting the major changes in the final-form regulations are available at http://www.saul.com/common/publications/pdf_2315.pdf and at http://www.saul.com/common/publications/pdf_2498.pdf. A client alert discussing the impact of a fall 2010 effective date is available at http://www.saul.com/common/publications/pdf_2695.pdf. Importantly, permit applications that are submitted before November 19, 2010 will be reviewed under the now-current regulations.

This Alert was written by Andrew T. Bockis, a member of the firm’s Environment and Natural Resources Practice Group. Andrew can be reached at 717.257.7520 or abockis@saul.com. This publication has been prepared by the Environment and Natural Resources Practice Group for information purposes only.

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