

Frequently Asked Questions (FAQs)

Revised Draft Rules Addressing Hydraulic Fracturing Activities within the Delaware River Basin



1. What draft rules has the Delaware River Basin Commission (DRBC) released for public comment regarding hydraulic fracturing activities within the Delaware River Basin?

The Commission is proposing a new part 440 and amendments to part 401 of title 18, chapter III of the Code of Federal Regulations to protect the water resources of the Delaware River Basin (“the Basin”). Specifically the proposals include:

- [Proposed new part 440](#) would: Prohibit high volume hydraulic fracturing in the Delaware River Basin; require Commission approval for the exportation from the Basin of surface water, groundwater, treated wastewater or mine drainage water, at any rate or volume, for utilization in hydraulic fracturing of hydrocarbon bearing rock formations outside the Basin; and require Commission approval for the importation into the Basin and treatment and discharge within the Basin of wastewater from hydraulically fractured oil and gas wells.
- Revisions to [18 CFR 401.35](#) and [401.43](#), concerning the classification of projects for review under Section 3.8 of the Compact and review fees relating to: proposed exportation of Basin water to serve hydraulic fracturing activities outside the Basin; proposed importation into the Basin of wastewater from hydraulic fracturing activities; and proposals to treat and/or discharge wastewater from hydraulically fractured oil and gas wells.

2. Has the Commission made a final decision to adopt rules concerning hydraulic fracturing or “fracking” in the Delaware River Basin?

No. The Commission will not adopt final rules until it has gathered and considered public comment on the revised draft regulations. After the close of the public comment period, the Commission will review the public’s comments and consider any changes to the draft rules that may be appropriate based on the comments.

3. What authority does the Commission have to prohibit high volume hydraulic fracturing within the Delaware River Basin?

The DRBC’s rulemaking authority comes from the [Delaware River Basin Compact](#). The Compact is a statute enacted concurrently by the Federal Government and the basin states of Delaware, New Jersey, New York and Pennsylvania, providing for their joint management of the water resources of

the Basin. The proposed rules rely on several sections of the Compact, which are cited in the rule text.

The proposed rules include the following draft determinations pursuant to Article 5 (Pollution Control) of the Compact:

The Commission has determined that high volume hydraulic fracturing poses significant, immediate and long-term risks to the development, conservation, utilization, management, and preservation of the water resources of the Delaware River Basin and to Special Protection Waters of the Basin, considered by the Commission to have exceptionally high scenic, recreational, ecological, and/or water supply values. Controlling future pollution by prohibiting such activity in the Basin is required to effectuate the Comprehensive Plan, avoid injury to the waters of the Basin as contemplated by the Comprehensive Plan and protect the public health and preserve the waters of the Basin for uses in accordance with the Comprehensive Plan.

4. *What studies and investigations were used to propose prohibitions on high volume hydraulic fracturing in the Delaware River Basin?*

DRBC staff has reviewed numerous studies related to the actual and potential impacts of high volume hydraulic fracturing on water resources. The draft rules were based in part on reports issued by the environmental agencies of two of the Commission's members, the New York State Department of Environmental Conservation¹ and the United States Environmental Protection Agency², and studies and reports cited or relied upon in those reports.

5. *Can I send comments to DRBC about these proposed rules at this time?*

Yes, the public comment period will be open until 5 PM on March 30, 2018. Written comments will be accepted through the Commission's [on-line public comment collection system](#). For more information, please refer to the DRBC's web page on the rulemaking, [here](#).

6. *How can I make comments if I do not have access to the Internet?*

Anyone who wishes to comment but does not have access to the Internet or otherwise is unable to utilize the Commission's on-line public comment collection system is invited to:

- Request an exception by writing to: Commission Secretary, DRBC, P.O. Box 7360, West Trenton, NJ 08628.
- Attend and provide oral comment at [any one of five in-person public hearings](#).

¹ <http://www.dec.ny.gov/energy/75370.html>

² <https://www.epa.gov/hfstudy>

- Register to join a [“virtual” hearing by telephone](#), scheduled for March 6. This hearing can be accessed via a toll-free phone number.

7. *Why did DRBC require registration to attend the public hearings?*

The level of interest in the subject matter of these hearings is high. Advance registration is helping the Commission to better anticipate and accommodate those who wish to attend and to speak. Importantly, it also allows the interested public who may not have pre-registered to know in advance whether a venue has reached capacity and to make more informed plans about which hearing to attend.

8. *Is advance registration to attend the public hearings required?*

No, but it is recommended. Individuals can register on-line up to the day before each hearing. They can also register on-site. However, those who have not registered in advance are encouraged to check the on-line registration website to ensure there is available seating capacity before traveling to the venue.

9. *Is advance registration required to speak at the hearings?*

No, but it is recommended. Based upon scheduled start and stop times, there are finite opportunities for individuals to provide oral comments at each public hearing. Oral comments will be limited to 2 to 3 minutes per person. Registration prior to the hearing dates allows the DRBC staff and the hearing officer to plan for the number of speakers. If speaking slots remain available after advance registration has closed, individuals who have not yet registered for speaking time will have the opportunity to do so when they arrive at the hearing venue. If time remains after all registered speakers have been heard, the hearing officer will also take comment from attendees who have not registered to speak either in advance or upon arriving.

10. *Will the Commission add more public hearings?*

The Commission in January 2018 added two additional hearings to the public process originally announced in November, for a total of six hearings. The Commission also extended the period for written comment by an additional 30 days, to March 30, 2018. Hearing No. 6 will be conducted by telephone, using a toll-free phone number. No additional hearings are planned. The Commissioners welcome and will consider oral and written comments concerning the subject matter of the draft rules, including but not limited to the potential effects of the draft rules on the conservation, utilization, development, management and control of the water and related resources of the Delaware River Basin. If the Commissioners decide that additional public input is desired or needed, they will direct staff accordingly.

11. What is proposed to be prohibited under the proposed rules?

High volume hydraulic fracturing in hydrocarbon bearing rock formations is proposed to be prohibited within the Delaware River Basin.

12. What is high volume hydraulic fracturing (HVHF)?

The proposed rules define HVHF as hydraulic fracturing using a combined total of 300,000 or more gallons of water during all stages in a well completion, whether the well is vertical or directional, including horizontal, and whether the water is fresh or recycled and regardless of the chemicals or other additives mixed with the water.

13. Is there a moratorium on hydraulic fracturing and will it continue?

The Commissioners at their May 5, 2010 meeting unanimously approved a [Resolution for the Minutes \(see Minutes at page 5\)](#) concerning the development of new regulations and consideration of pending applications for projects associated with natural gas development. The Resolution stated:

1. *We direct staff to develop draft regulations on well pads in the shales for notice and comment rulemaking;*
2. *We will postpone the commission's consideration of well pad dockets until [DRBC] regulations are adopted; and*
3. *We will move forward with water withdrawal dockets in due course.*

By Resolution and Order dated December 8, 2010, the Commission postponed decision on its authority to review natural gas exploratory well activities in shale formations until either the adoption of final regulations or the submission of an application. Since then, the Commission has not received any applications for projects to be conducted on a well pad site – a situation that has sometimes been referred to as a “*de facto* moratorium.”

14. The Commission is proposing to prohibit HVHF. Why is it not also proposing to ban the exportation of water for hydraulic fracturing and the importation of wastewater from hydraulic fracturing?

The Commissioners by [Resolution for the Minutes in September 2017](#) directed the DRBC staff to develop regulations to protect the water resources of the Basin by:

- Proposing new regulations to prohibit hydraulic fracturing in the Basin.
- Revising existing regulations to address the importation and treatment of wastewater and exportation of water for hydraulic fracturing.

To protect the quality and quantity of the water resources of the Basin, commencing shortly after its formation in 1961 the Commission has adopted water quality standards and regulated wastewater treatment and discharges in the Basin. Since 1991, the Commission has regulated importation and exportation of water and wastewater to and from the Basin. The proposed rules draw on the Commission's experience in administering these programs. Under the proposed rules, any proposed exportation of water from the Basin to serve hydraulic fracturing activities and proposed importation into the Basin of hydraulic fracturing wastewater would become subject to review under the Compact and DRBC regulations, no matter the quantity of water or wastewater involved. The proposed rules also include new conditions, including stringent treatment and discharge requirements, for any hydraulic fracturing wastewater imported into the Basin. These draft rules constitute strong new protections for Basin waters. The Commissioners welcome comments on how to improve the proposed rules to provide for management and protection of the Basin's water and related resources consistent with the Commission's authority under the Compact.

15. *Is there currently a moratorium on the exportation of water for hydraulic fracturing or the importation of wastewater from hydraulic fracturing? Aren't these rules taking a step backwards towards protection of the resource?*

No, there is no moratorium or *de facto* moratorium on the exportation of water for hydraulic fracturing or the importation of wastewater from hydraulic fracturing within the Basin. [The Commissioners' May 5, 2010 Resolution for the Minutes \(see Minutes at page 5\)](#) was clear that the Commission wished to put new regulations in place before it would consider applications for natural gas well pad projects. At that time, the Commission said it would process water withdrawal project applications in due course, and it proceeded to do so. It said nothing about exports of water or importations of wastewater, leaving the existing regulations in place. These provide for the Commission's review only when the amount of water involved is 100,000 gallons or more per day for exportations of water out of the Basin, and 50,000 gallons or more per day for importations of wastewater into the Basin.

At the request of the then-Commissioner of the New York State Department of Environmental Protection on May 31, 2011, the Commission on December 8 of that year determined by a [Resolution for the Minutes](#) that until New York State advised the Commission that it had completed its environmental impact review process addressing the potential adverse impacts associated with hydraulic fracturing for natural gas development, DRBC would postpone consideration of applications for the approval of water withdrawals within the New York portion of the Basin to serve "high volume hydraulic fracturing" as New York defined that term. The Commission expressly provided that its December 8, 2011 action superseded the third element of its Resolution of May 5, 2010 (see no. 13 above). Simultaneously with the December 8, 2011 Resolution and as a consequence of it, DRBC suspended its reviews of three applications then pending before it for withdrawals in New York State to serve natural gas development activities within and outside the Basin. Notwithstanding New York State's subsequent issuance of a final Supplemental Generic

Impact Statement and an associated Findings Statement, the Commission has not received any further applications for withdrawals in New York State to serve natural gas development activities.

16. Did the Commission, in issuing docket approvals, impose conditions related to fracking wastewater?

In some but not all cases, DRBC docket approvals for wastewater discharges include a condition expressly providing that the docket does not constitute an approval to import wastewater from hydraulic fracturing activities, and stating that if the docket holder proposes to import and treat such wastewater, it must first apply for and obtain Commission approval for this activity. Such docket conditions do not constitute a moratorium.

17. How can proposed rules that allow the exportation of water from the Basin be protective of the Basin's water resources?

The proposed rules provide protection of the Basin's water resources by:

- Requiring that any proposal to export water at any volume or rate to serve hydraulic fracturing projects outside the Basin must first undergo DRBC review and receive the Commission's approval. Under current rules, the Commission reviews proposed exports of water only when they involve an average of 100,000 gallons per day (gpd) or more over a 30-day period.
- By reinforcing that the diversion, transfer or exportation of water from sources within the Basin to support hydraulic fracturing outside the Basin is discouraged.
- By providing that as part of its review of any proposed exportation of water for hydraulic fracturing, the Commission will consider, among other factors, efforts by the applicant to first develop or use and conserve resources outside of the Delaware River Basin; water resource impacts of each available alternative to the proposal, including the "no project" alternative; economic and social impacts of the proposed exportation and each of the available alternatives (including the "no project" alternative); and the benefits that may accrue to the Delaware River Basin as a result of the proposed exportation.

18. How can proposed rules that allow the importation, treatment and discharge of wastewater from hydraulic fracturing of oil and gas wells be protective of the Basin's water resources?

The proposed rules provide protection of the Basin's water resources by:

- Requiring that any proposal to import or treat wastewater from hydraulic fracturing of oil or gas wells at any volume or rate must first undergo DRBC review and receive the Commission's approval. Under current rules, the Commission reviews proposed importations of wastewater only when they involve a daily average rate of 50,000 gpd or more over a 30-day period.

- By reinforcing that it is the policy of the Commission to discourage the importation of wastewater into the Basin.
- By providing that as part of its review of any proposed importation of wastewater from hydraulic fracturing, the Commission will consider, among other factors, efforts by the applicant to first develop or use and conserve resources outside of the Delaware River Basin; water resource impacts of each available alternative to the proposal, including the “no project” alternative; economic and social impacts of the proposed importation and each of the available alternatives (including the "no project" alternative); and the benefits that may accrue to the Delaware River Basin as a result of the proposed importation.
- By providing that the Commission shall not issue any docket or approval for the treatment or discharge of wastewater from hydraulic fracturing of oil and gas wells unless, among other things, all pollutants of concern in the wastewater have been characterized, and the applicant has submitted a treatability study performed by a licensed engineer, demonstrating that the resulting effluent will meet applicable limits.
- By providing that for pollutants of concern as defined by the rule, in waters that drain to DRBC Special Protection Waters, applicable limits include that the effluent may not exceed the background concentration of each pollutant of concern in the receiving water, ensuring that DRBC’s “no measurable change” objective for these waters is preserved.
- By providing that for waters that do not drain to DRBC Special Protection Waters, if pollutant-specific numeric water quality criteria do not exist for any pollutant of concern, the effluent shall not exceed the background concentration of the pollutant in the receiving water.
- By requiring that if treated within the Basin, produced water from oil and gas wells may be treated only at a centralized waste treatment facility (CWT) as that term is defined by the U.S. Environmental Protection Agency.

In sum, although the regulations do not prohibit the importation, treatment and discharge of wastewater from hydraulic fracturing from oil and gas wells, each proposal to import, treat or discharge such wastewater would require the Commission’s review and could be approved only upon a demonstration that the very high standards described above would be met.

19. *Is hydraulic fracturing allowed in the area regulated by the Susquehanna River Basin Commission (SRBC)?*

Yes. Information about the SRBC and its regulations concerning the use of water for natural gas well development can be found on [SRBC’s website](#).

20. Are the SRBC and the DRBC the same type of agency with some of the same Commissioners?

The DRBC and the SRBC are both interstate-federal river basin management agencies. Each was created by its basin states and the federal government through concurrent legislation in the form of an interstate compact under Article 1, Section 10, Clause 3 of the United States Constitution. The Commonwealth of Pennsylvania and the State of New York are signatories of both compacts. In addition to these two states, the SRBC also includes Maryland (for a total of three states), while the DRBC includes New Jersey and Delaware (for a total of four states). The federal member of the two Commissions is the same – the Division Commander of the U.S. Army Corps of Engineers. However, state representation on the two commissions differs. In accordance with the respective compacts, DRBC’s state members are the duly elected Governors of the signatory states. In contrast, SRBC’s state members are “the governor or the designee of the governor of each signatory state.” Historically, the Governors of New York, Maryland and Pennsylvania have appointed the chief executive of their environmental agencies as SRBC Commissioners. The Commissioners of both SRBC and DRBC generally appoint one or more alternates to act on their behalf; however, [the Commissioners for the DRBC](#) member states are elected officials (the Governors of the respective states) and [the Commissioners for the SRBC](#) member states have historically been appointees of the Governors.

A substantive difference between the two compacts, rooted in the very different history and geography of the two basins, is in the language of their respective Articles 5. Article 5 of the [DRB Compact](#), titled “Pollution Control,” opens with the statement, “The commission may assume jurisdiction to control future pollution and abate existing pollution in the waters of the basin, whenever it determines after investigation and public hearing upon due notice that the effectuation of the [Commission’s] comprehensive plan so requires.” Article 5 of the [SRB Compact](#), titled “Water Quality Management and Control,” includes language that, although similar, appears six paragraphs into Article 5, and only after a provision expressly stating that “[t]he legislative intent in enacting this article is to give specific emphasis to the primary role of the states in water quality management and control.” The statement in Article 5 of the SRB Compact excludes the phrase “to control future pollution and abate existing pollution.”

Pollution control was one of the principle reasons the DRBC was created, and as such, has been a central focus of the Commission’s work since its inception. DRBC has established uniform water quality standards in the Basin, particularly within the main stem Delaware River. It has taken a leading role in restoration of the Delaware River Estuary, which is impaired by legacy pollution from industrial activity that occurred prior to the enactment of the DRB Compact and key federal and state environmental laws. In this regard,

- DRBC established and together with the signatory parties has implemented wasteload allocations that have restored dissolved oxygen in the Estuary from concentrations incapable of supporting aquatic life to the vastly improved levels we have today, which support robust fish populations. More information on this program can be found on the DRBC website [here](#).

- DRBC spearheaded a program that has made tremendous progress in reducing contamination from polychlorinated biphenyls (PCBs), which continue to be the cause of state consumption advisories for multiple species of Estuary fish. More information on this program can be found on the DRBC website [here](#).

DRBC also has taken the lead in protecting interstate waters of exceptionally high quality, including the main stem Delaware River from Hancock, New York, to Trenton, New Jersey. Through DRBC, the basin states and federal government established the Special Protection Waters program to protect the exceptionally high water quality of the non-tidal Delaware River. The goal of this antidegradation program is no measurable change in existing water quality except toward natural conditions. More information on this program can be found on the DRBC website [here](#).

In contrast with DRBC's long history and accomplishments in the area of water quality restoration and protection, SRBC has focused its regulatory authority almost exclusively on issues related to water quantity.

21. *What differences exist between the Susquehanna and the Delaware river basins that might account for the different responses of the SRBC and DRBC to hydraulic fracturing?*

The two basins are different in several key respects related to water resources. The main stem Delaware River is an interstate water for its entire 330 river miles. In other words, no matter where you stand on one bank of the Delaware, the opposite bank is in another state. This is not the case for the Susquehanna, which flows from New York through Pennsylvania and into Maryland in a "stacked" or sequential manner. If you stand on a bank of the main stem Susquehanna River, the opposite bank is always within the same state. Within any interstate basin, upstream events may affect downstream states. However, in the Susquehanna, the downstream state is more often than not farther away than the width of the river.

As noted in the response to no. 20 above, acting jointly through the DRBC after significant public input, the member states and federal government have classified all of the non-tidal portions of the Delaware River as "[Special Protection Waters](#)" (SPW) due to their exceptionally high scenic, recreational, ecological, and/or water supply values. It is expected that practically all the development and related disturbances from high volume hydraulic fracturing would occur in the drainage area to approximately 144 river miles (73 percent) of the Basin's SPW waters. Notably, a 73-mile reach of the main stem Delaware River overlying the Marcellus and Utica shales also is among multiple stream reaches within the Delaware Basin that have been included by the United States Government in the National Wild and Scenic Rivers system. Such a designation has not occurred in the neighboring Susquehanna River Basin.

In the Susquehanna Basin, all surface water quality classifications are established by the member states for waters within the state; none are classified jointly as in the case of DRBC's SPW. Pennsylvania's surface water quality classifications include the designations "Exceptional Value" (EV) and "High Quality" (HQ) for high quality waters, and these classifications have been applied to

thousands of miles of streams in both the Susquehanna and Delaware basins. The table below compares river (or stream) miles assigned Pennsylvania anti-degradation classifications within the portions of the two basins underlain by the Marcellus and Utica shales.

	River Basin	
	Susquehanna	Delaware
Total River Miles in areas underlain by Shale Formations	24,782	4,391
Total High Quality (HQ) and Exceptional Value (EV) River Miles in same areas	8,167	3,627
% HQ and EV River Miles	33%	83%

If the SPW designation is included in the tabulation, the percentage of river miles with anti-degradation classifications within the portion of the Delaware River Basin underlain by the Marcellus and Utica shales rises to 86 percent.

In addition, up to 900 million gallons per day of water are exported from the Delaware River Basin to support the water supply needs of millions in New York City and portions of New Jersey outside the Basin. It is possible that because the scope of SRBC regulation has been limited to water quantity and because out-of-basin diversions from the Susquehanna are not nearly as significant as from the Delaware, a comparable level of concern on the part of out-of-basin water users has not arisen in connection with SRBC actions.

22. Has DRBC reviewed the SRBC water quality data relating to natural gas development in the Susquehanna River Basin?

Yes. The most recent (2016) [full report](#) and [summary report](#) can be found on the SRBC website.

In 2010, the Susquehanna River Basin Commission established a real-time, continuous remote water quality monitoring network (RWQMN) to monitor headwater streams for potential impacts from unconventional natural gas drilling and other activities in the Basin. The water quality parameters for which continuous data is collected at each site include pH, specific conductance (or “conductance”), water temperature, dissolved oxygen (DO), and turbidity.

The CONCLUSIONS set forth in the summary report are reprinted below:

The results of this study illustrated various trends in water quality parameters at a relatively small number of stations, although no clear cause or correlation with human activity could be discerned. Out of the five separate water quality parameters examined, at least one significant trend was observed at 40 out of the 53 stations. Of these 40 stations, a total of 57 significant water quality trends were identified (see Table 1, page 4). The Commission observed more trends for conductance than any of the other four parameters. For this reason, the stations with specific conductance trends were a major focus of the analyses. Less than 20 percent of stations with

increasing conductance trends also experienced trends in dissolved oxygen, temperature, or turbidity, making it difficult to analyze for the cause of the trend. Several preliminary findings were noted for stations with specific conductance trends:

- *Watershed characteristics (watershed size, land use, natural gas well density, etc.) for stations with increasing conductance were not statistically different from those at stations with no observable trends.*
- *Over time, the increase in conductance did not correlate to the presence of natural gas wells since similar increasing conductance trends were also observed in watersheds with no natural gas development. Although there is a possibility that conductance could be linked to natural gas development in these watersheds, the correlation between the two is inconclusive, especially without identifying the source of increased conductance in watersheds that lack well development.*
- *Increases in concentrations of ions commonly found in hydraulically fractured fluids (including chloride, sodium, magnesium, and calcium) were not consistently correlated to increases in conductance.*
- *There were no significant changes to the aquatic biological community, as indicated by macroinvertebrate IBI scores, as a function of increased conductance trends.*

The Summary Report also identified “NEXT STEPS,” which are reprinted here:

To date, the Commission’s remote water quality monitoring network has not detected discernible impacts on the quality of the Basin’s water resources as a result of natural gas development, but continued vigilance is warranted. The Commission’s next steps with the program include selecting a subset of stations with increasing conductance trends to further investigate the cause of increasing conductance. Potential site specific investigations of these watersheds may include conducting detailed aerial image analyses to detect any changes in land cover that may be influencing water quality trends and/or implementing a nested sampling approach to isolate tributaries and potential point-sources.

Water quality trends will be re-examined when there are 10 years of continuous data at each station. The extended timeframe will allow for more robust analysis of the data, and also allow additional supplemental data, such as discrete water chemistry samples, to be collected in each watershed. In addition to revisiting the trends, any changes to water quality conditions will also be evaluated against the aquatic biological community data collected within the monitored watersheds.

23. What is specific conductance and why does it matter?

Specific conductance (also, “conductance”) is a measure of how easily an electrical current can pass through water. This parameter is easily measured and recorded with a meter. It is especially sensitive to the salts and ions that are defining characteristics of hydraulic fracturing fluid and produced water from fracturing activities.

24. Does the SRBC water quality report conclude definitively that natural gas development within the SRB has had no impact on water quality within the Basin?

No. As noted in the summary report, SRBC did not conclude that hydraulic fracturing has no impact on water quality, but rather that a correlation between the observed increasing specific conductance trends and natural gas development in the Susquehanna River Basin was not established. Further studies were recommended as next steps.

25. Who makes the final decision for the Commission on this matter?

The Delaware River Basin Compact, the federal and state law that created the Commission, empowers the Commissioners to adopt new rules or modify existing ones. The Commissioners are the Governors of the four basin states and the Division Commander of the U.S. Army Corps of Engineers North Atlantic Division, who serves as the federal representative. A list of the current Commissioners (and Alternate Commissioners) is provided [here](#). A majority vote of three is required for this and nearly all Commission actions.

26. Will the Commissioners be in attendance at the hearings?

Attendees should not expect Commissioners to attend the hearings. In some cases, the Commissioners’ Alternates or state or federal agency staff may attend. Hearings Nos. 1 through 5 will be conducted by an independent hearing officer engaged by the Commission. Hearing No. 6 will be conducted by a DRBC staff hearing officer.

27. Where can I get more information about the draft rules and the Commission’s role?

Interested parties are encouraged to check the Commission’s website – www.drbc.net – for the most up-to-date information concerning this rulemaking process.

The website includes an archive that provides a record of prior DRBC activities concerning the management of water resources in connection with natural gas development:

<http://www.nj.gov/drbc/programs/natural/>

Finally, to receive periodic DRBC-related information and updates on this topic directly *via* email, you can sign up for DRBC’s “listserv” related to natural gas development activities:

<http://www.nj.gov/drbc/contact/interest/index.html>

28. When might I expect the Commissioners to vote on draft rules?

After the close of the comment period on March 30, the Commission will take time to review and consider the oral and written comments received, determine whether any changes based on the comments are appropriate, and prepare a response document. A vote by the Commissioners to adopt final rules could occur in late 2018 or 2019. As always, the Commission may adopt final rules only at a duly-noticed public meeting.

END OF SECTION

ADDITIONAL QUESTIONS AND ANSWERS WILL BE ADDED AS REQUIRED

Last updated 1/22/2018